

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee Street
Suite 950
Des Plaines, IL 60016



Citation and Notification of Penalty

To:
AB Specialty Silicones, LLC
and its successors
3702 Hawthorn Ct.
Waukegan, IL 60087

Inspection Number: 1398632
Inspection Date(s): 05/04/2019 - 10/24/2019
Issuance Date: 10/24/2019

Inspection Site:
3790 Sunset Avenue
Waukegan, IL 60087

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 847-803-4800. 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 10/24/2019. The conference will be held by telephone or at the OSHA office located at 701 Lee Street, Suite 950, Des Plaines, IL 60016 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1398632

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087
Issuance Date: 10/24/2019

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, 701 Lee Street, Suite 950, Des Plaines, IL 60016.**

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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: **Willful**

29 CFR 1910.106(h)(7)(iii)(a): All electrical wiring and equipment was not installed in accordance with subpart S of this part:

The employer does not ensure that all equipment, wiring methods and installations of equipment are intrinsically safe, approved for hazardous (classified) locations or safe for use in the hazardous (classified) location. This condition most recently occurred from April 29, 2019 through May 3, 2019, when volatile flammable liquids were handled, processed, and used in reactor vessel R4.

- a) General purpose electrical fixtures, conduit, and wiring methods were used and installed in a Class 1 Division 2 location in the area around reactor R4 from April 29, 2019 through May 3, 2019. The electrical fixtures, conduit, and wiring methods were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- b) An electrical control panel was installed in a Class 1 Division 2 location, in the area around reactor R4, and was in this location from April 29, 2019 through May 3, 2019. The control panel and associated components were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- c) A Baldor Agitator Motor was used in a Class 1 Division 2 hazardous location on Reactor 4, between April 29, 2019, through May 3, 2019. The Baldor Motor was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

To abate this hazard in the future, the employer must ensure that all electrical equipment, wiring methods and installations of equipment are intrinsically safe, approved for use in hazardous (classified) locations or safe for use in the hazardous (classified) location.

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

Inspection Number: 1398632
Inspection Date(s): 05/04/2019 - 10/24/2019
Issuance Date: 10/24/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated:	12/12/2019
Proposed Penalty:	\$132598.00

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location:

The employer does not ensure that all equipment, wiring methods and installations of equipment are intrinsically safe, approved for hazardous (classified) locations or safe for use in the hazardous (classified) location. This condition most recently occurred from April 29, 2019 through May 3, 2019, when volatile flammable liquids were handled, processed, and used in reactor vessel R4.

a) General purpose electrical fixtures, conduit, and wiring methods were used and installed in a Class 1 Division 2 location in the area around reactor R4 from April 29, 2019 through May 3, 2019. The electrical fixtures, conduit, and wiring methods were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

b) An electrical control panel was installed in a Class 1 Division 2 location, in the area around reactor R4, and was in this location from April 29, 2019 through May 3, 2019. The control panel and associated components were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

c) A Baldor Agitator Motor was used in a Class 1 Division 2 hazardous location on Reactor 4, between April 29, 2019, through May 3, 2019. The Baldor Motor was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

To abate this hazard in the future, the employer must ensure that all electrical equipment, wiring methods and installations of equipment are intrinsically safe, approved for use in hazardous (classified) locations or safe for use in the hazardous (classified) location.

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Occupational Safety and Health Administration

Inspection Number: 1398632
Inspection Date(s): 05/04/2019 - 10/24/2019
Issuance Date: 10/24/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated:

12/12/2019

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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 2 a Type of Violation: **Willful**

29 CFR 1910.106(h)(7)(iii)(a): All electrical wiring and equipment was not installed in accordance with subpart S of this part:

The employer does not ensure that all equipment, wiring methods and installations of equipment are intrinsically safe, approved for hazardous (classified) locations or safe for use in the hazardous (classified) location. This condition most recently occurred from April 29, 2019 through May 3, 2019, when volatile flammable liquids were handled, processed, and used in reactor vessel R5.

- a) General purpose electrical fixtures, conduit, and wiring methods were used and installed in a Class 1 Division 2 location in the area around reactor R5 from April 29, 2019, through May 3, 2019. The electrical fixtures, conduit, and wiring methods were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- b) A Delta T Air Chiller Model TCAC-B230 was installed in a Class 1 Division 2 location in the area around Reactor R5 and was in this location from April 29, 2019 through May 3, 2019. The reactor's oil heater was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- c) An electrical control panel was installed in a Class 1 Division 2 location, in the area around reactor R5, and was in this location from April 29, 2019 through May 3, 2019. The control panel and associated components were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- d) A DuraPulse Frequency Drive was used in a Class 1 Division 2 location in the area around reactor R5 between April 29, 2019 through May 3, 2019. The DuraPulse Frequency Drive was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

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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Occupational Safety and Health Administration

Inspection Number: 1398632
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Issuance Date: 10/24/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

To abate this hazard in the future, the employer must ensure that all electrical equipment, wiring methods and installations of equipment are intrinsically safe, approved for use in hazardous (classified) locations or safe for use in the hazardous (classified) location.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated: 12/12/2019
Proposed Penalty: \$132598.00

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location:

The employer does not ensure that all equipment, wiring methods and installations of equipment are intrinsically safe, approved for hazardous (classified) locations or safe for use in the hazardous (classified) location. This condition most recently occurred from April 29, 2019 through May 3, 2019, when volatile flammable liquids were handled, processed, and used in reactor vessel R5.

- a) General purpose electrical fixtures, conduit, and wiring methods were used and installed in a Class 1 Division 2 location in the area around reactor R5 from April 29, 2019 through May 3, 2019. The electrical fixtures, conduit, and wiring methods were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- b) A Delta T Air Chiller Model TCAC-B230 was installed in a Class 1 Division 2 location in the area around Reactor R5 and was in this location from April 29, 2019 through May 3, 2019. The air chiller was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- c) An electrical control panel was installed in a Class 1 Division 2 location, in the area around reactor R5, and was in this location from April 29, 2019 through May 3, 2019. The control panel and associated components were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- d) A DuraPulse Frequency Drive was used in a Class 1 Division 2 location in the area around reactor R5 between April 29, 2019 through May 3, 2019. The DuraPulse Frequency Drive was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

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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Inspection Number: 1398632
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Issuance Date: 10/24/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

To abate this hazard in the future, the employer must ensure that all electrical equipment, wiring methods and installations of equipment are intrinsically safe, approved for use in hazardous (classified) locations or safe for use in the hazardous (classified) location.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated: 12/12/2019

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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

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

29 CFR 1910.106(h)(7)(iii)(a): All electrical wiring and equipment was not installed in accordance with subpart S of this part:

The employer does not ensure that all equipment, wiring methods and installations of equipment are intrinsically safe, approved for hazardous (classified) locations or safe for use in the hazardous (classified) location. This condition last occurred between April 29, 2019 through May 3, 2019, when volatile flammable liquids were handled, processed, and used in reactor vessel R8.

- a) General purpose electrical fixtures, conduit, and wiring methods were used and installed in a Class 1 Division 2 location in the area around reactor R8 between April 29, 2019 through May 3, 2019. The electrical fixtures, conduit, and wiring methods were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- b) An electrical control panel was installed in a Class 1 Division 2 location, in the area around reactor R8, and was in this location from April 29, 2019 through May 3, 2019. The control panel and associated components were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- c) The wiring for a Lightnin Agitator Motor located in a Class 1 Division 2 hazardous (classified) location on Reactor R8, and was in this location from April 29, 2019 through May 3, 2019, was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

To abate this hazard in the future, the employer must ensure that all electrical equipment, wiring methods and installations of equipment are intrinsically safe, approved for use in hazardous (classified) locations or safe for use in the hazardous (classified) location.

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: 1398632
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Issuance Date: 10/24/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated:	12/12/2019
Proposed Penalty:	\$132598.00

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location:

The employer does not ensure that all equipment, wiring methods and installations of equipment are intrinsically safe, approved for hazardous (classified) locations or safe for use in the hazardous (classified) location. This condition last occurred between April 29, 2019 through May 3, 2019, when volatile flammable liquids were handled, processed, and used in reactor vessel R8.

a) General purpose electrical fixtures, conduit, and wiring methods were used and installed in a Class 1 Division 2 location in the area around reactor R8 between April 29, 2019 through May 3, 2019. The electrical fixtures, conduit, and wiring methods were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

b) An electrical control panel was installed in a Class 1 Division 2 location, in the area around reactor R8, and was in this location from April 29, 2019 through May 3, 2019. The control panel and associated components were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

c) The wiring for a Lightnin Agitator Motor located in a Class 1 Division 2 hazardous (classified) location on Reactor R8, and was in this location from April 29, 2019 through May 3, 2019, was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

To abate this hazard in the future, the employer must ensure that all electrical equipment, wiring methods and installations of equipment are intrinsically safe, approved for use in hazardous (classified) locations or safe for use in the hazardous (classified) location.

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

Inspection Number: 1398632
Inspection Date(s): 05/04/2019 - 10/24/2019
Issuance Date: 10/24/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated:

12/12/2019

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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

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

29 CFR 1910.106(h)(7)(iii)(a): All electrical wiring and equipment was not installed in accordance with subpart S of this part:

The employer does not ensure that all equipment, wiring methods and installations of equipment are intrinsically safe, approved for hazardous (classified) locations or safe for use in the hazardous (classified) location. This condition most recently occurred from April 29, 2019 through May 3, 2019, when volatile flammable liquids were handled, processed, and used in reactor vessel R9.

- a) General purpose electrical fixtures, conduit, and wiring methods were used and installed in a Class 1 Division 2 location in the area around reactor R9 from April 29, 2019 through May 3, 2019. The electrical fixtures, conduit, and wiring methods were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- b) A DuraPulse Frequency Drive connected to an electric pump was used in a Class 1 Division 2 location in the area around reactor R9 during the period from April 29, 2019 through May 3, 2019. The DuraPulse Frequency Drive was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- c) A DuraPulse Frequency Drive connected to an electrical control panel was used in a Class 1 Division 2 location in the area around reactor R9 during the period from April 29, 2019 through May 3, 2019. The DuraPulse Frequency Drive was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- d) An electrical control panel was installed in a Class 1 Division 2 location, in the area around reactor R9, and was in this location from April 29, 2019 through May 3, 2019. The control panel and associated components were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

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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Issuance Date: 10/24/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

e) The wiring for a Philadelphia Mixer Agitator Motor located in a Class 1 Division 2 hazardous (classified) location on Reactor R9, and was in this location from April 29, 2019 through May 3, 2019, was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

To abate this hazard in the future, the employer must ensure that all electrical equipment, wiring methods and installations of equipment are intrinsically safe, approved for use in hazardous (classified) locations or safe for use in the hazardous (classified) location.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated:	12/12/2019
Proposed Penalty:	\$132598.00

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Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location:

The employer does not ensure that all equipment, wiring methods and installations of equipment are intrinsically safe, approved for hazardous (classified) locations or safe for use in the hazardous (classified) location. This condition most recently occurred from April 29, 2019 through May 3, 2019, when volatile flammable liquids were handled, processed, and used in reactor vessel R9.

- a) General purpose electrical fixtures, conduit, and wiring methods were used and installed in a Class 1 Division 2 location in the area around reactor R9 from April 29, 2019 through May 3, 2019. The electrical fixtures, conduit, and wiring methods were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- b) A DuraPulse Frequency Drive connected to an electric pump was used in a Class 1 Division 2 location in the area around reactor R9 during the period from April 29, 2019 through May 3, 2019. The DuraPulse Frequency Drive was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- c) A DuraPulse Frequency Drive connected to an electrical control panel was used in a Class 1 Division 2 location in the area around reactor R9 during the period from April 29, 2019 through May 3, 2019. The DuraPulse Frequency Drive was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- d) An electrical control panel was installed in a Class 1 Division 2 location, in the area around reactor R9, and was in this location from April 29, 2019 through May 3, 2019. The control panel and associated components were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

e) The wiring for a Philadelphia Mixer Agitator Motor located in a Class 1 Division 2 hazardous (classified) location on Reactor R9, and was in this location from April 29, 2019 through May 3, 2019, was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

To abate this hazard in the future, the employer must ensure that all electrical equipment, wiring methods and installations of equipment are intrinsically safe, approved for use in hazardous (classified) locations or safe for use in the hazardous (classified) location.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated:

12/12/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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 5 a Type of Violation: **Willful**

29 CFR 1910.106(h)(7)(iii)(a): All electrical wiring and equipment was not installed in accordance with subpart S of this part:

The employer does not ensure that all equipment, wiring methods and installations of equipment are intrinsically safe, approved for hazardous (classified) locations or safe for use in the hazardous (classified) location. This condition most recently occurred from April 29, 2019 through May 3, 2019, where volatile flammable liquids were handled, processed, and used in reactor vessel S8.

- a) A DuraPulse Frequency Drive connected to an electric pump was used in a Class 1 Division 2 location in the area around reactor S8 during the period from April 29, 2019 through May 3, 2019. The DuraPulse Frequency Drive was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- b) A Delta T 144kW Oil Heater Model T1999CS was used in a Class 1 Division 2 location in the area around Reactor S8 during the period from April 29, 2019 through May 3, 2019. The reactor's oil heater was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- c) The wiring for a Lightnin Agitator Motor located in a Class 1 Division 2 hazardous (classified) location on Reactor S8, and was in this location from April 29, 2019 through May 3, 2019, was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

To abate this hazard in the future, the employer must ensure that all electrical equipment, wiring methods and installations of equipment are intrinsically safe, approved for use in hazardous (classified) locations or safe for use in the hazardous (classified) location.

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: 1398632
Inspection Date(s): 05/04/2019 - 10/24/2019
Issuance Date: 10/24/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated:	12/12/2019
Proposed Penalty:	\$132598.00

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

Citation 1 Item 5 b Type of Violation: **Willful**

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location:

The employer does not ensure that all equipment, wiring methods and installations of equipment are intrinsically safe, approved for hazardous (classified) locations or safe for use in the hazardous (classified) location. This condition most recently occurred from April 29, 2019 through May 3, 2019, where volatile flammable liquids were handled, processed, and used in reactor vessel S8.

a) A DuraPulse Frequency Drive connected to an electric pump was used in a Class 1 Division 2 location in the area around reactor S8 during the period from April 29, 2019 through May 3, 2019. The DuraPulse Frequency Drive was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

b) A Delta T 144kW Oil Heater Model T1999CS was used in a Class 1 Division 2 location in the area around Reactor S8 during the period from April 29, 2019 through May 3, 2019. The reactor's oil heater was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

c) The wiring for a Lightning Agitator Motor located in a Class 1 Division 2 hazardous (classified) location on Reactor S8, and was in this location from April 29, 2019 through May 3, 2019, was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

To abate this hazard in the future, the employer must ensure that all electrical equipment, wiring methods and installations of equipment are intrinsically safe, approved for use in hazardous (classified) locations or safe for use in the hazardous (classified) location.

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: 1398632
Inspection Date(s): 05/04/2019 - 10/24/2019
Issuance Date: 10/24/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated:

12/12/2019

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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: **Willful**

29 CFR 1910.106(h)(7)(iii)(c): Locations where flammable vapor-air mixtures may exist under abnormal conditions and for a distance beyond Division 1 locations were not classified Division 2 according to the requirements of Subpart S of this part. These locations included areas within 20 feet horizontally, 3 feet vertically beyond Division 1 areas, and up to 3 feet above floor or grade level within 25 feet, if indoors, or 10 feet if outdoors, from any pump, bleeder, withdrawal fitting, meter, or similar device handling Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100 °F (37.8 °C). Pits provided with adequate mechanical ventilation within a Division 1 or 2 area were not classified Division 2:

The employer does not classify locations where flammable vapor-air mixtures may exist under abnormal conditions as Division 2 according to the requirements of Subpart S. This condition most recently occurred during the period from April 29, 2019 through May 3, 2019, in the production area around Reactors R4, R5, R8, and R9.

a) During the period from April 29, 2019 through May 3, 2019, in the production area, locations around Reactors R4, R5, R8, R9 where flammable vapor-air mixtures may exist under abnormal conditions, were not classified as Division 2 according to the requirements of Subpart S.

To abate this hazard in the future, the employer must ensure that all hazardous (classified) locations are classified according to the requirements of this standard.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated: 12/12/2019
Proposed Penalty: \$132598.00

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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

29 CFR 1910.307(a)(4): Division and zone classification. In Class I locations, installations were not classified using the division classification system meeting paragraphs (c), (d), (e), and (f) of this section or using the zone classification system meeting paragraph (g) of this section:

The employer does not classify installations in Class I locations using the division classification system or the zone classification system. This condition most recently occurred from April 29, 2019 through May 3, 2019, where the installations around Reactors R4, R5, R8, R9 and Emulsion Tanks S2 and S4 were not classified in accordance with the division or zone classification systems.

a) During the period from April 29, 2019 through May 3, 2019, the employer did not classify electrical equipment and installations in Class 1 locations around Reactors R4, R5, R8, R9 and Emulsion Tanks S2 and S4 in accordance to Division or Zone. In these areas, flammable vapor-air mixtures may exist under abnormal conditions.

To abate this hazard in the future, the employer must ensure that all hazardous (classified) locations are classified according to the requirements of this standard.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated:

10/30/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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

29 CFR 1910.307(b): Areas designated as hazardous (classified) locations under the Class and Zone system and areas designated under the Class and Division system established after August 13, 2007 were not properly documented:

The employer does not document hazardous (classified) locations in its facility and does not maintain documentation of those areas. This condition last occurred during the period from April 29, 2019 through May 3, 2019, where the hazardous (classified) locations around Reactors R4, R5, R8, R9, and Emulsion Tanks S2 and S4 were not documented.

a) During the period from April 29, 2019 through May 3, 2019, the employer did not generate or maintain documentation of hazardous (classified) locations throughout its facility.

To abate this hazard in the future, the employer must ensure that all hazardous (classified) locations are properly documented with those documents maintained in accordance to the requirements of this standard.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated: 12/12/2019
Proposed Penalty: \$132598.00



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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 8 a Type of Violation: **Willful**

29 CFR 1910.178(c)(2)(iv): Power-operated industrial trucks designated as DY, EE, or EX were not used in locations where volatile flammable liquids or flammable gases were handled, processed or used, but in which the hazardous liquids, vapors or gases would normally be confined within closed containers or closed systems from which they could escape only in case of accidental rupture or breakdown of such containers or systems, or in the case of abnormal operation of equipment; also in locations in which hazardous concentrations of gases or vapors are normally prevented by positive mechanical ventilation but which might become hazardous through failure or abnormal operation of the ventilating equipment; or in locations which are adjacent to Class I, Division 1 locations, and to which hazardous concentrations of gases or vapors might occasionally be communicated unless such communication is prevented by adequate positive-pressure ventilation from a source of clear air, and effective safeguards against ventilation failure are provided:

a) The employer does not provide powered industrial trucks with DY, EE, or EX, designation in plant locations where volatile flammable liquids or flammable gases are handled, processed, or used. This condition last occurred during the period from April 29, 2019 through May 3, 2019, when a Clark C25CL (serial number C232L-0360-9856CNF) powered industrial truck with Type LP designation was used in areas where volatile flammable liquids were handled, processed and used, and were used to transport volatile flammable liquids.

To abate this hazard in the future, the employer must ensure that all powered industrial trucks are the correct type for the location and hazards present in accordance with this standard.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated: 12/12/2019
Proposed Penalty: \$132598.00

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

Citation 1 Item 8 b Type of Violation: **Willful**

29 CFR 1910.178(c)(2)(xii): In general industrial or commercial properties that are hazardous, powered-operated industrial trucks in use were not approved for such locations as specified in this paragraph (c)(2):

a) The employer uses unapproved powered industrial trucks in hazardous plant locations where volatile flammable liquids or flammable gases are handled, processed, or used. This condition last occurred on May 3, 2019, when a Clark C25CL (serial number C232L-0360-9856CNF) powered industrial truck with Type LP designation was used and available in areas where volatile flammable liquids were handled, processed and used, and were used to transport volatile flammable liquids.

To abate this hazard in the future, the employer must ensure that all powered industrial trucks are the correct type for the location and hazards present in accordance with this standard.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated:

12/12/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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 9 a Type of Violation: **Willful**

29 CFR 1910.178(c)(2)(iv): Power-operated industrial trucks designated as DY, EE, or EX were not used in locations where volatile flammable liquids or flammable gases were handled, processed or used, but in which the hazardous liquids, vapors or gases would normally be confined within closed containers or closed systems from which they could escape only in case of accidental rupture or breakdown of such containers or systems, or in the case of abnormal operation of equipment; also in locations in which hazardous concentrations of gases or vapors are normally prevented by positive mechanical ventilation but which might become hazardous through failure or abnormal operation of the ventilating equipment; or in locations which are adjacent to Class I, Division 1 locations, and to which hazardous concentrations of gases or vapors might occasionally be communicated unless such communication is prevented by adequate positive-pressure ventilation from a source of clear air, and effective safeguards against ventilation failure are provided:

a) The employer does not provide powered industrial trucks with DY, EE, or EX, designation in plant locations where volatile flammable liquids or flammable gases are handled, processed, or used. This condition last occurred during the period from April 29, 2019 through May 3, 2019, when a Clark C25CL (serial number C232L-0181-9823KF) powered industrial truck with Type LP designation was used in areas where volatile flammable liquids were handled, processed and used, and were used to transport volatile flammable liquids.

To abate this hazard in the future, the employer must ensure that all powered industrial trucks are the correct type for the location and hazards present in accordance with this standard.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated: 12/12/2019
Proposed Penalty: \$132598.00

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

Citation 1 Item 9 b Type of Violation: **Willful**

29 CFR 1910.178(c)(2)(xii): In general industrial or commercial properties that are hazardous, powered-operated industrial trucks in use were not approved for such locations as specified in this paragraph (c)(2):

a) The employer uses unapproved powered industrial trucks in hazardous plant locations where volatile flammable liquids or flammable gases are handled, processed, or used. This condition last occurred during the period from April 29, 2019 through May 3, 2019, when a Clark C25CL (serial number C232L-0181-9823KF) powered industrial truck with Type LP designation was used and available in areas where volatile flammable liquids were handled, processed and used, and were used to transport volatile flammable liquids.

To abate this hazard in the future, the employer must ensure that all powered industrial trucks are the correct type for the location and hazards present in accordance with this standard.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated:

10/30/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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 10 a Type of Violation: **Willful**

29 CFR 1910.178(c)(2)(iv): Power-operated industrial trucks designated as DY, EE, or EX were not used in locations where volatile flammable liquids or flammable gases were handled, processed or used, but in which the hazardous liquids, vapors or gases would normally be confined within closed containers or closed systems from which they could escape only in case of accidental rupture or breakdown of such containers or systems, or in the case of abnormal operation of equipment; also in locations in which hazardous concentrations of gases or vapors are normally prevented by positive mechanical ventilation but which might become hazardous through failure or abnormal operation of the ventilating equipment; or in locations which are adjacent to Class I, Division 1 locations, and to which hazardous concentrations of gases or vapors might occasionally be communicated unless such communication is prevented by adequate positive-pressure ventilation from a source of clear air, and effective safeguards against ventilation failure are provided:

a) The employer does not provide powered industrial trucks with DY, EE, or EX, designation in plant locations where volatile flammable liquids or flammable gases are handled, processed, or used. This condition last occurred during the period from April 29, 2019 through May 3, 2019, when a Clark C25CL (serial number C232L-0363-9856CNF) powered industrial truck with Type LP designation was used in areas where volatile flammable liquids were handled, processed and used, and were used to transport volatile flammable liquids.

To abate this hazard in the future, the employer must ensure that all powered industrial trucks are the correct type for the location and hazards present in accordance with this standard.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated: 12/12/2019
Proposed Penalty: \$132598.00

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

Citation 1 Item 10 b Type of Violation: **Willful**

29 CFR 1910.178(c)(2)(xii): In general industrial or commercial properties that are hazardous, powered-operated industrial trucks in use were not approved for such locations as specified in this paragraph (c)(2):

a) The employer uses unapproved powered industrial trucks in hazardous plant locations where volatile flammable liquids or flammable gases are handled, processed, or used. This condition last occurred during the period from April 29, 2019 through May 3, 2019, when a Clark C25CL (serial number C232L-0363-9856CNF) powered industrial truck with Type LP designation was used and available in areas where volatile flammable liquids were handled, processed and used, and were used to transport volatile flammable liquids.

To abate this hazard in the future, the employer must ensure that all powered industrial trucks are the correct type for the location and hazards present in accordance with this standard.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated:

12/12/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location:

The employer does not ensure that all equipment, wiring methods and installations of equipment are intrinsically safe, approved for hazardous (classified) locations or safe for use in the hazardous (classified) location. This condition last occurred on May 3, 2019, when hydrogen gas was generated and handled in tank S2.

- a) General purpose electrical fixtures, conduit, and wiring methods were used and installed in a Class 1 Division 2 location in the area around tank S2 on May 3, 2019. The electrical fixtures, conduit, and wiring methods were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- b) A DuraPulse Frequency Drive connected to an electric pump was used in a Class 1 Division 2 location in the area around tank S2 on May 3, 2019. The DuraPulse Frequency Drive was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- c) A DuraPulse Frequency Drive connected to an electric pump was used in a Class 1 Division 2 location in the area around tank S2 on May 3, 2019. The DuraPulse Frequency Drive was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- d) A DuraPulse Frequency Drives connected to an IKA mill was used in a Class 1 Division 2 location in the area around tank S2 on May 3, 2019. The DuraPulse Frequency Drive was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- e) The wiring for an IKA mill located in a Class 1 Division 2 hazardous (classified) location in the area around tank S2, and was in this location from April 29, 2019 through May 3, 2019, was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

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: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

f) The wiring for a Proquip Model JL-10 agitator motor located in a Class 1 Division 2 hazardous (classified) location on tank S2, and was in this location from April 29, 2019 through May 3, 2019, was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

g) A Hubbell Electric 30A watertight outlet was used in a Class 1 Division 2 location in the area around tank S2 on May 3, 2019. The Hubbell Electric 30A watertight outlet was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

h) A Hubbell Electric 30A watertight outlet was used in a Class 1 Division 2 location in the area around tank S2 on May 3, 2019. The Hubbell Electric 30A watertight outlet was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

To abate this hazard in the future, the employer must ensure that all electrical equipment, wiring methods and installations of equipment are intrinsically safe, approved for use in hazardous (classified) locations or safe for use in the hazardous (classified) location.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated: 01/28/2020
Proposed Penalty: \$132598.00



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

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

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location:

The employer does not ensure that all equipment, wiring methods and installations of equipment are intrinsically safe, approved for hazardous (classified) locations or safe for use in the hazardous (classified) location. This condition last occurred on May 3, 2019, when hydrogen gas was generated and handled in tank S4.

- a) General purpose electrical fixtures, conduit, and wiring methods were used and installed in a Class 1 Division 2 location in the area around tank S4 on May 3, 2019. The electrical fixtures, conduit, and wiring methods were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- b) A Delta T Oil Heater Model T1075MS was installed in a Class 1 Division 2 location in the area around tank S4 on May 3, 2019. The reactor's oil heater was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- c) The wiring for a Proquip Model 1ORGX21 agitator motor located in a Class 1 Division 2 hazardous (classified) location on tank S4, and was in this location from April 29, 2019 through May 3, 2019, was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.
- d) The wiring for an IKA mill located in a Class 1 Division 2 hazardous (classified) location in the area around tank S4, and was in this location from April 29, 2019 through May 3, 2019, was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location.

To abate this hazard in the future, the employer must ensure that all electrical equipment, wiring methods and installations of equipment are intrinsically safe, approved for use in hazardous (classified) locations or safe for use in the hazardous (classified) location.

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: 1398632
Inspection Date(s): 05/04/2019 - 10/24/2019
Issuance Date: 10/24/2019



Citation and Notification of Penalty

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire and explosion hazards.

Date By Which Violation Must be Abated: 12/12/2019
Proposed Penalty: \$132598.00

A handwritten signature in cursive script that reads "Angeline Loftus".

Angeline Loftus
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
701 Lee Street
Suite 950
Des Plaines, IL 60016



INVOICE / DEBT COLLECTION NOTICE

Company Name: AB Specialty Silicones, LLC
Inspection Site: 3790 Sunset Avenue, Waukegan, IL 60087
Issuance Date: 10/24/2019

Summary of Penalties for Inspection Number	1398632
Citation 1, Willful	\$1,591,176.00
TOTAL PROPOSED PENALTIES	\$1,591,176.00

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.

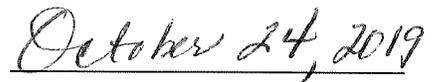
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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



Angeline Loftus

Area Director



Date