

U.S. Department of Labor

Occupational Safety and Health Administration
2296 Henderson Mill Road
Suite 200
Atlanta, GA 30345



Citation and Notification of Penalty

To:

Kittrich Corporation, dba Avenger Products, LLC.
and its successors
1605 Candler Rd
Gainesville, GA 30507

Inspection Number: 1419071**Inspection Date(s):** 07/30/2019 - 07/30/2019**Issuance Date:** 12/04/2019**Inspection Site:**

1605 Candler Rd
Gainesville, GA 30507

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 770-493-6644. 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:

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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 12/04/2019. The conference will be held by telephone or at the OSHA office located at 2296

Henderson Mill Road, Suite 200, Atlanta, GA 30345 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1419071

Company Name: Kittrich Corporation, dba Avenger Products, LLC.

Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

Issuance Date: 12/04/2019

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, 2296 Henderson Mill Road, Suite 200, Atlanta, GA 30345**

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: Kittrich Corporation, dba Avenger Products, LLC.
Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

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

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section:

On or about 7/30/2019, throughout the production area, employees performing work on equipment including but not limited to the cappers and fillers were exposed to struck by, caught in, & amputation hazards where specific procedures were not utilized in the control of potential energy such as but not limited to pneumatic and electrical.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/23/2019
Proposed Penalty:	\$13260.00

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

Inspection Number: 1419071
Inspection Date(s): 07/30/2019 - 07/30/2019
Issuance Date: 12/04/2019



Citation and Notification of Penalty

Company Name: Kittrich Corporation, dba Avenger Products, LLC.
Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

29 CFR 1910.147(c)(7)(i): The employer did not provide adequate training to ensure that the purpose and function of the energy control program was understood by employees:

On or about 7/30/2019, throughout the production area, employees performing tasks such as but not limited to operating, cleaning, clearing jams, and maintenance work on equipment including but not limited to the cappers and fillers were exposed to struck by, caught in, & amputation hazards where lockout/tagout training was not provided.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/23/2019

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

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

Inspection Number: 1419071
Inspection Date(s): 07/30/2019 - 07/30/2019
Issuance Date: 12/04/2019



Citation and Notification of Penalty

Company Name: Kittrich Corporation, dba Avenger Products, LLC.
Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

29 CFR 1910.147(f)(3)(ii)(D): Each authorized employee shall affix a personal lockout or tagout device to the group lockout device prior to working on the machine or equipment:

On or about 7/30/2019, throughout the production area, employees performing tasks such as but not limited to operating, cleaning, clearing jams, and maintenance work on equipment including but not limited to the cappers and fillers were exposed to struck by, caught in, & amputation hazards where each worker did not apply their own lock and relied on one lock for multiple persons.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 12/23/2019

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Citation and Notification of Penalty

Company Name: Kittrich Corporation, dba Avenger Products, LLC.
Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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: **Serious**

29 CFR 1910.303(e)(1): Identification of manufacturer and ratings. Electric equipment may not be used unless the following markings have been placed on the equipment:

- (i) The manufacturer's name, trademark, or other descriptive marking by which the organization responsible for the product may be identified; and
- (ii) Other markings giving voltage, current, wattage, or other ratings as necessary.
- (A) Markings were not placed on electric equipment as required.

On or about 7/30/2019 at locations including but not limited to the electrical panels, workers making entrance into the panels were exposed to electrical hazards of up to 480 V where the cabinets were not labeled.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:	12/23/2019
Proposed Penalty:	\$4376.00



Citation and Notification of Penalty

Company Name: Kittrich Corporation, dba Avenger Products, LLC.
Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

29 CFR 1910.303(f)(2): Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, was not legibly marked to indicate its purpose, nor located and arranged so the purpose was evident:

On or about 7/30/2019 at locations including but not limited to the electrical panels, workers making entrance into the panels were exposed to electrical hazards of up to 480 V where the breakers were not labeled which could result in unexpected de-energization on not de-energizing equipment as expected.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:

12/23/2019

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

Inspection Number: 1419071
Inspection Date(s): 07/30/2019 - 07/30/2019
Issuance Date: 12/04/2019



Citation and Notification of Penalty

Company Name: Kittrich Corporation, dba Avenger Products, LLC.

Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

29 CFR 1910.303(g)(2)(i): Except as elsewhere required or permitted by Subpart S of Part 1910, live parts of electric equipment operating at 50 volts or more were not guarded against accidental contact by use of approved cabinets or other forms of approved enclosures or by any of the means identified in paragraphs (A), (B), (C), and (D) of 29 CFR 1910.303(g)(2)(i):

On or about 7/30/2019 at the electrical panels, workers accessing the panels were exposed to electrical hazards of up to 480 V where there were breakers/blanks missing that exposed the energized electrical components inside.

No abatement required

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4376.00

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: Kittrich Corporation, dba Avenger Products, LLC.
Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

29 CFR 1910.157(g)(1): An educational program was not provided for all employees to familiarize them with the general principles of fire extinguisher use and the hazards involved with incipient stage firefighting:

On or about 7/30/2019 where the employer has an expectation of workers to fight incipient level fires failed to provide training to the employees hired after 2/22/2019.

Avenger Products, LLC was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.157(g)(1), which was contained in OSHA inspection number 1326471, citation number 1, item number 6b and was affirmed as a final order on 3/6/2019, with respect to a workplace located at 3057 Summer Oak Place Buford, GA 30518.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/23/2019
Proposed Penalty:	\$14587.00

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

Inspection Number: 1419071
Inspection Date(s): 07/30/2019 - 07/30/2019
Issuance Date: 12/04/2019



Citation and Notification of Penalty

Company Name: Kittrich Corporation, dba Avenger Products, LLC.

Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts:

On or about 7/30/2019 at equipment including but not limited to the line #2 capper, operators and workers walking by the rear of the machine were exposed to amputation and caught in hazards where the machinery was not completely guarded.

Avenger Products, LLC was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.212(a)(1), which was contained in OSHA inspection number 1326471, citation number 1, item number 13 and was affirmed as a final order on 3/6/2019, with respect to a workplace located at 3057 Summer Oak Place Buford, GA 30518.

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Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$20420.00

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

Inspection Number: 1419071
Inspection Date(s): 07/30/2019 - 07/30/2019
Issuance Date: 12/04/2019



Citation and Notification of Penalty

Company Name: Kittrich Corporation, dba Avenger Products, LLC.
Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

29 CFR 1910.304(f)(1)(viii): Circuit breakers used as switches in 120-volt and 277-volt, fluorescent lighting circuits were not listed and marked "SWD."

On or about 7/30/2019 at the electrical panels, workers turning the fluorescent overhead lighting on and off daily were exposed to electrical hazards of up to 480 V where the 277 V breakers were not designed for daily use.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

12/23/2019
\$818.00

A blue ink signature of William C. Fulcher, written in a cursive style.

William C. Fulcher
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
2296 Henderson Mill Road
Suite 200
Atlanta, GA 30345



INVOICE / DEBT COLLECTION NOTICE

Company Name: Kittrich Corporation, dba Avenger Products, LLC.
Inspection Site: 1605 Candler Rd, Gainesville, GA 30507
Issuance Date: 12/04/2019

Summary of Penalties for Inspection Number	1419071
Citation 1, Serious	\$22012.00
Citation 2, Repeat	\$35007.00
Citation 3, Other-than-Serious	\$818.00
TOTAL PROPOSED PENALTIES	\$57837.00

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.

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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

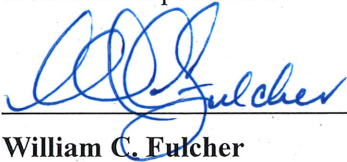
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.



William C. Fulcher

Area Director

12/04/2019

Date

U.S. Department of Labor

Occupational Safety and Health Administration
2296 Henderson Mill Road
Suite 200
Atlanta, GA 30345



Citation and Notification of Penalty

To:

Kittrich Corporation, dba Avenger Products, LLC.
and its successors
1605 Candler Rd
Gainesville, GA 30507

Inspection Number: 1419804**Inspection Date(s):** 07/30/2019 - 10/18/2019**Issuance Date:** 12/04/2019**Inspection Site:**

1605 Candler Rd
Gainesville, GA 30507

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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 12/04/2019. The conference will be held by telephone or at the OSHA office located at 2296

Henderson Mill Road, Suite 200, Atlanta, GA 30345 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1419804

Company Name: Kittrich Corporation, dba Avenger Products, LLC.

Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

Issuance Date: 12/04/2019

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, 2296 Henderson Mill Road, Suite 200, Atlanta, GA 30345**

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: Kittrich Corporation, dba Avenger Products, LLC.
Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

29 CFR 1910.106(e)(2)(ii)(b)(2): The quantity of Category 2, 3 or 4 flammable liquid located outside of an inside storage room or storage cabinet in a building or in any one fire area of a building exceeded 120 gallons.

Kittrich Corporation dba Avenger Products, LLC, Gainesville, GA - On or about 07/30/2019, employees working throughout the facility were exposed to fire hazards where there were flammables Category 2 such as but not limited to (11) 275-gallon totes of isopropyl alcohol that were improperly stored.

Avenger Products, LLC was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.106(e)(2)(ii)(b)(2), which was contained in OSHA inspection number 1330470, citation number 1, item number 1 and was affirmed as a final order on 03/07/2019, with respect to a workplace located at 3057 Summer Oak Place, Buford, GA.

Abatement documentation or certification not required for this violation.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$14587.00

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

Inspection Number: 1419804
Inspection Date(s): 07/30/2019 - 10/18/2019
Issuance Date: 12/04/2019



Citation and Notification of Penalty

Company Name: Kittrich Corporation, dba Avenger Products, LLC.
Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

29 CFR 1910.138(b): The employer did not base selection of appropriate hand protection on an evaluation of the performance characteristics of the hand protection relative to the tasks to be performed, conditions present, duration of use, and the hazards and potential hazards identified.

Kittrich Corporation dba Avenger Products, LLC, Gainesville, GA - On or about 07/30/2019, employees working in the line area were exposed to skin hazards when the employer did not provide the appropriate hand protection to employees.

Avenger Products, LLC was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.138(b), which was contained in OSHA inspection number 1330470, citation number 1, item number 4 and was affirmed as a final order on 03/07/2019, with respect to a workplace located at 3057 Summer Oak Place, Buford, GA.

No abatement documentation or certification required for this violation.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$17504.00



Citation and Notification of Penalty

Company Name: Kittrich Corporation, dba Avenger Products, LLC.
Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

29 CFR 1910.1200(e)(1)(i): The employer did not compile a list of the hazardous chemicals known to be present using a product identifier that was referenced on the appropriate safety data sheet.

Kittrich Corporation dba Avenger Products, LLC, Gainesville, GA - On or about 07/30/2019, employees working in the production area and in the lines area were exposed to hazardous chemicals such as but not limited to Sterilex Ultra Disinfectant Cleaner Solution, Sterilex Ultra Activator Solution, Agrisel Diquat, Agrisel Quinn Kill Max and Fire Command. The employer did not have a complete inventory list of chemicals in the workplace.

Avenger Products, LLC was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.1200(e)(1)(i), which was contained in OSHA inspection number 1330470, citation number 2, item number 1 and was affirmed as a final order on 03/07/2019, with respect to a workplace located at 3057 Summer Oak Place, Buford, GA.

No abatement certification or documentation required for this violation.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$291.00



Citation and Notification of Penalty

Company Name: Kittrich Corporation, dba Avenger Products, LLC.

Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

29 CFR 1910.1200(g)(8): The employer did not maintain in the workplace copies of the required safety data sheets for each hazardous chemical, and did not ensure that they were readily accessible during each work shift to employees when they were in their work area(s).

Kittrich Corporation dba Avenger Products, LLC, Gainesville, GA - On or about 07/30/2019, employees working in the production area and in the lines area were exposed to hazardous chemicals such as but not limited to Sarcosine, BCS 3196, FioraSolv LX311, Sterilex Ultra Disinfectant Cleaner Solution, Sterilex Ultra Activator Solution, Igepal CO-630, Tergitol NP-8 & NP-9, Stepanol WAC, Lumulce CO-40, Glycerine USP, and Glycerine 99%. The employer did not update their material safety data sheets (MSDS) to safety data sheets (SDS) and did not have them all readily accessible to employees.

Avenger Products, LLC was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.1200(g)(8), which was contained in OSHA inspection number 1330470, citation number 2, item number 3 and was affirmed as a final order on 03/07/2019, with respect to a workplace located at 3057 Summer Oak Place, Buford, GA.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/31/2019

Proposed Penalty:

\$291.00



Citation and Notification of Penalty

Company Name: Kittrich Corporation, dba Avenger Products, LLC.

Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area.

Kittrich Corporation dba Avenger Products, LLC, Gainesville, GA - On or about 07/30/2019, employees working in the production area and in the lines area were exposed to hazardous chemical products such as but not limited to Sterilex Ultra Disinfectant Cleaner Solution, Sterilex Ultra Activator Solution, Igepal CO-630, Stepanol WAC, Glycerine USP, Glycerine 99%, Agrisel Diquat and Agrisel Quinn Kill Max. The employer did not provide effective information and training as required by the standard to new hires employees and employees that were not present on the training provided on 02/20/2019.

Avenger Products, LLC was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.1200(h)(1), which was contained in OSHA inspection number 1330470, citation number 2, item number 4 and was affirmed as a final order on 03/07/2019, with respect to a workplace located at 3057 Summer Oak Place, Buford, GA.

No abatement certification or documentation required for this violation.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$291.00

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

Inspection Number: 1419804
Inspection Date(s): 07/30/2019 - 10/18/2019
Issuance Date: 12/04/2019



Citation and Notification of Penalty

Company Name: Kittrich Corporation, dba Avenger Products, LLC.
Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

29 CFR 1910.134(c)(2)(i): Respirator users were not provided with the information contained in Appendix D to 29 CFR 1910.134 when the employer determined that any voluntary respirator use was permissible:

Kittrich Corporation dba Avenger Products, LLC, Gainesville, GA - On or about 07/30/2019, employees working in the lines area were provided N95 respirators for voluntary use. The employer did not provide employees with the information contained in the Appendix D of the Respiratory Protection Standard.

No abatement certification or documentation required for this violation.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

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

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

Inspection Number: 1419804
Inspection Date(s): 07/30/2019 - 10/18/2019
Issuance Date: 12/04/2019



Citation and Notification of Penalty

Company Name: Kittrich Corporation, dba Avenger Products, LLC.
Inspection Site: 1605 Candler Rd, Gainesville, GA 30507

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

29 CFR 1910.134(e)(6)(i): The employer did not obtain from the physician or other licensed health care professional (PLHCP) a written recommendation regarding the employee's ability to use the respirator:

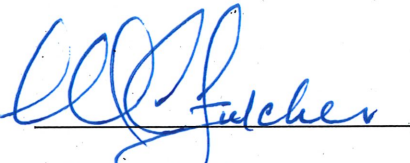
Kittrich Corporation dba Avenger Products, LLC, Gainesville, GA - On or about 07/30/2019, employees in the mixing area were required the use of respirator P95 when filling containers on the line and when mixing products. The employer did not obtained a written recommendation of the employee required to use a respirator from a health care professional.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

12/31/2019
\$0.00


William C. Fulcher
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
2296 Henderson Mill Road
Suite 200
Atlanta, GA 30345



INVOICE / DEBT COLLECTION NOTICE

Company Name: Kittrich Corporation, dba Avenger Products, LLC.
Inspection Site: 1605 Candler Rd, Gainesville, GA 30507
Issuance Date: 12/04/2019

Summary of Penalties for Inspection Number	1419804
Citation 1, Repeat	\$32964.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$32964.00

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.



William C. Fulcher

Area Director

12/04/2019
Date