

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



06/17/2021

Scrap Masters, Inc.
and its successors
590 Industrial Blvd
Toccoa, GA 30577

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000-04R) revised 2018, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (770) 493-6644.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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.

Sincerely,

Michael Hejazi, Ph.D.
Acting Area Director

Enclosures

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:
Scrap Masters, Inc.
and its successors
590 Industrial Blvd
Toccoa, GA 30577

Inspection Number: 1509349
Inspection Date(s): 01/11/2021 - 01/21/2021
Issuance Date: 06/17/2021

Inspection Site:
590 Industrial Blvd.
Toccoa, GA 30577

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 at www.pay.gov. At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

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

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

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

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

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 06/17/2021. 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: 1509349

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577
Issuance Date: 06/17/2021

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 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: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

29 CFR 1910.133(a)(3):The employer did not ensure that each affected employee who wore prescription lenses while engaged in operations that involved eye hazards wore eye protection that incorporated the prescription in its design, or wore eye protection that could be worn over the prescription lenses without disturbing the proper position of the prescription lenses or the protective lenses.

Scrap Masters, Inc., Toccoa, GA - On or about January 11, 2021, an employee operating the green 60 h.p. grinder was exposed to flying plastic particles from the material being processed. The employer did not ensure the employee was wearing eye protection that incorporated a required prescription into its design or that the employee was wearing eye protection designed to wear over existing prescription glasses.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Quick Fix
\$5,106.00



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

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

a) Scrap Masters, Inc., Toccoa, GA - On or about January 14, 2021, an employee operating the 125 h.p. shredder was exposed to noise levels at a time-weighted average (TWA) of 94.5 dBA, 1.1 times the action level of 85 dBA. The TWA was derived from a sample taken over 406 minutes. Zero exposure was assumed for the 74 minutes not sampled. The employer failed to maintain an audiometric testing program as required.

b) Scrap Masters, Inc., Toccoa, GA - On or about January 14, 2021, an employee cutting plastic with a roto zip was exposed to noise levels at a time-weighted average (TWA) of 93.3 dBA, 1.1 times the action level of 85 dBA. The TWA was derived from a sample taken over 364 minutes. Zero exposure was assumed for the 116 minutes not sampled. The employer failed to maintain an audiometric testing program as required.

c) Scrap Masters, Inc., Toccoa, GA - On or about January 14, 2021, an employee operating the forklift was exposed to noise levels at a time-weighted average (TWA) of 89.4 dBA, 1.05 times the action level of 85 dBA. The TWA was derived from a sample taken over 403 minutes. Zero exposure was assumed for the 77 minutes not sampled. The employer failed to maintain an audiometric testing program as required.

d) Scrap Masters, Inc., Toccoa, GA - On or about January 14, 2021, an employee operating the 60 h.p. grinder was exposed to noise levels at a time-weighted average (TWA) of 90.2 dBA, 1.06 times the action level of 85 dBA. The TWA was derived from a sample taken over 198 minutes. Zero exposure was assumed for the 282 minutes not sampled. The employer failed to maintain an audiometric testing program as required.

Scrap Masters, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.95(g)(1), which was contained in OSHA inspection number 1135450, citation number 1, item number 2 and was affirmed as a final order on April 29, 2016, with respect to a workplace located at 590 Industrial Blvd., Toccoa, GA.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$15,020.00



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

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

- a) Scrap Masters, Inc., Toccoa, GA - On or about January 14, 2021, an employee operating the 125 h.p. shredder was exposed to noise levels at a time-weighted average (TWA) of 94.5 dBA, 1.1 times the action level of 85 dBA. The TWA was derived from a sample taken over 406 minutes. Zero exposure was assumed for the 74 minutes not sampled. The employer failed to provide training on noise hazards.
- b) Scrap Masters, Inc., Toccoa, GA - On or about January 14, 2021, an employee cutting plastic with a roto zip was exposed to noise levels at a time-weighted average (TWA) of 93.3 dBA, 1.1 times the action level of 85 dBA. The TWA was derived from a sample taken over 364 minutes. Zero exposure was assumed for the 116 minutes not sampled. The employer failed to provide training on noise hazards.
- c) Scrap Masters, Inc., Toccoa, GA - On or about January 14, 2021, an employee operating the forklift was exposed to noise levels at a time-weighted average (TWA) of 89.4 dBA, 1.05 times the action level of 85 dBA. The TWA was derived from a sample taken over 403 minutes. Zero exposure was assumed for the 77 minutes not sampled. The employer failed to provide training on noise hazards.
- d) Scrap Masters, Inc., Toccoa, GA - On or about January 14, 2021, an employee operating the 60 h.p. grinder was exposed to noise levels at a time-weighted average (TWA) of 90.2 dBA, 1.06 times the action level of 85 dBA. The TWA was derived from a sample taken over 198 minutes. Zero exposure was assumed for the 282 minutes not sampled. The employer failed to provide training on noise hazards.

Scrap Masters, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.95(k)(1), which was contained in OSHA inspection number 1135450, citation number 1, item number 3 and was affirmed as a final order on April 29, 2016, with respect to a workplace located at 590 Industrial Blvd., Toccoa, GA.

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

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: 1509349
Inspection Date(s): 01/11/2021 - 01/21/2021
Issuance Date: 06/17/2021



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

July 14, 2021
\$15,020.00

Michael Hejazi, Ph.D.
Acting 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: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577
Issuance Date: 06/17/2021

Summary of Penalties for Inspection Number: 1509349

Citation 1 Item 1, Serious	\$5,106.00
Citation 2 Item 1, Repeat - Serious	\$15,020.00
Citation 2 Item 2, Repeat - Serious	\$15,020.00

TOTAL PROPOSED PENALTIES: \$35,146.00

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

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

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

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

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

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

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

Michael Hejazi, Ph.D.
Acting Area Director

Date

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



06/17/2021

Scrap Masters, Inc.
and its successors
590 Industrial Blvd
Toccoa, GA 30577

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000-04R) revised 2018, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (770) 493-6644.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

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Sincerely,

Michael Hejazi, Ph.D.
Acting Area Director

Enclosures

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:
Scrap Masters, Inc.
and its successors
590 Industrial Blvd
Toccoa, GA 30577

Inspection Number: 1509088
Inspection Date(s): 01/06/2021 - 01/06/2021
Issuance Date: 06/17/2021

Inspection Site:
590 Industrial Blvd.
Toccoa, GA 30577

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 at www.pay.gov. At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

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

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

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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.

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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 06/17/2021. 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: 1509088

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577
Issuance Date: 06/17/2021

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 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

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

Inspection Number: 1509088
Inspection Date(s): 01/06/2021 - 01/06/2021
Issuance Date: 06/17/2021



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

29 CFR 1910.25(b)(1): 29 CFR 1910.25(b)(1): The employer did not ensure that handrails, stair rail systems, and guardrail systems are provided in accordance with § 1910.28.

On 1/6/2021, in the production area at the Toccoa facility, the stairs leading to the 125 Vecoplan Shredder, were not equipped with a mid-rail on either side of the stairs, exposing employees to fall hazards.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$6,008.00

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: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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 1910.25(c)(1): The employer did not ensure that standard stairs are installed at angles between 30 to 50 degrees from the horizontal.

On 1/6/2021, in the production area at the Toccoa facility, the stairs leading to the 125 Vecoplan Shredder were installed at an angle of 51.34 degrees, exposing employees to slip, trip, and fall hazards.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$6,008.00

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

Inspection Number: 1509088
Inspection Date(s): 01/06/2021 - 01/06/2021
Issuance Date: 06/17/2021



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

29 CFR 1910.25(c)(3): The employer did not ensure that standard stairs have a minimum tread depth of 9.5 inches.

On 1/6/2021, in the production area at the Toccoa facility, the stairs leading to the 125 Vecoplan Shredder operator platform were installed with stair tread depth of 7 1/4", exposing employees to slip, trip, and fall hazards.

No abatement certification or documentation is required for this item.

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.



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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: **Serious**

29 CFR 1910.29(b)(1): The employer did not ensure that guardrail systems met the requirement that the top edge height of top rails, or equivalent guardrail system members, that are 42 inches (107 cm), plus or minus 3 inches (8 cm), above the walking-working surface.

On or about 12/21/2020, at the Toccoa Georgia facility, in the production area at the Shredder platform, employees were exposed to 6'4" fall hazards. The employer failed to provide adequate guardrails to ensure employees were protected from falling to lower levels and/or into the 125 Shredder. The measurement from the upper guardrails to the platform floor was 38". At the top of the grinder, it was measured to be 35".

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7,510.00

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

Inspection Number: 1509088
Inspection Date(s): 01/06/2021 - 01/06/2021
Issuance Date: 06/17/2021



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

29 CFR 1910.29(b)(2): The employer did not ensure that guardrail systems met the requirement that midrails, screens, mesh, intermediate vertical members, solid panels, or equivalent intermediate members that are installed between the walking-working surface and the top edge of the guardrail system as follows when there is not a wall or parapet that is at least 21 inches (53 cm) high.

On or about 12/21/2020, at the Toccoa Georgia facility, in the production area at the Shredder platform, employees were exposed to 6'4" fall hazards. The employer failed to provide adequate midrails to ensure employees were protected from falling to lower levels. Midrails measured 14" from the platform floor.

No abatement certification or documentation is required for this item.

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: 1509088
Inspection Date(s): 01/06/2021 - 01/06/2021
Issuance Date: 06/17/2021



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

29 CFR 1910.157(c)(1): Portable fire extinguishers were not mounted, located and identified so that they were readily accessible without subjecting the employees to injuries.

On or about 1/6/2021, in the production area at the Toccoa, Ga facility, the employer did not ensure fire extinguishers were mounted and marked, exposing employees to a fire hazard.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$6,008.00

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: 1509088
Inspection Date(s): 01/06/2021 - 01/06/2021
Issuance Date: 06/17/2021



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

29 CFR 1910.157(g)(1): Where the employer has provided portable fire extinguishers for employee use in the workplace, the employer shall also provide an educational program to familiarize employees with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting.

On 1/6/2021, at the Toccoa facility, the employer did not implement a training program for employees in the use of fire extinguishers for incipient level fires.

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:

August 04, 2021
\$6,008.00

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: 1509088
Inspection Date(s): 01/06/2021 - 01/06/2021
Issuance Date: 06/17/2021



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

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

On 1/6/2021, in the production area of the Toccoa facility, the employer did not ensure repairs to powered industrial trucks. The Nissan sit-down propane forklift did not have an operational seatbelt, exposing employees to struck-by hazards.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4,505.00

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: 1509088
Inspection Date(s): 01/06/2021 - 01/06/2021
Issuance Date: 06/17/2021



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

29 CFR 1910.303(b)(1)(ii):Electrical equipment was not free from recognized hazards, based on the mechanical strength and durability, including, for parts designed to enclose and protect other equipment, the adequacy of the protection thus provided.

On 1/6/2021, at the Toccoa facility in the production area near the Roto Zip area, employees were exposed to electrical shock hazards, as a mounted receptacle box was damaged exposing live parts within.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$6,008.00

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: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

29 CFR 1910.25(b)(3): The employer did not ensure that stairs have uniform riser heights and tread depths between landings.

On 1/6/2021, in the production area at the Toccoa facility, the stairs leading to the 125 Vecoplan Shredder operator platform were installed with stairs having a riser height of 6 1/4"; however, the last step riser to the platform was just under 3", exposing employees to a trip and fall hazard.

Scrap Masters, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.25(c)(1), which was contained in OSHA inspection number 1134387, citation number 1, item number 1 and was affirmed as a final order on 8/12/2016, with respect to a workplace located at 590 Industrial Blvd., Toccoa, GA 30577.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$12,015.00



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

29 CFR 1910.28(b)(1)(i): Except as provided elsewhere in this section 29 CFR 1910.28, the employer did not ensure that each employee on a walking-working surface with an unprotected side or edge that is 4 feet (1.2 m) or more above a lower level is protected from falling by one or more of the systems described in 29 CFR 1910.28(b)(1)(i).

On or about 12/21/2020, at the Toccoa Georgia facility and in the production area at the Shredder platform and the Shredder operator platform, employees were exposed to 6'4" and 5' fall hazards. The employer did not ensure employees were protected from falling to lower levels with fall protection on all sides.

Scrap Masters Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.23(f), which was contained in OSHA inspection number 1134387, citation number 1, item number 1 and was affirmed as a final order on 08/12/2016, with respect to a workplace located at 590 Industrial Blvd in Toccoa, Georgia.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF 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:	July 14, 2021
Proposed Penalty:	\$21,026.00

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: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

Citation 2 Item 3 Type of Violation: **Repeat - 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 1/6/2021, employees performing service and maintenance activities were exposed to amputation hazards when the employer failed to develop and utilize specific procedures for the machines located within the facility including but not limited to the 125 shredder, rotozip tools and forklifts.

Scrap Masters Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.147(c)(4)(i), which was contained in OSHA inspection number 1196240, citation number 1, item number 1 and was affirmed as a final order on 6/3/2017, with respect to a workplace located at 590 Industrial Blvd in Toccoa, Georgia.

Scrap Masters Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.147(c)(4)(i), which was contained in OSHA inspection number 1134387, citation number 1, item number 3 and was affirmed as a final order on 08/12/2016, with respect to a workplace located at 590 Industrial Blvd in Toccoa, Georgia.

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:

August 04, 2021
\$52,564.00

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: 1509088
Inspection Date(s): 01/06/2021 - 01/06/2021
Issuance Date: 06/17/2021



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

29 CFR 1904.29(b)(3): Each recordable injury or illnesses was not entered on the OSHA 300 log and/or incident report (OSHA Form 300A or equivalent) within seven (7) calendar days of receiving information that a recordable injury or illness has occurred.

a) On 1/6/2021, a work-related fatality was not recorded on the 2020 OSHA 300 log within 7 calendar days at the job site location in Toccoa, Georgia.

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:

July 14, 2021
\$1,502.00

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: 1509088
Inspection Date(s): 01/06/2021 - 01/06/2021
Issuance Date: 06/17/2021



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

29 CFR 1904.39(a)(3): The employer made the report by fax, e-mail, or by leaving a message on the Area Office voice mail.

On 12/28/2020, at the Toccoa facility, the employer failed to notify OSHA of a work-related fatality by telephone, in person, or by electronic submission on the OSHA public web site.

No abatement certification or documentation is required for this item.

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.



Citation and Notification of Penalty

Company Name: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577

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

29 CFR 1910.178(l)(2)(ii):The employer did not ensure that each operator had successfully completed the training consisting of a combination of formal instruction (e.g., lecture, discussion, interactive computer learning, video tape, written material), practical training (demonstrations performed by the trainer and practical exercises performed by the trainee), and evaluation of the operator's performance in the workplace.

On 1/6/2021, at the Toccoa facility, the employer did not conduct an evaluation of previously trained employees to ensure employees operating powered industrial trucks were provided a training program that consisted of formal training, practical training, and an evaluation of the operator's performance in the workplace, exposing employees to struck-by hazards.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

August 04, 2021
\$0.00

Michael Hejazi, Ph.D.
Acting 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: Scrap Masters, Inc.
Inspection Site: 590 Industrial Blvd., Toccoa, GA 30577
Issuance Date: 06/17/2021

Summary of Penalties for Inspection Number: 1509088

Citation 1 Item 1, Serious	\$6,008.00
Citation 1 Item 2a, Serious	\$6,008.00
Citation 1 Item 2b, Serious	\$0.00
Citation 1 Item 3a, Serious	\$7,510.00
Citation 1 Item 3b, Serious	\$0.00
Citation 1 Item 4, Serious	\$6,008.00
Citation 1 Item 5, Serious	\$6,008.00
Citation 1 Item 6, Serious	\$4,505.00
Citation 1 Item 7, Serious	\$6,008.00
Citation 2 Item 1, Repeat - Serious	\$12,015.00
Citation 2 Item 2, Repeat - Serious	\$21,026.00
Citation 2 Item 3, Repeat - Serious	\$52,564.00
Citation 3 Item 1, Other-than-Serious	\$1,502.00
Citation 3 Item 2, Other-than-Serious	\$0.00
Citation 3 Item 3, Other-than-Serious	\$0.00

TOTAL PROPOSED PENALTIES: **\$129,162.00**

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

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

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

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

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

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

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

Michael Hejazi, Ph.D.

Acting Area Director

Date