

U.S. Department of Labor Occupational Safety and Health Administration
2300 Main Street
Suite 168
Kansas City, MO 64108



10/01/2021

BCP Ingredients, Inc.
and its successors
299 Extension Street
Verona, MO 65769

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 (816) 483-9531.

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,

for Kimberly R Robinson
Karena Lorek
Area Director

Enclosures

U.S. Department of Labor
Occupational Safety and Health Administration
2300 Main Street
Suite 168
Kansas City, MO 64108



Citation and Notification of Penalty

To:
BCP Ingredients, Inc.
and its successors
299 Extension Street
Verona, MO 65769

Inspection Number: 1525776
Inspection Date(s): 04/14/2021 -
Issuance Date: 10/01/2021

Inspection Site:
299 Extension Street
Verona, MO 65769

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 (816) 483-9531. 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](http://www.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 10/01/2021. The conference will be held by telephone or at the OSHA office located at 2300 Main Street, Suite 168, Kansas City, MO 64108 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1525776

Company Name: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769
Issuance Date: 10/01/2021

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, 2300 Main Street, Suite 168, Kansas City, MO 64108.**

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: 1525776
Inspection Date(s): 04/14/2021 -
Issuance Date: 10/01/2021



Citation and Notification of Penalty

Company Name: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.22(a)(1):The employer did not ensure that all places of employment, passageways, storerooms, service rooms, and walking-working surfaces were kept in a clean, orderly, and sanitary condition.

The employer is failing to protect employees from fire and explosion hazards. This was most recently documented on April 14, 2021, at the worksite located at 299 Extension Street, Verona, Missouri. The employer is not providing walking-working surfaces that are free of hazards such as accumulation of dry choline. Dry choline, a combustible and explosive dust, was observed in building V-26 on elevated surfaces at a depth greater than 1.5 inches.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 28, 2021
Proposed Penalty:	\$13,653.00

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: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.119(c)(1):The employer did not develop a written plan of action regarding the implementation of the employee participation required by this paragraph.

The employer is failing to protect employees from hazards related to exposures to hazardous chemicals. This was most recently documented on April 14, 2021, at the worksite located at 299 Extension Street, Verona, Missouri. The employer did not develop a written employee participation plan-of-action which includes information on how employees will be consulted on the development of all PSM standard elements.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 28, 2021
Proposed Penalty:	\$13,653.00

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: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.119(d)(3)(i)(B): The employer did not include all equipment that was part of the process on piping and instrument diagrams.

The employer is failing to protect employees from hazards related to highly hazardous chemicals onsite. This was most recently documented on April 14, 2021, at the worksite located at 299 Extension Street, Verona, Missouri. The employer did not ensure that the Process Safety Information depicted on the Piping and Instrument Diagram was up-to-date and accurate.

- A) P&I Diagram V-31 TMA Bulk Storage Tank did not accurately represent the actual equipment installed on the unit in that unit V-31-PT01-TMA was not listed on the diagram.
- B) P&I Diagram V-31 TMA Bulk Storage Tank did not accurately represent the actual equipment installed on the unit in that unit V-31-AV08-TMA was not listed on the diagram.
- C) P&I Diagram Ethylene Oxide Unloading did not accurately represent the actual equipment installed on the unit in that the inlet valve to the unloading pump (#00509) was not listed on the diagram.
- D) P&I Diagram Ethylene Oxide Unloading did not accurately represent the actual equipment installed on the unit in that the discharge valve the unloading pump (#00505) was not listed on the diagram.
- E) P&I Diagram Ethylene Oxide Unloading (V34-EORAIL, V34-EO, V34-EOP) did not accurately represent the actual equipment installed on the unit in that the #1 inlet/outlet (Valve #00511) was not listed on the diagram. The Ethylene Oxide Railcar Unloading standard operating procedure, Number B-400, Effective Date 12/31/19, 8.1.4 addresses the #1 inlet/outlet (Valve #00511).
- F) P&I Diagram Ethylene Oxide Unloading (V34-EORAIL, V34-EO, V34-EOP) did not accurately represent the actual equipment installed on the unit in that Valve #00510 was not listed on the diagram. The Ethylene Oxide Railcar Unloading standard operating procedure, Number B-400, Effective Date 12/31/19, 8.1.5 addresses Valve #00510.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

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: 1525776
Inspection Date(s): 04/14/2021 -
Issuance Date: 10/01/2021



Citation and Notification of Penalty

Company Name: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 28, 2021
\$13,653.00

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: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.119(d)(3)(ii): The employer did not document that equipment complies with recognized and generally accepted good engineering practices.

The employer is failing to protect employees from exposure to toxic and or hazardous chemicals. This was most recently documented on April 14, 2021, at the worksite located at 299 Extension Street, Verona, Missouri. The employer did not follow recognized and generally accepted good engineering practices (RAGAGEP) per ASME A13.1. The employer did not label piping containing ethylene oxide from the bulk storage tanks to the ethylene oxide repackaging process in V25 nor to the aqueous choline process.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 28, 2021
Proposed Penalty:	\$13,653.00

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: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.119(f)(1): The employer did not develop and implement written operating procedures that provided clear instructions for safely conducting activities involved in each covered process consistent the safety information and which address the elements listed in 29 CFR 1910.119(f)(1)(i) through (f)(1)(v):

The employer is failing to protect employees from hazards related to exposures to hazardous chemicals. This was most recently documented on April 14, 2021, at the worksite located at 299 Extension Street, Verona, Missouri. The employer did not develop and implement written operating procedures for processing aqueous choline, comprised of ethylene oxide and trimethylamine, into dry choline in building V26.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 28, 2021
Proposed Penalty:	\$13,653.00

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: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.119(j)(4)(i):The employer did not adequately perform inspection and tests on process equipment.

The employer is failing to protect employees from hazards related to hazardous chemicals such as but not limited to ethylene oxide. This was most recently documented on April 14, 2021, at the worksite located at 299 Extension Street, Verona, Missouri, where the employer failed to adequately test and inspect process equipment in the following:

A) Piping containing ethylene oxide from storage tank 1 and storage tank 2 to V25, EO repackaging and to Aqueous Choline was not inspected and tested.

B) Pressure relief valves were not inspected and tested such as but not limited to 29 pressure relieving devices associated with the ethylene oxide process.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 28, 2021
\$13,653.00



Citation and Notification of Penalty

Company Name: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.119(j)(4)(ii): Inspection and testing procedures did not follow recognized and generally accepted good engineering practices:

The employer is failing to protect employees from hazards of chemicals used daily. This was most recently documented on April 14, 2021, at the worksite located at 299 Extension Street, Verona, Missouri.

The employer is failing to follow the recognized and generally accepted good engineering practices (RAGAGEP) such as API 570 - 2, 016 Piping Inspection Code: In-Service Inspection, Rating, Repair, and Alteration of Piping Systems, Section 5.5 General Types of Inspection and Surveillance for inspection and testing of piping systems. The employer did not inspect and test piping such as but not limited to those in V34 and in V25 containing ethylene oxide.

Section 6.3 Piping Inspection Planning. The employer did not inspect and test piping for degradation that can affect process piping circuits such as but not limited to those in the ethylene oxide storage system and in V25 containing ethylene oxide.

Section 6.7.3 PRD Testing and Inspection Intervals for inspection and testing of relief devices. The employer did not have the pressure relief devices such as but not limited to pressure relief valves tested and repaired by a repair organization experienced in pressure relieving device maintenance.

The employer is failing to follow the RAGAGEP such as API 576 -2017 Inspection of Pressure Relieving Devices, Section 6 Inspection and Testing for inspection and testing of relief devices. The employer did not do internal inspections of the relief devices.

This condition exposed employees to potential ethylene oxide exposure in the instance of a over pressured vessel, result in loss of containment during normal operating conditions. Corrosion causes loss of material thickness resulting in piping and relief devices being able to withstand less pressure without failing.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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

Date By Which Violation Must be Abated:
Proposed Penalty:

October 28, 2021
\$13,653.00



Citation and Notification of Penalty

Company Name: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.119(l)(4):Process safety information required by paragraph (d) of this section was not updated when a change covered by this paragraph resulted in a change in the process safety information.

The employer is failing to protect employees from hazards related to hazardous chemicals such as but not limited to ethylene oxide. This was most recently documented on April 14, 2021, at the worksite located at 299 Extension Street, Verona, Missouri. The process safety information was not updated when a change in the process was made.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 28, 2021
Proposed Penalty:	\$13,653.00

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: 1525776
Inspection Date(s): 04/14/2021 -
Issuance Date: 10/01/2021



Citation and Notification of Penalty

Company Name: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.119(l)(5): When a change covered by this paragraph resulted in a change in the operating procedures or practices required by paragraph (f) of this section, such procedures or practices were not updated accordingly.

The employer is failing to protect employees from hazards related to hazardous chemicals such as but not limited to ethylene oxide. This was most recently documented on April 14, 2021, at the worksite located at 299 Extension Street, Verona, Missouri. The employer did not update the operating procedures when a change in the process occurred.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 28, 2021
Proposed Penalty:	\$13,653.00

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: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.119(n): The employer did not establish an emergency plan for the entire plant in accordance with the provisions of 29 CFR 1910.38:

The employer is failing to protect employees from injury or illness when responding to an emergency such as fire, flood or chemical release. This was most recently documented on April 14, 2021, at the worksite located at 299 Extension Street, Verona, Missouri.

- A) The employer's emergency action plan did not ensure employees were prepared for emergency evacuations.
- B) The employer's emergency action plan did not include employees who were to remain to shut down critical processes in an orderly manner.
- C) The employer's emergency action plan did not include distinct signals for fire, flood or chemical release.
- D) The employer did not review emergency response procedures with employees such that employees were not aware of how to respond to an incident such as fire, flood, or chemical release.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 28, 2021
Proposed Penalty:	\$13,653.00

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: 1525776
Inspection Date(s): 04/14/2021 -
Issuance Date: 10/01/2021



Citation and Notification of Penalty

Company Name: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.119(o)(5): The employers shall retain the two (2) most recent compliance audit reports.

The employer is failing to protect employees from hazards related to hazardous chemicals such as but not limited to ethylene oxide. This was most recently documented on April 14, 2021, at the worksite located at 299 Extension Street, Verona, Missouri. The employer has not retained that they are complying with the elements of Process Safety Management.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 28, 2021
Proposed Penalty:	\$13,653.00

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: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.307(b): Documentation for areas designated as hazardous (classified) locations under the Class and Zone system and areas designated under the Class and Division system established after August 13, 2007 was not available to those authorized to design, install, inspect, maintain, or operate electric equipment at the location:

The employer is failing to protect employees from electrical shock and explosion hazards. This was most recently documented on April 14, 2021, at the worksite located at 299 Extension Street, Verona, Missouri. Hazardous locations where requirement for dust proof/tight electrical are unknown and a schematic diagram outlining the layout of the Class II wiring in the facility was not available.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 28, 2021
Proposed Penalty:	\$13,653.00

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: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.307(c)(3): Equipment was not safe for the location in that it was not of a type and design that the employer demonstrated would provide protection from the hazards arising from the combustibility and flammability of vapors, liquids, gases, dusts, or fibers involved:

The employer is failing to protect employees from fire and or explosion hazards. This was most recently documented on April 14, 2021, at the worksite located at 299 Extension Street, Verona, Missouri. The employer had equipment that was not rated for a Class II location. Building V26 on the dry choline side had dry choline accumulations greater than 1/8th of an inch.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 28, 2021
Proposed Penalty:	\$13,653.00

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: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769

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

29 CFR 1910.1052(d)(2):The employer did not perform initial monitoring to determine each employee's exposure to methylene chloride:

The employer is failing to protect employees from hazards of chemicals used daily. This was most recently documented on April 14, 2021, at the worksite located at 299 Extension Street, Verona, Missouri. The employer did not perform initial monitoring when using a product containing methylene chloride.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 28, 2021
Proposed Penalty:	\$13,653.00

for Kimberly R. Robinson

Karena Lorek
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
2300 Main Street
Suite 168
Kansas City, MO 64108



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: BCP Ingredients, Inc.
Inspection Site: 299 Extension Street, Verona, MO 65769
Issuance Date: 10/01/2021

Summary of Penalties for Inspection Number: 1525776

Citation 1 Item 1, Serious	\$13,653.00
Citation 1 Item 2, Serious	\$13,653.00
Citation 1 Item 3, Serious	\$13,653.00
Citation 1 Item 4, Serious	\$13,653.00
Citation 1 Item 5, Serious	\$13,653.00
Citation 1 Item 6, Serious	\$13,653.00
Citation 1 Item 7, Serious	\$13,653.00
Citation 1 Item 8, Serious	\$13,653.00
Citation 1 Item 9, Serious	\$13,653.00
Citation 1 Item 10, Serious	\$13,653.00
Citation 1 Item 11, Serious	\$13,653.00
Citation 1 Item 12, Serious	\$13,653.00
Citation 1 Item 13, Serious	\$13,653.00
Citation 1 Item 14, Serious	\$13,653.00

TOTAL PROPOSED PENALTIES: \$191,142.00

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.

for Kimberly R Robinson

Karena Lorek
Area Director

10-01-2021

Date