

**U.S. Department of Labor** Occupational Safety and Health Administration  
310 W. Wisconsin Avenue  
Room 1180  
Milwaukee, WI 53203



07/08/2021

Tramont Manufacturing LLC  
and its successors  
326 East Keefe Avenue  
Milwaukee, WI 53212

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 (414) 297-3315.

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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,

Christine Zortman  
Area Director

Enclosures

## U.S. Department of Labor

Occupational Safety and Health Administration  
310 W. Wisconsin Avenue  
Room 1180  
Milwaukee, WI 53203



## Citation and Notification of Penalty

**To:**

Tramont Manufacturing LLC  
and its successors  
326 East Keefe Avenue  
Milwaukee, WI 53212

**Inspection Number:** 1509280

**Inspection Date(s):** 01/11/2021 - 07/02/2021

**Issuance Date:** 07/08/2021

**Inspection Site:**

326 East Keefe Avenue  
Milwaukee, WI 53212

*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 (414) 297-3315. 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](http://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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/08/2021. The conference will be held by telephone or at the OSHA office located at 310 W. Wisconsin Avenue, Room 1180, Milwaukee, WI 53203 on \_\_\_\_\_ at \_\_\_\_\_.

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

## CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

**Inspection Number: 1509280**

Company Name: Tramont Manufacturing LLC  
Inspection Site: 326 East Keefe Avenue, Milwaukee, WI 53212  
Issuance Date: 07/08/2021

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, 310 W. Wisconsin Avenue, Room 1180, Milwaukee, WI 53203.**

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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

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

29 CFR 1910.147(c)(4)(ii): The energy control procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited to, the requirements of 29 CFR 1910.147(c)(4)(ii)[A]-[D]:

(a) On or about January 11, 2021, the employer did not ensure that the energy control procedures addressed all potentially hazardous energy sources for employees who were performing serving operations on equipment such as, but not limited to, the iron worker. Servicing operations included, adjusting sizing of holes for bar stock to go through and replacement of the shear. Noted deficiencies included, but may not be limited to, the following:

(1) Specific procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy pursuant to 1910.147(c)(4)(ii)[B]. The procedure did not address controlling the hazardous energy sources of Electrical, and Hydraulic energy prior to performing service and maintenance activities on the equipment.

(2) Specific procedural steps for the placement, removal and transfer of lockout devices or tagout devices and the responsibility for them pursuant to 1910.147(c)(4)(ii)[C]. The procedure was not specific to the location and energy isolating device to be used, such as but not limited to a manually operated electrical circuit breaker, disconnect switch, line valve, safety block, or any similar device used to block or isolate energy that is not control circuit type devices.

(3) Specific requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other control measures pursuant to 1910.147(c)(4)(ii)[D]. The procedure lacked specific steps to verify that isolation and de-energization was accomplished, such as but not limited to attempting to restart the equipment, dissipating hazardous heat, operating relieve valves, and otherwise rendering potentially hazardous stored or residual energy safe.

### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

**July 27, 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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirements of this standard were being followed:

(a) On or about January 11, 2021, the employer had not performed annual periodic inspections of the energy control procedures for equipment such as, but not limited to press brakes, ovens, paint booths, overhead cranes, and other metal fabricating equipment to ensure that procedures and requirements of the standard are being followed and that employees who implement energy control procedures understand their application.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 27, 2021  
\$0.00

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

**Inspection Number:** 1509280  
**Inspection Date(s):** 01/11/2021 - 07/02/2021  
**Issuance Date:** 07/08/2021



**Citation and Notification of Penalty**

**Company Name:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.157(g)(1): Where the employer provided portable fire extinguishers for employee use in the workplace, the employer did not provide an educational program to familiarize employees with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting:

(a) On or about January 11, 2021, the employer did not ensure employees who were expected to use fire extinguishers in the event of a fire, were properly trained on the use of fire extinguishers.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 27, 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.

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

**Inspection Number:** 1509280  
**Inspection Date(s):** 01/11/2021 - 07/02/2021  
**Issuance Date:** 07/08/2021



**Citation and Notification of Penalty**

**Company Name:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.178(l)(1)(ii): Prior to permitting an employee to operate a powered industrial truck (except for training purposes), the employer did not ensure that each operator had successfully completed the training required by 29 CFR 1910.178(l):

(a) On or about January 11, 2021, the employer did not ensure employees operating the Hyster forklift were properly trained on forklift operations.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$8,582.00

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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

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

29 CFR 1910.179(g)(1)(v): Pendant control boxes were not constructed to prevent electrical shock and were not clearly marked for identification of functions:

(a) On or about January 11, 2021, a pendant control box located in the assembly area did not prevent the potential for electrical shock and was also not clearly marked. The pendant control box was broken and missing a portion of plastic housing and the pendant controls were not labeled for function identification.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 27, 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.

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

**Inspection Number:** 1509280  
**Inspection Date(s):** 01/11/2021 - 07/02/2021  
**Issuance Date:** 07/08/2021



**Citation and Notification of Penalty**

**Company Name:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.179(l)(3)(i): Unsafe conditions disclosed by the inspection requirements of 29 CFR 1910.179(j) were not corrected before operation of the crane was resumed:

(a) On or about January 11, 2021, the employer failed to make repairs to deficiencies found in the prior periodic inspection of cranes throughout the facility, prior to resumption of normal operations.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 27, 2021  
\$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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.179(j)(2): The items listed in 29 CFR 1910.179(j)(2)(i)-(vii) were not inspected for defects at the frequent inspection intervals defined in 29 CFR 1910.179 (j)(1)(ii) or as specifically indicated, including observation during operation for any defects which might appear between regular inspections:

(a) On or about January 11, 2021, the employer did not conduct frequent (daily to monthly) inspections of the overhead crane located in the assembly/paint area. The crane is used on a daily basis to remove and place enclosures, tanks and basins made of steel. The pendant control box was broken and missing a large portion of the plastic housing and the pendant controls were not labeled.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	July 27, 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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.212(a)(3)(ii): The point of operation of machines whose operation exposed an employee to injury, was not guarded:

The employer does not guard the point of operation of machines as required by 29 CFR 1910.212(a)(3)(ii). This violation was most recently documented at the address located above as follows:

(a) On or about January 11, 2021, in the Packaging Area, a band saw known as "Forrest Saw" did not have a means of guarding which exposed employees to amputation hazards.

(b) On or about January 11, 2021, the band saw known as "SAW" did not have means of guarding to protect employees from amputation hazards.

(c) On or about January 11, 2021, the iron worker did not have means of guarding to protect employees from amputation hazards.

(d) On or about January 11, 2021, in Fab 2 area, a webb plate bending roll, known as "Roll-007 did not have means of guarding to protect employees from caught-in/crushing hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**July 27, 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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.303(b)(2): Listed or labeled equipment was not installed and used in accordance with any instructions included in the listing or labeling:

- a) On or about May 12, 2021, and days prior, a relocatable power tap in the machining area was used as a substitute for fixed wiring, exposing employees to a fire hazard.
- (b) On or about May 12, 2021, and days prior, a relocatable power tap in the machining area was used as a substitute for fixed wiring, exposing employees to a fire hazard.
- (c) On or about June 10, 2021, and days prior, a relocatable power tap in the machining area was used as a substitute for fixed wiring, exposing employees to a fire hazard.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	July 27, 2021
Proposed Penalty:	\$6,436.00

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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee used appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

The employer does not ensure that all employees performing grinding operations wear face protection as required by 29 CFR 1910.133(a)(1). This violation was most recently documented at the address located above as follows:

(a) On or about January 11, 2021, the employer did not ensure welders were using face shields while grinding.

Tramont Manufacturing LLC was previously cited for a violation of this Occupational Safety and Health Standard 1910.133(a)(1), which was contained in OSHA inspection number 1461083, citation number 1, item number 1b, and was affirmed as a final order on May 1, 2020, with respect to a workplace located at 326 East Keefe Avenue in Milwaukee, WI.

To abate this violation, the employer must ensure that affected employees use appropriate eye and face protection when exposed to eye or face hazards from flying particles during activities such as, but not limited to, grinding.

Pursuant to 29 CFR 1903.19, abatement certification and documentation are required for this item. The employer's certification that abatement is complete must include [in addition to the requirements in 1903.19(h)], the date and method of abatement and a statement that affected employees have been informed of the abatement. The employer must also submit documents demonstrating that abatement is complete to include, but not limited to, evidence of the purchase or repair of 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:**

**July 27, 2021**  
**\$30,037.00**

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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.212(a)(3)(ii): The point of operation of machines whose operation exposed an employee to injury, was not guarded:

The employer does not guard the point of operation of machines as required by 29 CFR 1910.212(a)(3)(ii). This violation was most recently documented at the address located above as follows:

(a) On or about January 11, 2021, employees were exposed to crushing/pinch point hazards and amputation hazards while working on and around the Trumabend V320 Press Brake. The point of operation was not guarded.

Tramont Manufacturing LLC was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard 1910.212(a)(3)(ii), which was contained in OSHA inspection number 1461083, citation number 1, item number 4, and was affirmed as a final order on May 1, 2020, with respect to a workplace located at 326 East Keefe Avenue in Milwaukee, WI.

To abate this violation, the employer must ensure that the points of operation of machines whose operation exposed an employee to injury are guarded. The guarding device shall be in conformity with any appropriate standards therefor, or in the absence of applicable specific standards, shall be so designed and constructed to prevent the operator from having any part of their body in the danger zone during the operating cycle.

Pursuant to 29 CFR 1903.19, abatement certification and documentation are required for this item. The employer's certification that abatement is complete must include [in addition to the requirements in 1903.19(h)], the date and method of abatement and a statement that affected employees have been informed of the abatement. The employer must also submit documents demonstrating that abatement is complete to include, but not limited to, evidence of the purchase or repair of 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:**

**July 27, 2021**  
**\$30,037.00**

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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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**Citation 2 Item 3**    Type of Violation: **Repeat - Serious**

29 CFR 1910.243(c)(1): Abrasive wheels were used on machine(s) without safety guards as defined in 29 CFR 1910.243(c)(1)-(4):

The employer does not require the use of safety guards on machines when using abrasive wheels as required by 29 CFR 1910.243(c)(1). This violation was most recently documented at the address located above as follows:

(a) On or about January 11, 2021, employees were using pneumatic angle grinders that did not have the safety guard in place, exposing employees to a struck-by hazard.

(b) On or about March 12, 2021, employees were using Dewalt (Model DWE402W) electric angle grinders that did not have the safety guard in place, exposing employees to a struck-by hazard.

Tramont Manufacturing LLC was previously cited for a violation of this Occupational Safety and Health Standard 1910.243(c)(1), which was contained in OSHA inspection number 1461083, citation number 1, item number 5, and was affirmed as a final order on May 1, 2020, with respect to a workplace located at 326 East Keefe Avenue in Milwaukee, WI.

To abate this violation, the employer must ensure that portable abrasive wheels are provided with suitable safety guards meeting the requirements of 29 CFR 1910.243(c)(1).

Pursuant to 29 CFR 1903.19, abatement certification and documentation are required for this item. The employer's certification that abatement is complete must include [in addition to the requirements in 1903.19(h)], the date and method of abatement and a statement that affected employees have been informed of the abatement. The employer must also submit documents demonstrating that abatement is complete to include, but not limited to, evidence of the purchase or repair of 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 27, 2021**

**Proposed Penalty:**

**\$30,037.00**

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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.1200(f)(6): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged, or marked with either the information specified under 29 CFR 1910.1200(f)(1)(i)-(v); or the product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical:

(a) On or about January 11, 2021, a secondary container was not labeled with a product identifier (Anti - Splatter).

(b) On or about January 11, 2021, a secondary container was not labeled with a product identifier (Anti-Splatter).

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

July 27, 2021

Proposed Penalty:

\$0.00

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**Christine Zortman**  
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  
310 W. Wisconsin Avenue  
Room 1180  
Milwaukee, WI 53203



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## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212  
**Issuance Date:** 07/08/2021

**Summary of Penalties for Inspection Number:** 1509280

Citation 1 Item 1a, Serious	\$13,653.00
Citation 1 Item 1b, Serious	\$0.00
Citation 1 Item 2, Serious	\$13,653.00
Citation 1 Item 3, Serious	\$8,582.00
Citation 1 Item 4a, Serious	\$13,653.00
Citation 1 Item 4b, Serious	\$0.00
Citation 1 Item 5, Serious	\$13,653.00
Citation 1 Item 6, Serious	\$13,653.00
Citation 1 Item 7, Serious	\$6,436.00
Citation 2 Item 1, Repeat - Serious	\$30,037.00
Citation 2 Item 2, Repeat - Serious	\$30,037.00
Citation 2 Item 3, Repeat - Serious	\$30,037.00
Citation 3 Item 1, Other-than-Serious	\$0.00

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**TOTAL PROPOSED PENALTIES:** **\$173,394.00**

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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](http://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.

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**Christine Zortman**

Area Director

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Date

**U.S. Department of Labor** Occupational Safety and Health Administration  
310 W. Wisconsin Avenue  
Room 1180  
Milwaukee, WI 53203



07/08/2021

Tramont Manufacturing LLC  
and its successors  
326 East Keefe Avenue  
Milwaukee, WI 53212

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 (414) 297-3315.

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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,

Christine Zortman  
Area Director

Enclosures



## U.S. Department of Labor

Occupational Safety and Health Administration  
310 W. Wisconsin Avenue  
Room 1180  
Milwaukee, WI 53203



## Citation and Notification of Penalty

**To:**

Tramont Manufacturing LLC  
and its successors  
326 East Keefe Avenue  
Milwaukee, WI 53212

**Inspection Number:** 1509809

**Inspection Date(s):** 01/11/2021 - 07/02/2021

**Issuance Date:** 07/08/2021

**Inspection Site:**

326 East Keefe Avenue  
Milwaukee, WI 53212

*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 (414) 297-3315. 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](http://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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/08/2021. The conference will be held by telephone or at the OSHA office located at 310 W. Wisconsin Avenue, Room 1180, Milwaukee, WI 53203 on \_\_\_\_\_ at \_\_\_\_\_.

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

## CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

**Inspection Number: 1509809**

Company Name: Tramont Manufacturing LLC  
Inspection Site: 326 East Keefe Avenue, Milwaukee, WI 53212  
Issuance Date: 07/08/2021

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, 310 W. Wisconsin Avenue, Room 1180, Milwaukee, WI 53203.**

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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.107(b)(9): A clear space of not less than 3 feet on all sides of the spray booth was not kept free from storage or combustible construction:

(a) On or about February 24, 2021, a minimum clear space of three (3) feet was not maintained on all sides of walk-in spray painting booth number 11. Materials such as 55 gallon paint drums, five-gallon buckets of open flammable/combustible materials, and combustible wood dunnage were stored directly against the outer paint booth walls or within three feet of the walls.

(b) On or about February 24, 2021, a minimum clear space of three (3) feet was not maintained on all sides of the powder coating line spray booth and drying/curing conveyor. Materials such as 55 gallon drums, a vacuum cleaner, and combustible wood dunnage were stored directly against the outer powder coating spray booth walls or within three feet of the walls.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 27, 2021  
\$10,728.00



**Citation and Notification of Penalty**

**Company Name:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.134(i)(5)(iii): The sorbent beds and filters of compressors used to supply breathing air to respirators were not maintained and replaced or refurbished periodically following the manufacturer's instructions:

(a) On or about February 24, 2021, employees used supplied air respirators while conducting spray painting within spray booth number 11. The four (4) in-line air-purifying sorbent beds and filters were not maintained according to the manufacturer's recommended maintenance schedule of semi-annual and quarterly maintenance. The last documented filter system maintenance was in March of 2019.

(b) On or about February 24, 2021, employees used supplied air respirators while conducting powder coating spraying operations on the powder coating line. The four (4) in-line air-purifying sorbent beds and filters were not maintained according to the manufacturer's recommended maintenance schedule of semi-annual and quarterly maintenance. The last documented filter system maintenance was in March of 2019.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**July 20, 2021**  
**\$10,728.00**



### **Citation and Notification of Penalty**

**Company Name:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

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

29 CFR 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program, as described in paragraphs (c) through (o) of 29 CFR 1910.95, whenever employee noise exposures equaled or exceeded an 8-hour time-weighted average sound level (TWA) of 85 decibels measured on the A scale (slow response) or, equivalently, a dose of fifty percent:

The employer does not administer a continuing, effective hearing conservation program, including the required elements of a noise monitoring program, a audiometric testing program, and a noise training program, to all employees covered by a hearing conservation program as required by 29 CFR 1910.95(c)(1). This violation was most recently documented at the address located above as follows:

On or about March 25, 2021, and days prior, employees performed work on the shop floor while being exposed to noise levels that equaled or exceeded an 8-hour time-weighted average sound level of 85 decibels measured on the A scale (dBA), or an equivalent dose of fifty percent, without a continuing and effective hearing conservation program in place. The employer failed to implement the hearing conservation program to include monitoring to identify employees for inclusion into the program, audiometric testing to provide surveillance for noise-induced hearing loss (NIHL), and hearing conservation training.

(a) On March 25, 2021, an employee welding in Welding Bay #2 was exposed to noise at 145.1% of the permissible daily dose, or an average sound level of 92.7dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 92.7dBA.

(b) On March 25, 2021, an employee welding in Welding Bay #8 was exposed to noise at 122.7% of the permissible daily dose, or an average sound level of 91.5dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 91.5dBA.

(c) On March 25, 2021, an employee welding in Welding Bay #6 was exposed to noise at 141.3% of the permissible daily dose, or an average sound level of 92.5dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 92.5dBA.

(d) On March 25, 2021, an employee performing locker assembly in the locker assembly area was exposed to noise at 83.8% of the permissible daily dose, or an average sound level of 88.7dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 88.7dBA.

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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

(e) On March 25, 2021, an employee welding in Welding Bay #4 was exposed to noise at 86.4% of the permissible daily dose, or an average sound level of 88.9dBA, as measured over 476 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 88.9dBA accounting for the period of 4 minutes unmonitored.

(f) On March 25, 2021, an employee welding in the motive energy area was exposed to noise at 87.5% of the permissible daily dose, or an average sound level of 89.3dBA, as measured over 457 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 89.0dBA accounting for the period of 23 minutes unmonitored.

(g) On March 25, 2021, an employee performing locker assembly in the locker assembly area was exposed to noise at 149.2% of the permissible daily dose, or an average sound level of 93.1dBA, as measured over 459 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 92.8dBA accounting for the period of 21 minutes unmonitored.

Tramont Manufacturing LLC was previously cited for a violation of this Occupational Safety and Health Standard 1910.95(c)(1), which was contained in OSHA inspection number 1463013, citation number 1, item number 1a, and was affirmed as a final order on June 11, 2020, with respect to a workplace located at 326 East Keefe Avenue in Milwaukee, WI.

To abate this violation, the employer must ensure that employees required to be in the employer's hearing conservation program [per 29 CFR 1910.95(c)(1) - those exposed to noise at or above an 8-hour time weighted average of 85 decibels (or 50% noise dose)] are provided with all of the necessary elements of an effective hearing conservation program including noise monitoring, employee notification, employee observation, audiometric testing, hearing protectors, training, access to information and training materials, and recordkeeping.

Pursuant to 29 CFR 1903.19, abatement certification and documentation are required for this item. The employer's certification that abatement is complete must include [in addition to the requirements in 1903.19(h)], the date and method of abatement and a statement that affected employees have been informed of the abatement. The employer must also submit documents demonstrating that abatement is complete to include, but not limited to, evidence of the purchase or repair of 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 03, 2021**  
**\$21,457.00**

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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.95(d)(1): When information indicated that any employee's exposure equaled or exceeded the 8-hour time-weighted average of 85 decibels, the employer did not develop and implement a monitoring program:

The employer does not develop and implement a monitoring program as required by 29 CFR 1910.95(c)(1) through implementation of 29 CFR 1910.95(d). This violation was most recently documented at the address located above as follows:

On or about March 25, 2021, and days prior, employees performed work on the shop floor while being exposed to noise levels that equaled or exceeded an 8-hour time-weighted average sound level of 85 decibels measured on the A scale (dBA), or an equivalent dose of fifty percent, without a continuing and effective hearing conservation program in place with the element of employee monitoring for inclusion.

(a) On March 25 2021, an employee welding in Welding Bay #2 was exposed to noise at 145.1% of the permissible daily dose, or an average sound level of 92.7dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 92.7dBA.

(b) On March 25 2021, an employee welding in Welding Bay #8 was exposed to noise at 122.7% of the permissible daily dose, or an average sound level of 91.5dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 91.5dBA.

(c) On March 25 2021, an employee welding in Welding Bay #6 was exposed to noise at 141.3% of the permissible daily dose, or an average sound level of 92.5dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 92.5dBA.

(d) On March 25 2021, an employee performing locker assembly in the locker assembly area was exposed to noise at 83.8% of the permissible daily dose, or an average sound level of 88.7dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 88.7dBA.

(e) On March 25 2021, an employee welding in Welding Bay #4 was exposed to noise at 86.4% of the permissible daily dose, or an average sound level of 88.9dBA, as measured over 476 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 88.9dBA accounting for the period of 4 minutes unmonitored.

(f) On March 25 2021, an employee welding in the motive energy area was exposed to noise at 87.5% of the permissible daily dose, or an average sound level of 89.3dBA, as measured over 457 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 89.0dBA accounting for the period of 23 minutes unmonitored.

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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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(g) On March 25 2021, an employee performing locker assembly in the locker assembly area was exposed to noise at 149.2% of the permissible daily dose, or an average sound level of 93.1dBA, as measured over 459 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 92.8dBA accounting for the period of 21 minutes unmonitored.

Tramont Manufacturing LLC was previously cited for a violation of this Occupational Safety and Health Standard 1910.95(d)(1), which was contained in OSHA inspection number 1463013, citation number 1, item number 1b, and was affirmed as a final order on June 11, 2020, with respect to a workplace located at 326 East Keefe Avenue in Milwaukee, WI.

Tramont Manufacturing LLC was previously cited for a violation of an equivalent Occupational Safety and Health Standard 1910.95(c)(1), which was contained in OSHA inspection number 1463013, citation number 1, item number 1a, and was affirmed as a final order on June 11, 2020, with respect to a workplace located at 326 East Keefe Avenue in Milwaukee, WI.

To abate this violation, the employer must ensure that a noise monitoring program is implemented where information indicates that any employee's exposure to noise may equal or exceed an 8-hour time-weighted average of 85 decibels (or 50% noise dose). The purpose of the monitoring program is to identify employees for inclusion in the hearing conservation program and to enable the proper selection of hearing protectors. Representative personal monitoring (personal noise dosimetry) is required in most circumstances (i.e. where worker mobility, variations in sound levels, impulse noises, etc. make area sampling ineffective). Repeat monitoring must be conducted whenever (1) a change in production, process, equipment, or controls increases noise exposures to the extent that additional employees may be exposed at or above the action level (85 dBA or 50% noise dose) or (2) the attenuation provided by hearing protectors being used may be rendered inadequate.

Pursuant to 29 CFR 1903.19, abatement certification and documentation are required for this item. The employer's certification that abatement is complete must include [in addition to the requirements in 1903.19(h)], the date and method of abatement and a statement that affected employees have been informed of the abatement. The employer must also submit documents demonstrating that abatement is complete to include, but not limited to, evidence of the purchase or repair of equipment, photographic or video evidence of abatement, or other written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

<b>Date By Which Violation Must be Abated:</b>	<b>August 03, 2021</b>
<b>Proposed Penalty:</b>	<b>\$0.00</b>

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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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#### **Citation 2 Item 1 c 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:

The employer does not establish and maintain an audiometric testing program that makes audiometric testing available to all employees covered by a hearing conservation program as required by 29 CFR 1910.95(c)(1) through implementation of 29 CFR 1910.95(g). This violation was most recently documented at the address located above as follows:

On or about March 25, 2021, and days prior, employees performed work on the shop floor while being exposed to noise levels that equaled or exceeded an 8-hour time-weighted average sound level of 85 decibels measured on the A scale (dBA), or an equivalent dose of fifty percent, without ensuring audiometric testing was done for each employee covered under the hearing conservation program in order to detect any instances of noise-induced hearing loss (NIHL).

(a) On March 25, 2021, an employee welding in Welding Bay #2 was exposed to noise at 145.1% of the permissible daily dose, or an average sound level of 92.7dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 92.7dBA.

(b) On March 25, 2021, an employee welding in Welding Bay #8 was exposed to noise at 122.7% of the permissible daily dose, or an average sound level of 91.5dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 91.5dBA.

(c) On March 25, 2021, an employee welding in Welding Bay #6 was exposed to noise at 141.3% of the permissible daily dose, or an average sound level of 92.5dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 92.5dBA.

(d) On March 25, 2021, an employee performing locker assembly in the locker assembly area was exposed to noise at 83.8% of the permissible daily dose, or an average sound level of 88.7dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 88.7dBA.

(e) On March 25, 2021, an employee welding in Welding Bay #4 was exposed to noise at 86.4% of the permissible daily dose, or an average sound level of 88.9dBA, as measured over 476 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 88.9dBA accounting for the period of 4 minutes unmonitored.

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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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(f) On March 25, 2021, an employee welding in the motive energy area was exposed to noise at 87.5% of the permissible daily dose, or an average sound level of 89.3dBA, as measured over 457 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 89.0dBA accounting for the period of 23 minutes unmonitored.

(g) On March 25, 2021, an employee performing locker assembly in the locker assembly area was exposed to noise at 149.2% of the permissible daily dose, or an average sound level of 93.1dBA, as measured over 459 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 92.8dBA accounting for the period of 21 minutes unmonitored.

Tramont Manufacturing LLC was previously cited for a violation of an equivalent Occupational Safety and Health Standard 1910.95(c)(1), which was contained in OSHA inspection number 1463013, citation number 1, item number 1a, and was affirmed as a final order on June 11, 2020, with respect to a workplace located at 326 East Keefe Avenue in Milwaukee, WI.

To abate this violation, the employer must ensure that each employee who is exposed to noise at or above an 8-hour time weighted average of 85 decibels (or 50% noise dose) is provided with baseline and annual audiogram services at no cost to employees as outlined in 29 CFR 1910.95(g).

Pursuant to 29 CFR 1903.19, abatement certification and documentation are required for this item. The employer's certification that abatement is complete must include [in addition to the requirements in 1903.19(h)], the date and method of abatement and a statement that affected employees have been informed of the abatement. The employer must also submit documents demonstrating that abatement is complete to include, but not limited to, evidence of the purchase or repair of equipment, photographic or video evidence of abatement, or other written records.

### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	August 03, 2021
Proposed Penalty:	\$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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.95(k)(1): The employer did not train each employee who was 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). The employer did not institute a training program and failed to ensure employee participation in the program:

The employer does not provide training to all employees covered by a hearing conservation program as required by 29 CFR 1910.95(c)(1) through implementation of 29 CFR 1910.95(k). This violation was most recently documented at the address located above as follows:

On or about March 25, 2021, and days prior, employees performed work on the shop floor while being exposed to noise levels that equaled or exceeded an 8-hour time-weighted average sound level of 85 decibels measured on the A scale (dBA), or an equivalent dose of fifty percent, without a continuing and effective hearing conservation that included training (both annual and initial) to inform employees about the effects of noise on hearing, hearing protectors, and audiometric testing.

(a) On March 25, 2021, an employee welding in Welding Bay #2 was exposed to noise at 145.1% of the permissible daily dose, or an average sound level of 92.7dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 92.7dBA.

(b) On March 25, 2021, an employee welding in Welding Bay #8 was exposed to noise at 122.7% of the permissible daily dose, or an average sound level of 91.5dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 91.5dBA.

(c) On March 25, 2021, an employee welding in Welding Bay #6 was exposed to noise at 141.3% of the permissible daily dose, or an average sound level of 92.5dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 92.5dBA.

(d) On March 25, 2021, an employee performing locker assembly in the locker assembly area was exposed to noise at 83.8% of the permissible daily dose, or an average sound level of 88.7dBA, as measured over 480 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 88.7dBA.

(e) On March 25, 2021, an employee welding in Welding Bay #4 was exposed to noise at 86.4% of the permissible daily dose, or an average sound level of 88.9dBA, as measured over 476 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 88.9dBA accounting for the period of 4 minutes unmonitored.

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:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

(f) On March 25, 2021, an employee welding in the motive energy area was exposed to noise at 87.5% of the permissible daily dose, or an average sound level of 89.3dBA, as measured over 457 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 89.0dBA accounting for the period of 23 minutes unmonitored.

(g) On March 25, 2021, an employee performing locker assembly in the locker assembly area was exposed to noise at 149.2% of the permissible daily dose, or an average sound level of 93.1dBA, as measured over 459 minutes of sampling. This dose is equivalent to an 8-hour TWA exposure of 92.8dBA accounting for the period of 21 minutes unmonitored.

Tramont Manufacturing LLC was previously cited for a violation of an equivalent Occupational Safety and Health Standard 1910.95(c)(1), which was contained in OSHA inspection number 1463013, citation number 1, item number 1a, and was affirmed as a final order on June 11, 2020, with respect to a workplace located at 326 East Keefe Avenue in Milwaukee, WI.

To abate this violation, the employer must train each employee who is exposed to noise at or above an 8-hour time weighted average of 85 decibels (or 50% noise dose) with training that informs each employee of (1) the effects of noise on hearing, (2) the purpose of hearing protectors, the advantages, disadvantages, and attenuation of various types, and instruction on selection, fitting, use, and care, and (3) the purpose of audiometric testing, and an explanation of the test procedures. Training shall be conducting initially prior to placement into a hearing conservation program covered area and repeated annually thereafter. Information provided in the training program shall be updated to be consistent with any changes in PPE, equipment, the work environment, etc.

Pursuant to 29 CFR 1903.19, abatement certification and documentation are required for this item. The employer's certification that abatement is complete must include [in addition to the requirements in 1903.19(h)], the date and method of abatement and a statement that affected employees have been informed of the abatement. The employer must also submit documents demonstrating that abatement is complete to include, but not limited to, evidence of the purchase or repair of 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 03, 2021**  
**\$0.00**



**Citation and Notification of Penalty**

**Company Name:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.134(h)(2)(i): All respirators were not stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals:

(a) On or about February 24, 2021, and days prior, employee(s) who use supplied air respirators when conducting dry painting in the number 11 walk-in spray booth, did not store respirators to protect them from damage or contamination. Employees stored supplied air respirators by hanging them on a hook attached to the outside west wall of the paint booth. This area also housed the area for mixing paints and cleaning spray painting equipment.

(b) On or about February 24, 2021, and days prior, employee(s) who use supplied air respirators when conducting powder coating operation at the powder coating line, did not store respirators to protect them from damage or contamination. Employees stored supplied air respirators by hanging them on a hook attached to the outside wall of the powder coating line paint booth, on other equipment within, or on horizontal surfaces.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$0.00





**Citation and Notification of Penalty**

**Company Name:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212

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

29 CFR 1910.141(g)(2): Employees were allowed to consume food or beverages in a toilet room or in an area exposed to a toxic material:

(a) On or about February 24, 2021, and days prior, in the break room located near the pressure washing station on the west end of the shop floor, employees were observed consuming food or beverages in areas that contained toxic materials including paints and solvents. This practice exposed employees to ingestion and inhalation of solvents and other spray paint residues that can accumulate on the eating and food preparation surfaces.

(b) On or about February 24, 2021, and days prior, painting employees consumed food and beverages at their individual work stations located to the west of spray paint booth 11 and directly across from spray paint cleaning solvents and other materials used to clean spray paint guns and prepare paints for spraying. This practice exposed employees to ingestion and inhalation of solvents and other spray paint residues that can accumulate on the work bench surfaces.

Date By Which Violation Must be Abated:  
Proposed Penalty:

August 03, 2021  
\$0.00

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**Christine Zortman**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
310 W. Wisconsin Avenue  
Room 1180  
Milwaukee, WI 53203



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## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Tramont Manufacturing LLC  
**Inspection Site:** 326 East Keefe Avenue, Milwaukee, WI 53212  
**Issuance Date:** 07/08/2021

**Summary of Penalties for Inspection Number:** 1509809

Citation 1 Item 1, Serious	\$10,728.00
Citation 1 Item 2, Serious	\$10,728.00
Citation 2 Item 1a, Repeat - Serious	\$21,457.00
Citation 2 Item 1b, Repeat - Serious	\$0.00
Citation 2 Item 1c, Repeat - Serious	\$0.00
Citation 2 Item 1d, Repeat - Serious	\$0.00
Citation 3 Item 1, Other-than-Serious	\$0.00
Citation 3 Item 2, Other-than-Serious	\$0.00

**TOTAL PROPOSED PENALTIES:** **\$42,913.00**

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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](http://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.

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**Christine Zortman**

Area Director

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Date