

**U.S. Department of Labor** Occupational Safety and Health Administration  
7 North Wilkes-Barre Blvd.  
Suite 410, The Stegmaier Building,  
Wilkes Barre, PA 18702



02/23/2022

PGA Incorporated  
and its successors  
185 South Street  
Freeland, PA 18224

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 (570) 826-6538.

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,

**Mary Reynolds**  
Area Director

Enclosures

## U.S. Department of Labor

Occupational Safety and Health Administration  
7 North Wilkes-Barre Blvd.  
Suite 410, The Stegmaier Building,  
Wilkes Barre, PA 18702



# Citation and Notification of Penalty

**To:**  
PGA Incorporated  
and its successors  
185 South Street  
Freeland, PA 18224

**Inspection Number:** 1551133  
**Inspection Date(s):** 09/02/2021 - 02/01/2022  
**Issuance Date:** 02/23/2022

**Inspection Site:**  
185 South Street  
Freeland, PA 18224

*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 (570) 826-6538. 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 02/23/2022. The conference will be held by telephone or at the OSHA office located at 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building,, Wilkes Barre, PA 18702 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1551133**

Company Name: PGA Incorporated  
Inspection Site: 185 South Street, Freeland, PA 18224  
Issuance Date: 02/23/2022

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, 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702.**

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: PGA Incorporated**  
**Inspection Site:** 185 South Street, Freeland, PA 18224

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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 1 a Type of Violation: **Serious**

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

a) Kathleen Grinder Area: An employee was exposed to continuous noise at 68.3% of the exposure level of 90 dBA or an 8-hour time-weighted average of 87.2 dBA. This exposure was observed over a 251 minute sampling period. Zero exposure was assumed for the 229 minutes not sampled. The employer did not establish and maintain an audiometric testing program for those employees exposed over the action level of 85 dBA, on or about January 14, 2022.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 11, 2022  
\$4,558.00





**Citation and Notification of Penalty**

**Company Name:** PGA Incorporated  
**Inspection Site:** 185 South Street, Freeland, PA 18224

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

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

a) Kathleen Grinder Area: An employee was exposed to continuous noise at 68.3% of the exposure level of 90 dBA or an 8-hour time-weighted average of 87.2 dBA. This exposure was observed over a 251 minute sampling period. Zero exposure was assumed for the 229 minutes not sampled. The employer did not provide noise training program to those employees exposed over the action level of 85 dBA, on or about January 14, 2022.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 11, 2022  
\$0.00

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

**Inspection Number:** 1551133  
**Inspection Date(s):** 09/02/2021 - 02/01/2022  
**Issuance Date:** 02/23/2022



**Citation and Notification of Penalty**

**Company Name:** PGA Incorporated  
**Inspection Site:** 185 South Street, Freeland, PA 18224

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

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

a) Penelope Grinder Area: Electrical equipment, including, but not limited to, outlets, light switches, motors, florescent and incandescent light fixtures, electrical disconnects, and a control panel, was covered in accumulations of combustible plastic dust. This electrical equipment was located in a Class II, Division II location and was not intrinsically safe, approved for use in a Class II, Division II location, or safe for use in a Class II, Division II location, on or about September 2, 2021.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 04, 2022  
\$3,646.00

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:** PGA Incorporated  
**Inspection Site:** 185 South Street, Freeland, PA 18224

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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 3 a Type of Violation: **Serious**

29 CFR 1910.1000(a)(2): Employee(s) were exposed to an airborne concentration of carbon monoxide (CO) listed in Table Z-1 in excess of the 8-hour time weighted average concentration of 50 parts per million:

- a) PGA Incorporated, New Grinder Area: An employee was exposed to carbon monoxide at an 8-hour time weighted average of 56 parts per million, approximately 1.1 times the Permissible Exposure Limit of 50 parts per million. Sampling was performed for 461 minutes on January 27, 2022. Zero exposure was assumed for the 19 minutes not sampled.
- b) PGA Incorporated, Forklift: An employee was exposed to carbon monoxide at an 8-hour time weighted average of 58 parts per million, approximately 1.2 times the Permissible Exposure Limit of 50 parts per million. Sampling was performed for 322 minutes on January 27, 2022. Zero exposure was assumed for the 158 minutes not sampled.

**ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED**

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: **March 21, 2022**  
Proposed Penalty: **\$5,470.00**

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:** PGA Incorporated  
**Inspection Site:** 185 South Street, Freeland, PA 18224

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

29 CFR 1910.1000(e): Feasible administrative or engineering controls were not determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000(a) through (d):

a) PGA Incorporated, New Grinder Area: An employee was exposed to carbon monoxide at an 8-hour time weighted average of 56 parts per million, approximately 1.1 times the Permissible Exposure Limit of 50 parts per million. Sampling was performed for 461 minutes on January 27, 2022. Zero exposure was assumed for the 19 minutes not sampled. The employer did not implement feasible administrative and/or engineering controls to reduce employee exposure levels to below the Permissible Exposure Limit for carbon monoxide.

b) PGA Incorporated, Forklift: An employee was exposed to carbon monoxide at an 8-hour time weighted average of 58 parts per million, approximately 1.2 times the Permissible Exposure Limit of 50 parts per million. Sampling was performed for 322 minutes on January 27, 2022. Zero exposure was assumed for the 158 minutes not sampled. The employer did not implement feasible administrative and/or engineering controls to reduce employee exposure levels to below the Permissible Exposure Limit for carbon monoxide.

### **ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED**

**GENERAL METHODS OF CONTROL APPLICABLE IN THESE CIRCUMSTANCES INCLUDE, BUT ARE NOT LIMITED TO, THE FOLLOWING:**

- Remove the Nissan 30 Optimum forklift from service. Do not place the forklift back into service until it has been appropriately repaired and its exhaust system is no longer discharging high levels of carbon monoxide into the work environment.
- Train forklift operators to not let their forklifts idle when not in use.
- Ventilate the work area with fresh outdoor air.

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:** 1551133  
**Inspection Date(s):** 09/02/2021 - 02/01/2022  
**Issuance Date:** 02/23/2022



**Citation and Notification of Penalty**

**Company Name:** PGA Incorporated  
**Inspection Site:** 185 South Street, Freeland, PA 18224

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**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	March 21, 2022
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:** PGA Incorporated  
**Inspection Site:** 185 South Street, Freeland, PA 18224

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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 1910.1200(e)(1): The employer did not develop and implement at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

a) PGA Incorporated: Employees worked with hazardous chemicals, including, but not limited to, polyethylene terephthalate 1 (PET-1), and the employer did not develop and implement a written hazard communication program, on or about September 2, 2021.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 04, 2022  
\$3,646.00



**Citation and Notification of Penalty**

**Company Name:** PGA Incorporated  
**Inspection Site:** 185 South Street, Freeland, PA 18224

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

29 CFR 1910.1200(f)(4)(i): For solid metal, solid wood, or plastic items that are not exempted as articles due to their downstream use, or shipments of whole grain, the required label was not transmitted to the customer at the time of the initial shipment:

a) PGA Incorporated: The employer manufactured and sold hazardous chemicals, including, but not limited to, polyethylene terephthalate 1 (PET-1), and the employer did not appropriately label containers of hazardous chemicals that were shipped to customers, on or about September 2, 2021.

ABATEMENT CERTIFICATION REQUIRED

ABATEMENT NOTE: Labels on shipped containers shall comply with 1910.1200(f)(1).

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 04, 2022  
\$0.00



**Citation and Notification of Penalty**

**Company Name:** PGA Incorporated  
**Inspection Site:** 185 South Street, Freeland, PA 18224

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

29 CFR 1910.1200(f)(6)(ii): Except as provided in 1910.1200(f)(7) and 1910.1200(f)(8), the employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with 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, would provide employees with the specific information regarding the physical and health hazards of the hazardous chemical:

a) PGA Incorporated: Employees worked with hazardous chemicals, including, but not limited to, polyethylene terephthalate 1 (PET-1), and the employer did not ensure that these chemicals were appropriately labeled, on or about September 2, 2021.

**ABATEMENT CERTIFICATION REQUIRED**

ABATEMENT NOTE: Per 1910.1200(f)(7), it is permissible for the employer to use signs, placards, process sheets, batch tickets, operating procedures, or other such written materials in lieu of affixing labels to individual stationary process containers, as long as the alternative method identifies the containers to which it is applicable and conveys the information required by paragraph (f)(6) of this section to be on a label.

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 04, 2022  
\$0.00



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

**Inspection Number:** 1551133  
**Inspection Date(s):** 09/02/2021 - 02/01/2022  
**Issuance Date:** 02/23/2022



**Citation and Notification of Penalty**

**Company Name:** PGA Incorporated  
**Inspection Site:** 185 South Street, Freeland, PA 18224

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

29 CFR 1910.1200(g)(1): Chemical manufacturers and importers did not obtain or develop a safety data sheet for each hazardous chemical and for each chemical that posed a hazard not otherwise classified that they produced or imported:

a) PGA Incorporated: The employer manufactured hazardous chemicals, including, but not limited to, polyethylene terephthalate 1 (PET-1), and the employer did not develop a safety data sheet for each hazardous chemical that they produced, on or about September 2, 2021.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 04, 2022  
\$0.00

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

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

**Inspection Number:** 1551133  
**Inspection Date(s):** 09/02/2021 - 02/01/2022  
**Issuance Date:** 02/23/2022



**Citation and Notification of Penalty**

**Company Name:** PGA Incorporated  
**Inspection Site:** 185 South Street, Freeland, PA 18224

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

29 CFR 1910.1200(g)(8): The employer did not maintain in the workplace copies of the required safety data sheets for each hazardous chemical:

a) PGA Incorporated: Employees worked with hazardous chemicals, including, but not limited to, polyethylene terephthalate 1 (PET-1), and the employer did not maintain the safety data sheet (SDS) for each hazardous chemical used in the workplace, on or about September 2, 2021.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 04, 2022  
\$0.00

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

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

**Inspection Number:** 1551133  
**Inspection Date(s):** 09/02/2021 - 02/01/2022  
**Issuance Date:** 02/23/2022



**Citation and Notification of Penalty**

**Company Name:** PGA Incorporated  
**Inspection Site:** 185 South Street, Freeland, PA 18224

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

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

a) PGA Incorporated: Employees worked with hazardous chemicals, including, but not limited to, polyethylene terephthalate 1 (PET-1), and the employer did not provide these employees with effective hazard communication training, on or about September 2, 2021.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 04, 2022  
\$0.00

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

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

**Inspection Number:** 1551133  
**Inspection Date(s):** 09/02/2021 - 02/01/2022  
**Issuance Date:** 02/23/2022



**Citation and Notification of Penalty**

**Company Name:** PGA Incorporated  
**Inspection Site:** 185 South Street, Freeland, PA 18224

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

29 CFR 1910.22(a)(1): All places of employment, passageways, storerooms, service rooms, and walking-working surfaces are kept in a clean, orderly, and sanitary condition:

a) Penelope Grinder Area: The area where plastic grinding was performed had hazardous accumulations of combustible plastic dust located on the walls, floor, ceiling and roof structures, boxes of product, dust collection equipment, and electrical installations, on or about September 2, 2021.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 04, 2022  
\$54,694.00

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:** 1551133  
**Inspection Date(s):** 09/02/2021 - 02/01/2022  
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**Citation and Notification of Penalty**

**Company Name:** PGA Incorporated  
**Inspection Site:** 185 South Street, Freeland, PA 18224

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

29 CFR 1910.132(d)(2): The employer did not verify that the required workplace hazard assessment has been performed through a written certification that identifies the workplace evaluated, the person certifying that the evaluation has been performed, the date(s) of the hazard assessment, and, which identifies the document as a certification of hazard assessment:

a) PGA Incorporated: Employees performed job tasks that necessitated the use of personal protective equipment, and the employer did not verify that the required workplace hazard assessment had been performed through a written certification, on or about September 2, 2021.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 04, 2022  
\$0.00

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**Mary Reynolds**  
Area Director

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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  
7 North Wilkes-Barre Blvd.  
Suite 410, The Stegmaier Building,  
Wilkes Barre, PA 18702



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## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** PGA Incorporated  
**Inspection Site:** 185 South Street, Freeland, PA 18224  
**Issuance Date:** 02/23/2022

Summary of Penalties for Inspection Number: 1551133

Citation 1 Item 1a, Serious	\$4,558.00
Citation 1 Item 1b, Serious	\$0.00
Citation 1 Item 2, Serious	\$3,646.00
Citation 1 Item 3a, Serious	\$5,470.00
Citation 1 Item 3b, Serious	\$0.00
Citation 1 Item 4a, Serious	\$3,646.00
Citation 1 Item 4b, Serious	\$0.00
Citation 1 Item 4c, Serious	\$0.00
Citation 1 Item 4d, Serious	\$0.00
Citation 1 Item 4e, Serious	\$0.00
Citation 1 Item 4f, Serious	\$0.00
Citation 2 Item 1, Willful - Serious	\$54,694.00
Citation 3 Item 1, Other-than-Serious	\$0.00

**TOTAL PROPOSED PENALTIES:** **\$72,014.00**

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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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**Mary Reynolds**

Area Director

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Date