

**U.S. Department of Labor** Occupational Safety and Health Administration  
100 N. Summit Street  
Suite 100  
Toledo, OH 43604



08/05/2022

International Cushioning Company, LLC  
and its successors  
2101 Cedar Street  
Fremont, OH 43420

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 (419) 259-7542.

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.

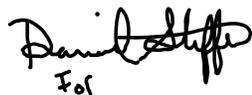
As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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,



For

**Todd Jensen**  
Area Director

Enclosures

## U.S. Department of Labor

Occupational Safety and Health Administration  
100 N. Summit Street  
Suite 100  
Toledo, OH 43604



# Citation and Notification of Penalty

**To:**

International Cushioning Company, LLC  
and its successors  
2101 Cedar Street  
Fremont, OH 43420

**Inspection Number:** 1581135**Inspection Date(s):** 03/02/2022 - 08/05/2022**Issuance Date:** 08/05/2022**Inspection Site:**

2101 Cedar Street  
Fremont, OH 43420

*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 (419) 259-7542. 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](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

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

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

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

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

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

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

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

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

**Inspection Activity Data** – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at [www.osha.gov](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 08/05/2022. The conference will be held by telephone or at the OSHA office located at 100 N. Summit Street, Suite 100, Toledo, OH 43604 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1581135**

Company Name: International Cushioning Company, LLC  
Inspection Site: 2101 Cedar Street, Fremont, OH 43420  
Issuance Date: 08/05/2022

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, 100 N. Summit Street, Suite 100, Toledo, OH 43604.**

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:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

International Cushioning Company, LLC located at 2101 Cedar Street in Fremont, Ohio:

On or about February 22, 2022 the employer did not ensure elevated non-floor surfaces near and around the grinder were maintained in a clean and orderly condition. Polyethylene foam flakes and dust were allowed to accumulate on elevated equipment and wall surfaces such as the cyclone, hopper housing, and over-head pipes in the recycling department, exposing employees to fire hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                 |
|---|-----------------|
| Date By Which Violation Must be Abated: | August 18, 2022 |
| Proposed Penalty:                       | \$11,167.00     |

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:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.22(a)(2): The employer did not ensure that the floor of each workroom is maintained in a clean and, to the extent feasible, in a dry condition. The employer did not ensure that when wet processes are used, drainage is maintained and, to the extent feasible, dry standing places, such as false floors, platforms, and mats are provided.

International Cushioning Company, LLC located at 2101 Cedar Street in Fremont, Ohio:

On or about February 22, 2022 the employer did not ensure the floor near and around the grinder were maintained in a clean and orderly condition. Polyethylene foam flakes and dust were allowed to accumulate on the floor surrounding the recycling extruder line exposing employees to hazards associated with a fire as well as slip, trip, and fall hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                 |
|---|-----------------|
| Date By Which Violation Must be Abated: | August 18, 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:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

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

International Cushioning Company, LLC located at 2101 Cedar Street in Fremont, Ohio:

Instance A

On or about May 10, 2022 the employer did not implement a hearing conservation program consisting of elements such as, but not limited to, monitoring, audiometric testing, hearing protection, and training when an employee's exposures to noise level exceeded the action limit of 85 decibels, or equivalently, a dose of fifty percent. An employee operating the recycling extruder line was exposed to noise during a 470 minute sampling period at an 8-hour TWA of 92.6 dBA.

Instance B

On or about May 10, 2022 the employer did not implement a hearing conservation program consisting of elements such as, but not limited to, monitoring, audiometric testing, hearing protection, and training when an employee's exposures to noise level exceeded the adjusted action limit, 84.21 dBA based on the extended work shift. An employee operating the foam line for an extended shift of twelve hours was exposed to noise during a 706 minute sampling period at an 12-hour TWA of 84.4 dBA.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: August 29, 2022  
Proposed Penalty: \$10,151.00

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:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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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 1910.119(d)(3)(i)(C): Information pertaining to the equipment in the process did not include the electrical classification:

International Cushioning Company, LLC located at 2101 Cedar Street in Fremont, Ohio:

On or about June 9, 2022, the employer did not ensure that process safety information, including electrical classification diagrams, were available for the production area where isobutane was used in the manufacturing of packaging products. Failure to maintain all required process safety information can result in hazards associated with fires and explosions.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                    |
|---|--------------------|
| Date By Which Violation Must be Abated: | September 21, 2022 |
| Proposed Penalty:                       | \$7,252.00         |

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:** 1581135  
**Inspection Date(s):** 03/02/2022 - 08/05/2022  
**Issuance Date:** 08/05/2022



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.119(d)(3)(i)(D): Information pertaining to the equipment in the process did not include relief system design and design basis:

International Cushioning Company, LLC located at 2101 Cedar Street in Fremont, Ohio:

On or about June 9, 2022, the employer did not ensure that process safety information, including relief system information and design basis, were available for the piping system relief device leading to the production area where isobutane was used in the manufacturing of packaging products. Failure to maintain all required process safety information can result in hazards associated with fires and explosions.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                    |
|---|--------------------|
| Date By Which Violation Must be Abated: | September 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.

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

**Inspection Number:** 1581135  
**Inspection Date(s):** 03/02/2022 - 08/05/2022  
**Issuance Date:** 08/05/2022



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.119(e)(3)(i): The process hazard analysis did not address the hazards of the process:

International Cushioning Company, LLC located at 2101 Cedar Street in Fremont, Ohio:

On or about June 9, 2022, the employer did not ensure that the PHA conducted for the isobutane storage and piping system used in the production of packaging products reflected accurate process equipment, such as reference to a pentane storage tank and piping. The PHA also did not evaluate for potential hazards of isobutane being released to atmosphere via the atmospheric relief valve or the ventilation discharge duct on the northwest side of the building. Failure to conduct a thorough PHA can potentially lead to fire and explosion hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                    |
|---|--------------------|
| Date By Which Violation Must be Abated: | September 21, 2022 |
| Proposed Penalty:                       | \$7,252.00         |

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:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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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 5 a Type of Violation: **Serious**

29 CFR 1910.119(j)(2): The employer did not establish written procedures to maintain the on-going integrity of process equipment:

International Cushioning Company, LLC located at 2101 Cedar Street in Fremont, Ohio:

On or about June 9, 2022, the employer did not ensure that written mechanical integrity procedures, including information on who is qualified to perform inspection and testing, the frequency of inspection and testing to be performed, and procedures for performing inspection, testing and repair activities were documented and implemented to maintain the mechanical integrity of process equipment involved in the use of isobutane for the manufacturing of packaging products. Failure to implement mechanical integrity procedures can result in releases of isobutane, potentially exposing employees to fire and explosion hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                    |
|---|--------------------|
| Date By Which Violation Must be Abated: | September 21, 2022 |
| Proposed Penalty:                       | \$7,252.00         |

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:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.119(j)(5): The employer did not correct deficiencies in equipment that were outside acceptable limits (defined by the process safety information on paragraph (d) of this section) in a safe and timely manner when necessary means were taken to assure safe operation:

International Cushioning Company, LLC located at 2101 Cedar Street in Fremont, Ohio:

On or about June 9, 2022, the employer did not ensure that an isobutane leak was identified and immediately corrected on the piping around the relief valve at the isobutane storage tank on the north exterior of the manufacturing building. Failing to implement mechanical integrity procedures to control the release of isobutane can result in the potential exposure of employees to fire and explosion hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                    |
|---|--------------------|
| Date By Which Violation Must be Abated: | September 21, 2022 |
| Proposed Penalty:                       | \$0.00             |



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

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

International Cushioning Company, LLC located at 2101 Cedar Street in Fremont, Ohio:

On or about June 9, 2022, the employer did not ensure the written emergency response plan contained all information required by 29 CFR 1910.38. The written plan did not include specific details on the evacuation routes expected for employees to take on their way to the muster point, nor did it detail how supervisors are to ensure that all employees are accounted for. Failure to develop and implement a complete emergency action plan in accordance with 29 CFR 1910.38 can potentially expose employees to fire and explosion hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: September 21, 2022  
Proposed Penalty: \$7,252.00

A handwritten signature in black ink that reads "Todd Jensen".

\_\_\_\_\_  
Todd Jensen  
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  
100 N. Summit Street  
Suite 100  
Toledo, OH 43604



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**INVOICE /  
DEBT COLLECTION NOTICE**

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**Company Name: International Cushioning Company, LLC**  
**Inspection Site: 2101 Cedar Street, Fremont, OH 43420**  
**Issuance Date: 08/05/2022**

Summary of Penalties for Inspection Number: 1581135

|                             |             |
|-----------------------------|-------------|
| Citation 1 Item 1a, Serious | \$11,167.00 |
| Citation 1 Item 1b, Serious | \$0.00      |
| Citation 1 Item 2, Serious  | \$10,151.00 |
| Citation 1 Item 3a, Serious | \$7,252.00  |
| Citation 1 Item 3b, Serious | \$0.00      |
| Citation 1 Item 4, Serious  | \$7,252.00  |
| Citation 1 Item 5a, Serious | \$7,252.00  |
| Citation 1 Item 5b, Serious | \$0.00      |
| Citation 1 Item 6, Serious  | \$7,252.00  |

**TOTAL PROPOSED PENALTIES:** **\$50,326.00**

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically at [www.pay.gov](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

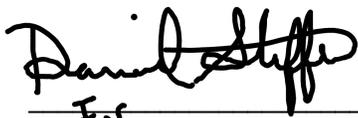
will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank 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.



\_\_\_\_\_  
For  
**Todd Jensen**  
Area Director

08/05/2022

\_\_\_\_\_  
Date

**U.S. Department of Labor** Occupational Safety and Health Administration  
100 N. Summit Street  
Suite 100  
Toledo, OH 43604



08/05/2022

International Cushioning Company, LLC  
and its successors  
2101 Cedar Street  
Fremont, OH 43420

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 (419) 259-7542.

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.

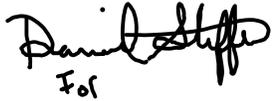
As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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,

A handwritten signature in black ink, appearing to read "Todd Jensen". The signature is written in a cursive style with a large, stylized initial "T".

**Todd Jensen**  
Area Director

Enclosures

## U.S. Department of Labor

Occupational Safety and Health Administration  
100 N. Summit Street  
Suite 100  
Toledo, OH 43604



# Citation and Notification of Penalty

**To:**

International Cushioning Company, LLC  
and its successors  
2101 Cedar Street  
Fremont, OH 43420

**Inspection Number:** 1579635**Inspection Date(s):** 02/22/2022 - 02/22/2022**Issuance Date:** 08/05/2022**Inspection Site:**

2101 Cedar Street  
Fremont, OH 43420

*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 (419) 259-7542. 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](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

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

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

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

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

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

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

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

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

**Inspection Activity Data** – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at [www.osha.gov](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 08/05/2022. The conference will be held by telephone or at the OSHA office located at 100 N. Summit Street, Suite 100, Toledo, OH 43604 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1579635**

Company Name: International Cushioning Company, LLC  
Inspection Site: 2101 Cedar Street, Fremont, OH 43420  
Issuance Date: 08/05/2022

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, 100 N. Summit Street, Suite 100, Toledo, OH 43604.**

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:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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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 1910.110(b)(17)(i): Electrical equipment and wiring was not installed in accordance with subpart S of this part:

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure electrical equipment utilized in proximity of the foam line, to include but not limited to industrial fans, were rated for the hazardous atmosphere in which they were operated in. In this condition, employees were exposed to burns and fire hazards.

Among other methods, one feasible and acceptable abatement method to correct this hazard would be to follow NFPA 497 in determining classified locations for electrical controls.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

August 23, 2022

Proposed Penalty:

\$11,167.00

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

**Inspection Number:** 1579635  
**Inspection Date(s):** 02/22/2022 - 02/22/2022  
**Issuance Date:** 08/05/2022



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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Citation 1 Item 1 b 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) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure electrical equipment, such as but not limited to, industrial fans positioned on the foam line, were rated for the hazardous atmosphere they were operated in. In this condition employees were exposed to burns from ignition hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                 |
|---|-----------------|
| Date By Which Violation Must be Abated: | August 23, 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:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.110(b)(17)(ii): Open flames or other sources of ignition were permitted in pumphouses, container charging rooms, or other similar locations.

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: employees tasked with work activities in proximity of where isobutane is vaporized from the foam line extruder were exposed to burn injuries in that hand tools used in the operation were not of the spark resistant type.

Among other methods, one feasible and acceptable method to abate this hazard includes but is not limited to the following: The utilization of spark resistant tools as described in NFPA 30 Flammable Liquids Code 2015 Edition, Chapter 6.5 Control Ignition Sources.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                 |
|---|-----------------|
| Date By Which Violation Must be Abated: | August 23, 2022 |
| Proposed Penalty:                       | \$11,167.00     |



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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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 1910.132(a): Protective equipment was not used when necessary whenever hazards capable of causing injury and impairment were encountered:

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure employees who worked on foam line extruder where Isobutane was discharged were provided personal protective clothing of the design/type for class 1 flammable. Employees operating in this condition without such equipment were exposed to burns hazards.

Among other methods, one feasible and acceptable abatement method to correct this hazard would be to follow NFPA 77 Static Ignition Source Control PPE, and NFPA 2112 Flame resistant clothing.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

August 23, 2022

Proposed Penalty:

\$11,167.00



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.132(f)(1):The employer did not provide training to each employee who is required by this section to use personal protective equipment:

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure employees who worked on foam line extruder where Isobutane a class 1 flammable was discharged were adequately trained on the use of personal protective equipment to include but not limited to use of heat stats, face shields and flame-resistant clothing. Employees operating in this condition without such training were exposed to burns hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                 |
|---|-----------------|
| Date By Which Violation Must be Abated: | August 23, 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:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.136(a): The employer did not ensure that each affected employee used protective footwear when working in areas where there is a danger of foot injuries due to falling or rolling objects, or objects piercing the sole, or when the use of protective footwear will protect the affected employee from an electrical hazard, such as a static-discharge or electric-shock hazard, that remains after the employer takes other necessary protective measures.

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure employees operating at the foam line extruder in proximity to isobutane discharge, donned heel stats. Employees operating in this condition were exposed to burns resulting from incidental ignition.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

August 23, 2022  
\$11,167.00



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.147(d):The established procedure for the application of energy control (the lockout or tagout procedures) did not cover the actions listed in and was not done in sequence as required by 29 CFR 1910.147(d)(1)-(6):

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure electrical power to the recycling grinder was isolated and controlled prior to the performance of a maintenance/ service task. Employees unjamming grinder in proximity of the point of operation in this condition were exposed to amputation hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

August 23, 2022  
\$11,167.00



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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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 6 a Type of Violation: **Serious**

29 CFR 1910.176(a): Aisle(s) and passageway(s) were not kept clear and in good repair with no obstruction across or in aisles that could create a hazard.

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure aisleways in which powered industrial vehicles (PIVs) traveled were kept free of waste product and obstructions. Employee working on or around PIVs in this condition employees were exposed to struck by hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                 |
|---|-----------------|
| Date By Which Violation Must be Abated: | August 23, 2022 |
| Proposed Penalty:                       | \$11,167.00     |



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.176(b): Material stored in tiers was not stacked, blocked, interlocked or limited in height so that it was stable and secure against sliding and collapse:

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure rolls of salvage foam in the storage room were stored in a secure manner. In this condition employees were exposed to struck by hazards from falling rolls.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                 |
|---|-----------------|
| Date By Which Violation Must be Abated: | August 23, 2022 |
| Proposed Penalty:                       | \$0.00          |



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.176(c): Storage areas were not kept free from accumulation of materials that constituted hazards from tripping, fire, explosion or pest harborage:

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure storage areas were kept free of trip hazards and excessive accumulation of flammable/combustible materials (foam product). In this condition employees were exposed to fire and trip hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                 |
|---|-----------------|
| Date By Which Violation Must be Abated: | August 23, 2022 |
| Proposed Penalty:                       | \$0.00          |



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.178(c)(2)(iii): Only powered industrial trucks designated as EX were not used in atmospheres containing any of the chemicals referenced in this section in quantities sufficient to produce explosive or ignitable mixtures:

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure powered industrial trucks were rated for the hazardous atmosphere in which they operated in. Employees operating non-EX rated powered industrial trucks as well as other employees performing work tasks in proximity of the foam line were exposed to burn hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

August 23, 2022  
\$11,167.00



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.178(l)(1)(ii): The employer did not ensure that each operator had successfully completed the training required by paragraph (l), except as permitted by paragraph (l)(5), prior to permitting an employee to operate a powered industrial truck

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure powered industrial truck operators received training that consisted of formal, written and hands on training. In this condition untrained operators as well as other employees working in the area were exposed to struck by hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                 |
|---|-----------------|
| Date By Which Violation Must be Abated: | August 23, 2022 |
| Proposed Penalty:                       | \$11,167.00     |

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

**Inspection Number:** 1579635  
**Inspection Date(s):** 02/22/2022 - 02/22/2022  
**Issuance Date:** 08/05/2022



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.212(a)(5): Fan blade guard(s) were not provided where the periphery of the blades was less than seven feet from the floor or working level:

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure the Central Machinery 30" industrial fan located on the foam line was adequately guarded. Employees operating near this condition were exposed to amputation hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

August 23, 2022  
\$7,977.00

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:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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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 10 a            Type of Violation: **Serious**

29 CFR 1910.219(d)(1): Pulley(s) with part(s) seven feet or less from the floor or work platform were not guarded in accordance with the requirements specified in 29 CFR 1910.219(m) and (o):

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure pulleys located on the recycling line hopper motor were adequately guarded. Employees operating near this nip point were exposed to amputation hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                 |
|---|-----------------|
| Date By Which Violation Must be Abated: | August 23, 2022 |
| Proposed Penalty:                       | \$11,167.00     |



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.219(e)(3)(i): Vertical or inclined belt(s) were not enclosed by guard(s) conforming to the requirements specified at 29 CFR 1910.219(m) and (o):

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure inclined belts located on the recycling line hopper motor were adequately guarded. Employees operating near this nip point were exposed to amputation hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

|   |                 |
|---|-----------------|
| Date By Which Violation Must be Abated: | August 23, 2022 |
| Proposed Penalty:                       | \$0.00          |



**Citation and Notification of Penalty**

**Company Name:** International Cushioning Company, LLC  
**Inspection Site:** 2101 Cedar Street, Fremont, OH 43420

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

29 CFR 1910.305(b)(2)(i): Pull boxes, junction boxes, and fittings were not provided with covers approved for the purpose:

a) International Cushioning Co. on or about February 22, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer did not ensure the junction box containing 480-volt conductors atop the motor of the recycling line hopper was fully enclosed. Employees operating near this condition were exposed to electrical shock hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

August 23, 2022  
\$11,167.00



**Citation and Notification of Penalty**

**Company Name: International Cushioning Company, LLC**  
**Inspection Site: 2101 Cedar Street, Fremont, OH 43420**

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

29 CFR 1904.39(a)(2): The employer did not report within 24-hours a work-related incident resulting in in-patient hospitalization, amputation or the loss of an eye.

a) International Cushioning Co. on or about February 10, 2022, at the address of 2101 Cedar St. Fremont, OH: The employer or employer representative failed to contact the Toledo Area OSHA Office or the 24-hour OSHA number within 24-hours after an employee was admitted for inpatient treatment resulting from a workplace injury/incident.

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

Date By Which Violation Must be Abated:  
Proposed Penalty:

August 23, 2022  
\$7,977.00

A handwritten signature in black ink, appearing to read "Todd Jensen".

*Fof*  
\_\_\_\_\_  
Todd Jensen  
Area Director

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**U.S. Department of Labor**  
Occupational Safety and Health Administration  
100 N. Summit Street  
Suite 100  
Toledo, OH 43604



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## INVOICE / DEBT COLLECTION NOTICE

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**Company Name: International Cushioning Company, LLC**  
**Inspection Site: 2101 Cedar Street, Fremont, OH 43420**  
**Issuance Date: 08/05/2022**

Summary of Penalties for Inspection Number: 1579635

|                                       |             |
|---------------------------------------|-------------|
| Citation 1 Item 1a, Serious           | \$11,167.00 |
| Citation 1 Item 1b, Serious           | \$0.00      |
| Citation 1 Item 2, Serious            | \$11,167.00 |
| Citation 1 Item 3a, Serious           | \$11,167.00 |
| Citation 1 Item 3b, Serious           | \$0.00      |
| Citation 1 Item 4, Serious            | \$11,167.00 |
| Citation 1 Item 5, Serious            | \$11,167.00 |
| Citation 1 Item 6a, Serious           | \$11,167.00 |
| Citation 1 Item 6b, Serious           | \$0.00      |
| Citation 1 Item 6c, Serious           | \$0.00      |
| Citation 1 Item 7, Serious            | \$11,167.00 |
| Citation 1 Item 8, Serious            | \$11,167.00 |
| Citation 1 Item 9, Serious            | \$7,977.00  |
| Citation 1 Item 10a, Serious          | \$11,167.00 |
| Citation 1 Item 10b, Serious          | \$0.00      |
| Citation 1 Item 11, Serious           | \$11,167.00 |
| Citation 2 Item 1, Other-than-Serious | \$7,977.00  |

**TOTAL PROPOSED PENALTIES:** **\$127,624.00**

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically at [www.pay.gov](http://www.pay.gov). At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From 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.

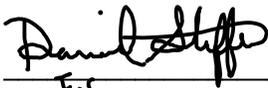
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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.



Fot  
Todd Jensen

Area Director

08/05/2022

Date