

**U.S. Department of Labor** Occupational Safety and Health Administration  
6393 Oak Tree Blvd  
Suite 203  
Independence, OH 44131



08/04/2023

I Schumann & Co. LLC  
and its successors  
26600 Detroit Road, Seeley Savidge Ebert & Gourash Co LPA (ATTN: Keith Savidge)  
Cleveland, OH 44145

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 (216) 447-4194.

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 blue ink, appearing to read "Howard B Eberts", with a long horizontal flourish extending to the right.

**Howard B Eberts**  
Area Director

Enclosures

## U.S. Department of Labor

Occupational Safety and Health Administration  
6393 Oak Tree Blvd  
Suite 203  
Independence, OH 44131



# Citation and Notification of Penalty

**To:**  
I Schumann & Co. LLC  
and its successors  
26600 Detroit Road, Seeley Savidge Ebert & Gourash  
Co LPA (ATTN: Keith Savidge)  
Cleveland, OH 44145

**Inspection Site:**  
22500 Alexander Road  
Bedford, OH 44146

**Inspection Number:** 1651937  
**Inspection Date(s):** 02/20/2023 - 02/21/2023  
**Issuance Date:** 08/04/2023

*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 (216) 447-4194. 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 08/04/2023. The conference will be held by telephone or at the OSHA office located at 6393 Oak Tree Blvd, Suite 203, Independence, OH 44131 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1651937**

Company Name: I Schumann & Co. LLC  
Inspection Site: 22500 Alexander Road, Bedford, OH 44146  
Issuance Date: 08/04/2023

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, 6393 Oak Tree Blvd, Suite 203, Independence, OH 44131.**

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:** I Schumann & Co. LLC  
**Inspection Site:** 22500 Alexander Road, Bedford, OH 44146

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or are likely to cause death or serious physical harm to his employees in that employees were exposed to struck-by and burn hazards from rapidly expanding steam associated with water infiltration into molten metal;

On or about February 20, 2023, and at times prior, the employer failed to ensure employees were protected from the recognized hazard of steam explosions caused by the No. 3, No. 5, No. 6, and No. 7 Rotary Reverberatory Furnaces water jacket components leaking water into and contacting the liquid molten metal bath inside the furnaces, which could likely cause death or serious injury to employees. The employer allowed production to continue when known water leaks from the water jacket were entering the interior of the Rotary Reverberatory Furnaces. The employer required Furnace Operators and Furnace Assistants to rotate and pour the Rotary Reverberatory Furnaces while water was actively leaking from the water jackets into the liquid molten metal bath, causing or likely to cause a steam explosion from water becoming encapsulated in the liquid molten metal bath.

1. Ensure that all detected water leaks require the water source to be shutoff, isolated, drained with energy isolating device(s) locked and tagged.
2. Ensure training is provided to managers and employees regarding the hazards of water contacting liquid molten metal.
3. Ensure written policies and procedures are developed, documented and enforced to notify and effectively communicate to affected personnel of any water leaks to employee access in areas in an around furnaces that are not actively addressing the water leak hazard.
4. Discontinue the practice of running furnaces with water leaks infiltrating the furnace from the water jacket. Train employees regarding the elimination of the discontinued practice and memorialize the change in written instruction or standard operating procedures.
5. Develop emergency procedures that would trigger evacuation when catastrophic water leaks occur involving the interior of melting furnaces. Plainly define when evacuation should occur as a result of potential steam explosion conditions.

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

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

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

**Inspection Number:** 1651937  
**Inspection Date(s):** 02/20/2023 - 02/21/2023  
**Issuance Date:** 08/04/2023



**Citation and Notification of Penalty**

**Company Name:** I Schumann & Co. LLC  
**Inspection Site:** 22500 Alexander Road, Bedford, OH 44146

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Date By Which Violation Must be Abated:  
Proposed Penalty:

September 21, 2023  
\$15,625.00

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:** I Schumann & Co. LLC  
**Inspection Site:** 22500 Alexander Road, Bedford, OH 44146

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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 2 a Type of Violation: **Serious**

29 CFR 1910.147(c)(4)(i):Procedures shall be developed, documented and utilized for the control of potentially hazardous energy when employees are engaged in the activities covered by this section.

On or about February 20, 2023, the employer failed to ensure the documented and developed energy control procedure for the No. 5 Rotary Reverberatory Furnace was utilized to control the hazardous gravitational, water, thermal, electrical, natural gas, and oxygen gas energy sources of the No. 5 Rotary Reverberatory Furnace while maintenance personnel performed the task of inspecting the furnace for a water leak.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	September 21, 2023
Proposed Penalty:	\$15,625.00



**Citation and Notification of Penalty**

**Company Name:** I Schumann & Co. LLC  
**Inspection Site:** 22500 Alexander Road, Bedford, OH 44146

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

29 CFR 1910.147(d):Application of control. The established procedures for the application of energy control (the lockout or tagout procedures) shall cover the following elements and actions and shall be done in the following sequence:

On or about February 20, 2023, the employer failed to ensure maintenance employees performing service and maintenance activities on the No. 5 Rotary Reverberatory Furnace applied and followed the established energy control procedure by; turning off or shutting down the furnace electrical rotation drive motor [per 1910.147(d)(2)], isolating the furnace natural gas, oxygen gas, and electrical energy sources [(d)(3)], affixing lockout device(s) to the natural gas, oxygen gas, cooling water supply, and electrical energy isolation devices [(d)(4)(i)], relieving, restraining, or otherwise rendering safe the stored residual thermal (heat) energy of the furnace and molten metal bath [(d)(5)(i)], and verifying de-energization and isolation had been accomplished [(d)(6)], prior to performing the task of inspecting the furnace for water leaks.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	September 21, 2023
Proposed Penalty:	\$0.00



**Citation and Notification of Penalty**

**Company Name:** I Schumann & Co. LLC  
**Inspection Site:** 22500 Alexander Road, Bedford, OH 44146

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

29 CFR 1910.147(f)(3)(ii)(D): Each authorized employee shall affix a personal lockout or tagout device to the group lockout device, group lockbox, or comparable mechanism when he or she begins work, and shall remove those devices when he or she stops working on the machine or equipment being serviced or maintained.

On or about February 20, 2023, the employer did not ensure the Maintenance Lead Man and Maintenance Supervisor each affixed a personal lockout or tagout device(s) to a group lockout device, group lockout, or comparable mechanism prior to inspecting (service and maintenance activity) the No. 5 Rotary Reverberatory Furnace for a water leak.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	September 21, 2023
Proposed Penalty:	\$0.00



**Citation and Notification of Penalty**

**Company Name:** I Schumann & Co. LLC  
**Inspection Site:** 22500 Alexander Road, Bedford, OH 44146

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

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

On or about February 20, 2023, the employer failed to ensure the documented and developed energy control procedure for the No. 5 Rotary Reverberatory Furnace clearly and specifically outlined the scope, purpose, rules, and techniques for the intended use of the procedure to be utilized while authorized employees inspected the No. 5 Rotary Reverberatory Furnace [per 1910.147(c)(4)(ii)(A)] for water leaks. The energy control procedure for the No. 5 Rotary Reverberatory Furnace failed to clearly identify the specific procedural steps to be followed by authorized employees performing the task of inspecting the furnace for water leaks for safe shutdown, isolating, blocking, and securing the electrical, water, and thermal (liquid molten metal bath) energy sources, to prevent the release of water from contacting the liquid molten metal bath (thermal energy) inside the furnace and causing a steam explosion [per 1910.147(c)(4)(ii)(B)].

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	September 21, 2023
Proposed Penalty:	\$15,625.00

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:** 1651937  
**Inspection Date(s):** 02/20/2023 - 02/21/2023  
**Issuance Date:** 08/04/2023



**Citation and Notification of Penalty**

**Company Name:** I Schumann & Co. LLC  
**Inspection Site:** 22500 Alexander Road, Bedford, OH 44146

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

29 CFR 1910.147(c)(6)(i): The employer shall conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirements of this standard are being followed.

On or about February 20, 2023, the employer failed to ensure a periodic inspection of the No. 5 Rotary Reverberatory Furnace Energy Control (Lockout/Tagout) Procedure with a review of the authorized employees' responsibilities under the procedure was conducted at least annually to ensure that the procedure and the requirements of the standard were being followed.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: September 21, 2023  
Proposed Penalty: \$15,625.00

  
\_\_\_\_\_  
**Howard B Eberts**  
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  
6393 Oak Tree Blvd  
Suite 203  
Independence, OH 44131



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**INVOICE /  
DEBT COLLECTION NOTICE**

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**Company Name: I Schumann & Co. LLC**  
**Inspection Site: 22500 Alexander Road, Bedford, OH 44146**  
**Issuance Date: 08/04/2023**

Summary of Penalties for Inspection Number: 1651937

Citation 1 Item 1, Serious	\$15,625.00
Citation 1 Item 2a, Serious	\$15,625.00
Citation 1 Item 2b, Serious	\$0.00
Citation 1 Item 2c, Serious	\$0.00
Citation 1 Item 3, Serious	\$15,625.00
Citation 1 Item 4, Serious	\$15,625.00

**TOTAL PROPOSED PENALTIES: \$62,500.00**

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.



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**Howard B Eberts**

Area Director

August 4, 2023

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Date