

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



10/02/2023

Ultium Cells LLC
and its successors
7400 Tod Avenue Southwest
Warren, OH 44481

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. If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,



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:

Ultium Cells LLC
and its successors
7400 Tod Avenue Southwest
Warren, OH 44481

Inspection Number: 1665375

Inspection Date(s): 04/24/2023 - 09/29/2023

Issuance Date: 10/02/2023

Inspection Site:

7400 Tod Avenue Southwest
Warren, OH 44481

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. 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. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 10/02/2023. 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: 1665375

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481
Issuance Date: 10/02/2023

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.

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

Inspection Number: 1665375
Inspection Date(s): 04/24/2023 - 09/29/2023
Issuance Date: 10/02/2023



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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

29 CFR 1910.147(c)(6)(i): The employer did not conduct an annual or more frequent inspection of the energy control procedure to ensure that the procedure and requirements of this standard were followed:

a) On or about April 24, 2023, where employees worked with and around machinery including, but not limited to Roll Presses, Stocker Units, and Notching and Dryer Machines, the employer did not ensure that periodic inspections of energy control procedures were conducted.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 20, 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.



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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

29 CFR 1910.147(c)(7)(i)(A): Authorized employee(s) did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation:

- a) On or about April 24, 2023, in the 300 Area Electrode/Assembly, employees conducting maintenance, adjustments and cleaning of the "Roll Press" machines were exposed to in- coming nip points due to the unexpected start of these machines; the employer did not ensure to provide adequate training or, ensure employees understood, the purpose and function of the "HMI pendant(s)" and "SCS pendant(s)", within the energy control program.
- b) On or about April 24, 2023, in the 300 Area Electrode/Assembly, employees conducting maintenance, adjustments and cleaning of the "Stocker unit" machines were exposed to struck by hazards due to the unexpected start of these machines; the employer did not ensure to provide adequate training or, ensure employees understood, the purpose and function of the "HMI pendant(s)" and "SCS pendant(s)", within the energy control program.
- c) On or about April 24, 2023, in the 300 Area Electrode/Assembly, employees conducting maintenance, adjustments and cleaning of the "Notching and Dryer" machines were exposed to in- coming nip points and struck by hazards due to the unexpected start of these machines; the employer did not ensure to provide adequate training or, ensure employees understood, the purpose and function of the "HMI pendant(s)" and "SCS pendant(s)", within the energy control program.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 20, 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: 1665375
Inspection Date(s): 04/24/2023 - 09/29/2023
Issuance Date: 10/02/2023



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

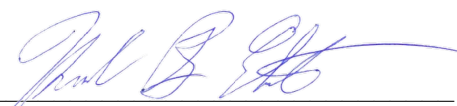
Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

On or about April 24, 2023, in the 300 Area Electrode/Assembly, H-15, an employee removing a bobbin of scrap from the Cathode Roll Rewinder was exposed to rotating parts from the infeed rollers; the employer did not ensure the interlock on the guard was working to protect the operator and other employees in the machine area from the hazards created by the infeed rollers.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: November 20, 2023
Proposed Penalty: \$11,162.00



Howard B Eberts
Area Director

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

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



INVOICE / DEBT COLLECTION NOTICE

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481
Issuance Date: 10/02/2023

Summary of Penalties for Inspection Number: 1665375

Citation 1 Item 1, Serious	\$15,625.00
Citation 1 Item 2, Serious	\$15,625.00
Citation 1 Item 3, Serious	\$11,162.00

TOTAL PROPOSED PENALTIES: **\$42,412.00**

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

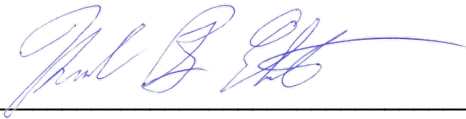
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest,

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.



Howard B Eberts

Area Director

October 2, 2023

Date

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



10/03/2023

Ultium Cells LLC
and its successors
7400 Tod Avenue Southwest
Warren, OH 44481

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.

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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:

Ultium Cells LLC
and its successors
7400 Tod Avenue Southwest
Warren, OH 44481

Inspection Number: 1665712

Inspection Date(s): 04/24/2023 - 9/29/2023

Issuance Date: 10/03/2023

Inspection Site:

7400 Tod Avenue Southwest
Warren, OH 44481

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. 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.

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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.

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NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 10/03/2023. 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: 1665712

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481
Issuance Date: 10/03/2023

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.

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

Inspection Number: 1665712
Inspection Date(s): 04/24/2023 - 09/29/2023
Issuance Date: 10/03/2023



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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 1910.132(d)(2): The employer did not verify that the required workplace hazard assessment has been performed through a written certification which included the requirements as outlined in 29 CFR 1910.132(d)(2):

On or about April 24, 2023, the employer did not verify that the required workplace hazard assessment had been performed through a written certification when PPE assessments provided to OSHA and posted in the facility did not identify the workplace evaluated, the person certifying that the evaluation had been performed, and the dates of the hazard assessment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: November 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.



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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

29 CFR 1910.138(a): The employer did not select and require employee(s) to use appropriate hand protection when employees' hands were exposed to hazards such as those from skin absorption of harmful substances; severe cuts or lacerations; severe abrasion; punctures; chemical burns; thermal burns; and harmful temperature extremes:

- a. On or about April 24, 2023, the employer did not select and require employees to use appropriate hand protection when employees' hands were exposed to hazards such as skin absorption of harmful substances, chemical burns, thermal burns, and cuts and lacerations when the PPE hazard assessments in coating identified inconsistent requirements for hand protection across a single job task.
- b. On or about April 24, 2023, the employer did not select and require employees to use appropriate hand protection when employees' hands were exposed to hazards such as skin absorption of harmful substances and chemical burns when employees in degas and EOL conducting the scrapping job task were exposed to electrolyte, but only required to wear cut resistant gloves.
- c. On or about April 24, 2023, the employer did not select and require employees to use appropriate hand protection when employees' hands were exposed to hazards such as skin absorption of harmful substances and chemical burns when employees in packaging, quality, and degas and EOL are required to handle cells throughout their shift, but not required to wear chemical resistant gloves unless they identify a cell as leaking, exposing them to accidental contact with the electrolyte chemical.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: November 21, 2023
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: 1665712
Inspection Date(s): 04/24/2023 - 09/29/2023
Issuance Date: 10/03/2023



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

Citation 1 Item 2 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:

On or about April 24, 2023, the employer failed to provide to each employee required to use personal protective equipment training to know when PPE is necessary, what PPE is necessary, how to properly don, doff, adjust, and wear PPE, the limitations of the PPE, and the proper care, maintenance, useful life and disposal of the PPE when employees were not sure of when gloves were required, which gloves offered appropriate protection for hazards present, how often a Tychem/Tyvek suit should be replaced, how to utilize gloves appropriately, or the limitations of provided PPE.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 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.



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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

29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use:

- a. On or about April 24, 2023, the employer failed to ensure that employees exposed to injurious corrosive materials were provided with suitable facilities for quick drenching or flushing of the eyes and body within the work area for immediate emergency use when employees exposed to electrolyte in packaging were not provided with an emergency shower or a suitable eyewash station.
- b. On or about April 24, 2023, the employer failed to ensure that employees exposed to injurious corrosive materials were provided with suitable facilities for quick drenching or flushing of the eyes and body within the work area for immediate emergency use when employees exposed to electrolyte in degas and EOL were not provided with an emergency shower or a suitable eyewash station.
- c. On or about April 24, 2023, the employer failed to ensure that employees exposed to injurious corrosive materials were provided with suitable facilities for quick drenching or flushing of the eyes and body within the work area for immediate emergency use when employees exposed to N-Methylpyrrolidone (NMP) in cathode mixing were not provided with an emergency shower or a suitable eyewash station.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: November 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.



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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

29 CFR 1910.1200(f)(6)(ii): Except as provided in 29 CFR 1910.1200(f)(7) and 29 CFR 1910.1200(f)(8), the employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals and which, in conjunction with the other information immediately available to employees under the hazard communication program, would provide employees with the specific information regarding the physical and health hazards of the hazardous chemical:

On or about April 24, 2023, the employer failed to ensure that each container of hazardous chemicals in the workplace was labeled with product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals and which, in conjunction with the other information immediately available to employees under the hazard communication program, would provide employees with the specific information regarding the physical and health hazards of the hazardous chemical when bags of Lucan BT1003M stored in the warehouse area of the facility were labeled with a piece of paper that stated "CNT Hazard Material". No GHS labels, pictograms, or hazard statements were present on the material.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 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: 1665712
Inspection Date(s): 04/24/2023 - 09/29/2023
Issuance Date: 10/03/2023



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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

29 CFR 1910.1200(g)(8): The employer did not maintain in the workplace copies of the required safety data sheets for each hazardous chemical, and did not ensure that they were readily accessible during each work shift to employees when they were in their work area(s):

On or about April 24, 2023, the employer failed to ensure that copies of required safety data sheets for each hazardous chemicals were readily accessible during each work shift to employees in their work area when the company relied on a QR code for employees to access safety data sheets, but employees do not have cell service in the building. Binders of safety data sheets are kept in some areas, but were not available in each work area. Hard copies are available in the safety office, at the front of the plant outside of each work area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 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: 1665712
Inspection Date(s): 04/24/2023 - 09/29/2023
Issuance Date: 10/03/2023



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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

29 CFR 1910.1200(g)(11): Safety data sheets were not made readily available, upon request, to designated representatives, the Assistant Secretary, and the Director, in accordance with the requirements of 29 CFR 1910.1020(e):

On or about April 24, 2023, the employer failed to provide upon request to OSHA safety data sheets for chemicals used in the cathode mixing department. Upon request for a list of chemicals used in cathode mixing, the company provided a list of 40 chemicals. Upon request for "Safety data sheets for chemicals used in cathode mixing", the company responded with a list of 21 chemicals, and 15 safety data sheets.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 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: 1665712
Inspection Date(s): 04/24/2023 - 09/29/2023
Issuance Date: 10/03/2023



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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

29 CFR 1910.1200(h)(2)(iii): The employer did not provide information to the employees as to the location and availability of the written hazard communication program, and material safety data sheets required by 29 CFR 1910.1200:

On or about April 24, 2023, the employer failed to provide information to employees as to the location and availability of safety data sheets, when employees were not informed of means of accessing the safety data sheets when the QR code did not work in their work areas.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 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.



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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 8 a Type of Violation: **Serious**

29 CFR 1910.1200(h)(3)(ii): Employee training did not include the physical and health hazards of the chemicals in the work area:

- a. On or about April 24, 2023, the employer did not train employees of the physical and health hazards of the chemicals in the work area when employees exposed to electrolyte had not been trained on the inhalation hazards associated with the chemicals and were not trained on the long-term health effects of exposure to the chemicals.
- b. On or about April 24, 2023, the employer did not train employees of the physical and health hazards of the chemicals in the work area when facilities maintenance employees exposed to chemicals including, but not limited to, electrolyte, coating material (anode and cathode slurry), N-Methylpyrrolidone (NMP), and carbon nanotube had not been trained on the health hazards associated with the chemicals in their work area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 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.



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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

29 CFR 1910.1200(h)(3)(iii): Employee training did not include the measures employees can take to protect themselves from chemical hazards, including specific procedures the employer had implemented to protect employees from exposure to hazardous chemicals, such as appropriate work practices, emergency procedures and personal protective equipment to be used:

1. On or about April 24, 2023, the employer did not train employees on the measures employees can take to protect themselves from chemical hazards when employees exposed to electrolyte and dried coating material (slurry) were unfamiliar with personal protective equipment they could use to protect themselves from inhalation hazards relate to exposure.
2. On or about April 24, 2023, the employer did not train employees on the measures employees can take to protect themselves from chemical hazards when facilities maintenance employees exposed to chemicals including, but not limited to, electrolyte, coating material (anode and cathode slurry), N-Methylpyrrolidone (NMP), and carbon nanotube, were not familiar with the chemicals present in their work area, or the personal protective equipment they could use to protect themselves from hazards related to exposure.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 21, 2023
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: 1665712
Inspection Date(s): 04/24/2023 - 09/29/2023
Issuance Date: 10/03/2023



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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

29 CFR 1904.35(b)(1)(iii)(B): The employer failed to inform each employee that the employer is prohibited from discharging or in any manner discriminating against employees for reporting work-related injuries or illnesses:

On or about April 24, 2023, the employer failed to inform each employee that the employer is prohibited from discharging or in any manner discriminating against employees for reporting work-related injuries or illnesses when their training related to reporting injuries did not include this information, and employees failed to report workplace incidents for fear of retaliation.

Date By Which Violation Must be Abated:
Proposed Penalty:

November 21, 2023
\$6,696.00

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: 1665712
Inspection Date(s): 04/24/2023 - 09/29/2023
Issuance Date: 10/03/2023



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481


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

29 CFR 1904.35(b)(1)(iv): The employer discriminated or retaliated against the employee for reporting a work-related injury or illness:

On or about September 14, 2023, an employee was threatened with disciplinary action for reporting a work-related injury and employees failed to report workplace incidents for fear of retaliation.

Date By Which Violation Must be Abated:
Proposed Penalty:

November 21, 2023
\$6,696.00



Howard B Eberts
Area Director

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

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



INVOICE / DEBT COLLECTION NOTICE

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481
Issuance Date: 10/03/2023

Summary of Penalties for Inspection Number: 1665712

Citation 1 Item 1a, Serious	\$15,625.00
Citation 1 Item 1b, Serious	\$0.00
Citation 1 Item 2, Serious	\$15,625.00
Citation 1 Item 3, Serious	\$15,625.00
Citation 1 Item 4, Serious	\$15,625.00
Citation 1 Item 5, Serious	\$15,625.00
Citation 1 Item 6, Serious	\$15,625.00
Citation 1 Item 7, Serious	\$15,625.00
Citation 1 Item 8a, Serious	\$15,625.00
Citation 1 Item 8b, Serious	\$0.00
Citation 2 Item 1, Other-than-Serious	\$6,696.00
Citation 2 Item 2, Other-than-Serious	\$6,696.00

TOTAL PROPOSED PENALTIES: **\$138,392.00**

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically at www.pay.gov. At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From the **OSHA Penalty Payment Form** search result, select Continue. The direct link is: <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

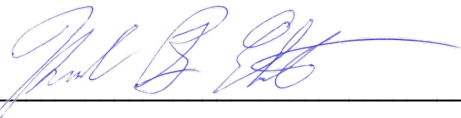
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to two times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Howard B Eberts
Area Director

October 3, 2023

Date

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



10/02/2023

Ultium Cells LLC
and its successors
7400 Tod Avenue Southwest
Warren, OH 44481

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. 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, sweeping horizontal line 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:
Ultium Cells LLC
and its successors
7400 Tod Avenue Southwest
Warren, OH 44481

Inspection Number: 1667811
Inspection Date(s): 05/02/2023 - 09/29/2023
Issuance Date: 10/02/2023

Inspection Site:
7400 Tod Avenue Southwest
Warren, OH 44481

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. 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. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 10/02/2023. 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: 1667811

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481
Issuance Date: 10/02/2023

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: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481


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

29 CFR 1910.22(c):29 CFR 1910.22(c): The employer did not provide, and ensure each employee uses, a safe means of access and egress to and from walking-working surfaces.

a) On or about May 5, 2023, packaging employees tasked with loading magazine trays in cell assembly were exposed to tripping hazards from the scrap duct work; the employer did not provide, and ensure each employee had a safe means of access or egress while completing this task.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: November 20, 2023
Proposed Penalty: \$11,162.00



Howard B Eberts
Area Director

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



INVOICE / DEBT COLLECTION NOTICE

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481
Issuance Date: 10/02/2023

Summary of Penalties for Inspection Number: 1667811

Citation 1 Item 1, Serious \$11,162.00

TOTAL PROPOSED PENALTIES: **\$11,162.00**

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

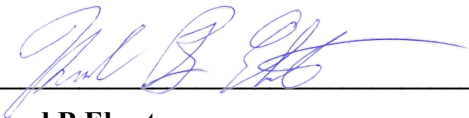
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



Howard B Eberts

Area Director

October 2, 2023

Date

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



10/03/2023

Ultium Cells LLC
and its successors
7400 Tod Avenue Southwest
Warren, OH 44481

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. 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:
Ultium Cells LLC
and its successors
7400 Tod Avenue Southwest
Warren, OH 44481

Inspection Number: 1667856
Inspection Date(s): 05/02/2023 - 09/29/2023
Issuance Date: 10/03/2023

Inspection Site:
7400 Tod Avenue Southwest
Warren, OH 44481

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. 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. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 10/03/2023. 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: 1667856

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481
Issuance Date: 10/03/2023

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.

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

Inspection Number: 1667856
Inspection Date(s): 05/02/2023 - 09/29/2023
Issuance Date: 10/03/2023



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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

29 CFR 1910.120(q)(1): The employer did not develop and implement an emergency response plan to handle anticipated emergencies prior to commencement of emergency response operations:

On or about May 2, 2023, the employer failed to develop and implement an emergency response plan to handle anticipated emergencies prior to commencement of emergency response operations when employees were required to respond to two releases of hazardous substances with the potential for health hazards, including, but not limited to, N-Methylpyrrolidone (NMP).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 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: 1667856
Inspection Date(s): 05/02/2023 - 09/29/2023
Issuance Date: 10/03/2023



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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

29 CFR 1910.120(q)(3)(i): All emergency responders and their communications were not coordinated and controlled through the individual in charge of the incident command system, assisted by the senior official present for each employer:

On or about May 2, 2023, the employer failed to ensure that all emergency responders and their communications were coordinated and controlled through the individual in charge of the incident command system (ICS) when employees were required to respond to two releases of hazardous substances with the potential for health hazards, including, but not limited to, N-Methylpyrrolidone (NMP). The employer did not establish an ICS.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 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: 1667856
Inspection Date(s): 05/02/2023 - 09/29/2023
Issuance Date: 10/03/2023



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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

29 CFR 1910.120(q)(6): The employer did not provide training in accordance with 29 CFR 1910.120(q)(6)(i) through (q)(6)(v) for employees who participated in or were expected to participate in emergency response:

On or about May 2, 2023, the employer failed to provide training in accordance with 29 CFR 1910.120(q)(6)(i) through (q)(6)(v) for employees who participated in or were expected to participate in emergency response when employees were required to respond to two releases of hazardous substances with the potential for health hazards, including, but not limited to, N-Methylpyrrolidone (NMP).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 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: 1667856
Inspection Date(s): 05/02/2023 - 09/29/2023
Issuance Date: 10/03/2023



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

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

29 CFR 1910.134(d)(1)(i): Selection of appropriate respirators was not based on the respiratory hazard(s) to which the worker was exposed and user factors that affect respirator performance and reliability:

On or about May 2, 2023, the employer failed to select appropriate respirators based on the respiratory hazards to which the worker was exposed when employees conducting the scrapping process in degas were exposed to electrolyte, outside of the ventilation system, and were not provided respiratory protection. Employees experienced symptoms from electrolyte exposure including, but not limited to, numbness, dizziness, and nausea.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 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: 1667856
Inspection Date(s): 05/02/2023 - 09/29/2023
Issuance Date: 10/03/2023



Citation and Notification of Penalty

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481

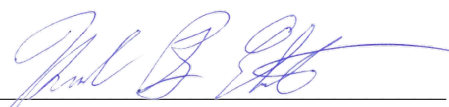
Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.1200(e)(1)(ii): The written hazard communication program did not include the methods the employer would use to inform employees of the hazards of non-routine tasks, and the hazards associated with chemicals contained in unlabeled pipes in their work areas:

On or about April 24, 2023, the employer failed to include methods to inform employees of the hazards associated with chemicals contained in unlabeled pipes in their work areas when employees were exposed to chemicals in cathode mixing in unlabeled pipes, including, but not limited to N-Methylpyrrolidone (NMP).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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



Howard B Eberts
Area Director

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

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



INVOICE / DEBT COLLECTION NOTICE

Company Name: Ultium Cells LLC
Inspection Site: 7400 Tod Avenue Southwest, Warren, OH 44481
Issuance Date: 10/03/2023

Summary of Penalties for Inspection Number: 1667856

Citation 1 Item 1, Serious	\$15,625.00
Citation 1 Item 2, Serious	\$15,625.00
Citation 1 Item 3, Serious	\$15,625.00
Citation 1 Item 4, Serious	\$15,625.00
Citation 1 Item 5, Serious	\$15,625.00

TOTAL PROPOSED PENALTIES: **\$78,125.00**

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



Howard B Eberts

Area Director

October 3, 2023

Date