

**Este documento es muy importante. Si ud. No habla inglés,
busque un traductor o llame al (915) 534-6251.**

U.S. Department of Labor Occupational Safety and Health Administration
4849 North Mesa Suite 200
El Paso, TX 79912
Phone: (915) 534-6251 Fax: (915) 534-6259



November 13, 2023

Dear Employer,

On 05 / 15 / 2023, an OSHA compliance officer met with you or your representative as part of an inspection at 1421 Vanderbilt Dr., El Paso, TX 79935. This letter includes the citations for the violations that were found (see summary below). Please choose one of the three options from the box to the right and complete the associated steps found on the following page **within 15 working days**. Please call us if you have any questions about the enclosed citation and/or penalties; we are here to help you choose the best option to resolve your citation as quickly as possible.

Sincerely,

Diego Alvarado Jr., Area Director

Your Citation Summary
Dynamic Tool Co., Inc.
Inspection Number: 1670296

Total Amount Due: \$405586.00
Payment Due Date: 15 working days
after receipt of
this letter

You must correct each violation by the date listed in the Citation and Notification of Penalty. Please see the violations and the correction deadline for each violation starting on page 6.

Total Number of Violations: 49
Your First Correction Deadline is:
November 24, 2023

Step 1 – Choose a Response Option and Act within 15 working days

Respond now before you lose the ability to discuss potential adjustments to penalty amounts and/or due dates. Please choose one option below and complete the steps on the next page.

Option #1 – Discuss with OSHA

I would like to discuss the citation with an OSHA representative. This may lead to changes in the penalty amount, due date or correction deadlines (if appropriate).

Option #2 – Correct and Pay

I agree with the citation, penalties, and correction deadlines, and do not contest.

Option #3 – Contest the Citation

I do not agree with the citation, penalties, and/or correction deadlines, and would like to contest.

Questions or Concerns?

If you have any questions or concerns regarding the citation, penalties, and/or correction deadlines, please call us at (915) 534-6251.

Step 2 – Complete One Option Checklist

Please post a copy of the citation at or near the place where each violation occurred, even if you plan to contest. You can use the checklist to the right to help plan your next steps. Please do not send in your checklist.

Option #1 – Discuss with OSHA

I will complete by:



1. Call: Diego Alvarado Jr., Area Director, at (915) 534-6251 as soon as possible to schedule a meeting with an OSHA representative that must occur **within 15 working days** of receiving this citation. Bring supporting documentation of existing conditions and corrections done thus far. If necessary, you can still contest the citation after this meeting. ****This meeting does NOT extend your 15 working day deadline to contest the citation.****

___ / ___



2. Fill in and post the attached "Notice to Employees OSHA Informal Conference" after scheduling meeting.

___ / ___

Option #2 – Correct Violations and Pay Penalty

I will complete by:



1. Correct violations, then complete and mail the attached "Certification of Corrective Action Worksheet" along with the appropriate evidence of repair (e.g. photos, purchase orders, etc.) to the OSHA office listed on the first page, **postmarked within 10 calendar days after each violation's correction deadline and include any required evidence. If these documents are transmitted by means other than mailing, the date the Agency received the documents is the date of submission.**

___ / ___



2. Pay the **Total Penalty** by using one of the following methods:
****Include your Inspection Number (see first page) on the payment.****

___ / ___

Pay Online: Search "OSHA" on www.pay.gov and complete the "OSHA Penalty Payment Form." Pay by debit, credit or Automated Clearing House (ACH) **within 15 working days.** Penalties over \$25,000 must be paid by ACH and require a Transaction ID (Call 202-693-2170 to obtain one).

Pay by Check: Mail check or money order payable to "DOL-OSHA" for the Total Penalty to the OSHA office listed on the first page **within 15 working days.**

Option #3 – Contest the Citation

I will complete by:



Mail a letter of intent to legally contest to the OSHA office listed on the first page, postmarked within **15 working days.**

___ / ___

U.S. Department of Labor

Occupational Safety and Health Administration
4849 North Mesa
Suite 200
El Paso, TX 79912



Citation and Notification of Penalty

To:

Dynamic Tool Co., Inc.
and its successors
1421 Vanderbilt Dr.
El Paso, TX 79935

Inspection Number: 1670296**Inspection Date(s):** 05/15/2023 - 06/06/2023**Issuance Date:** 11/13/2023**Inspection Site:**

1421 Vanderbilt Dr.
El Paso, TX 79935

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 (915) 534-6251. 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](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

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

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

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

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

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination

occurred with the U.S. Department of Labor Area Office at the address shown above.

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

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

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. 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 11/13/2023. The conference will be held by telephone or at the OSHA office located at 4849 North Mesa, Suite 200, El Paso, TX 79912 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1670296

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935
Issuance Date: 11/13/2023

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, 4849 North Mesa, Suite 200, El Paso, TX 79912.**

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: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employee(s) in that employee(s) were exposed to struck-by hazards in case of forklift collision or tip-over where seatbelt was not used in the following instances:

- a) On or about May 15, 2023, in the Warehouse (between the racking systems), the forklift operator was operating forklift without use of a seatbelt.
- b) On or about May 16, 2023, in the Screw Machine Bldg. (near the entrance doors), the forklift operator was operating forklift without the use of a seatbelt.
- c) On or about June 6, 2023, Department 7, Swiss Machine Building (near the Davenport Machines), the forklift operator was operating forklift without the use of a seatbelt.

Among other methods, one feasible and acceptable method to correct this hazardous condition would be to: 1. Establish, implement and enforce workplace procedures to require forklift operators to use the powered industrial truck seatbelts for all operations; and 2. Follow the requirements of the manufacturer's operation manual on the use of seatbelts and other safety devices.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 01, 2023
Proposed Penalty: \$10,938.00

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

Inspection Number: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

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

On or about May 15, 2023, in Department #7 (Davenport Machine Area), the floor of the workroom was not maintained in a clean, and dry condition due to Davenport Screw Machines leaking oil on the floor exposing employees to slip and fall hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 2023
Proposed Penalty:	\$7,813.00

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: Dynamic Tool Co., Inc.

Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

29 CFR 1910.133(a)(3): The employer did not ensure that each affected employee who wore prescription lenses while engaged in operations that involved eye hazards wore eye protection that incorporated the prescription in its design, or wore eye protection that can be worn over the prescription lenses without disturbing the proper position of the prescription lenses or the protective lenses in the following areas:

- a) On May 15, 2023, Can Department #3, three employees were observed wearing prescription eyewear without side shields and not American National Standards Institute (ANSI-Z87.1) rated safety eyewear.
- b) On May 16, 2023, Screw Machine Building Department #7, five employees were observed wearing prescription eyewear without side shields and not American National Standards Institute (ANSI-Z87.1) rated safety eyewear.
- c) On May 16, 2023, Davenport/Wickman Machine Department #7, two employees were observed wearing prescription eyewear without side shields and not American National Standards Institute (ANSI-Z87.1) rated safety eyewear.
- d) On May 16, 2023, Extrusion Machine Department #3, one employee was observed wearing prescription eyewear without side shields and not American National Standards Institute (ANSI-Z87.1) rated safety eyewear.
- e) On May 16, 2023, Outside Machinist Building Department #1, one employee was observed wearing prescription eyewear without side shields and not American National Standards Institute (ANSI-Z87.1) rated safety eyewear.
- f) On May 24, 2023, Davenport/Wickman Machine Department #7, one employee was observed wearing prescription eyewear without side shields and not American National Standards Institute (ANSI-Z87.1) rated safety eyewear.
- g) On June 6, 2023, Press/Can Department #3, two employees were observed wearing prescription eyewear without side shields and not American National Standards Institute (ANSI-Z87.1) rated safety eyewear.
- h) On June 6, 2023, Davenport/Wickman Machine Department#7, two employees were observed wearing prescription eyewear without side shields and not American National Standards Institute (ANSI-Z87.1) rated safety eyewear.
- i) On June 6, 2023, Machinist Building Department # 1, one employee was observed wearing prescription eyewear

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

without side shields and not American National Standards Institute (ANSI-Z87.1) rated safety eyewear.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 01, 2023
Proposed Penalty: \$10,938.00

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: Dynamic Tool Co., Inc.

Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 4 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 in the following instances.

a) On June 6, 2023, Department # 3 Can Department, an employee operating a Can Washing Machine, was exposed to hazards such as those from skin absorption of harmful substances; chemical burns while not using appropriate hand protection. The employee was wearing disposable latex gloves while handling Power Wash B (Alkaline Cleaner) a highly corrosive chemical (PH of 13.4 to 13.9) exposing employees to severe skin burns, serious eye damage, irreversible damage 21 days after exposure and/or permanent irreversible disability such as blindness.

b) On June 6, 2023, Department # 1 Machinist Building, an employee operating a TRAK TRL1745P Model #TRL1745P/Serial #007528 Milling Machine, was cleaning out metal shavings without using appropriate hand protection when he cut his finger on the metal shaving(s) exposing employees to severe cuts or lacerations; severe abrasion; punctures.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

December 01, 2023

Proposed Penalty:

\$10,938.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

29 CFR 1910.145(f)(7): Warning tags were not implemented to warn employees of a hazard level between "Caution" or "Danger".

On or about May 15, 2023, in Department #1 Machinist Building, the 460V Lucifer Furnace (Model #DL-7022-H/Serial #3524 with Max. Temp. 2000 °F) did not have any signage or warning to indicate the machine is extremely hot while operating exposing employees to an extreme heat hazard, 1st, 2nd, 3rd and 4th-degree burns.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	November 24, 2023
Proposed Penalty:	\$10,938.00

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: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section:

On or about May 15, 2023, procedures were not developed, documented and utilized for the control of potentially hazardous energy for the control of hazardous energy sources associated with each machine such as but not limited to the machines listed below. Employees were exposed to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by, impalements, third and fourth degree burns and/or electrical shock hazards in the following instances.

In Department #3 Warehouse:

a) The 220V Fully Automatic Upcut Saw, Model PMI-455 L-Type -S/N 45L016009 exposed employees to unexpected energization, amputation and caught-between hazards.

In Department # 3 Can Area:

- b) The 480V Can Groover Machine; Shop-Made/no identification was found. Motor Running the machine was a 208V GE motor & Industrial Systems, Model 5K49KN4102-3/4 HP/1725-RPMs exposed employees to unexpected energization, amputation and caught-between hazards.
- c) The 220V Can Cutter Machine; Shop-Made/no identification was found or provided by the employer exposed employees to unexpected energization and caught-between hazards.
- d) The 220V Can Scratcher Machine; Shop-Made/No. 1-2-9/no other identification was found or provided by the employer exposed employees to unexpected energization, amputation and caught-between hazards.
- e) The Can Wash machine (no. RC 405)/which had an unvented Gas-Fired Radiant Heater model # DR60 NFS-2 25V, 60,000 BTU no other identification was found or provided by the employer exposed employees to unexpected energization, third and fourth degree burns and caught-between hazards.

In Department #3 Press Machine Area:

f) The 75-Ton Bliss Stamping Press #5/no other identification was found or provided by the employer exposed employees to unexpected energization, amputation and caught-between hazards.

In Department #1 Machinist Building:

g) TRAK TRL1745P Model TLR1745P, Serial #007528 exposed employees to unexpected energization, amputation and caught-between hazards.

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: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

In Department #3 Extrusion Machine Area:

h) Two - SCHULER X250 Ton Impact Extrusion Machines/no other identification was found or provided by the employer exposed employees to unexpected energization, amputation and caught-between hazards.

In Department #7 Davenport/Wickman Machine Area:

i) Four - Wickman Screw Machines (5/8"-6)/no identification was found or provided by the employer exposed employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by, impalements.

j) Two - Wickman Screw Machines (1"-6)/no identification was found or provided by the employer exposed employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by, impalements.

k) Two - Wickman Screw Machines (1 3/4" x 6)/no identification was found or provided by the employer exposed employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by, impalements.

l) Twelve - Davenport Model B Screw Machines/no identification was found or provided by the employer exposed employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by, impalements.

In Department #7 Screw Machine Building:

m) The Horizontal Multiple Spinal Operations (MSO) Machine (No. 114092)/no identification was found or provided by the employer exposed employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by, impalements.

n) The Bowden Industries Inc., Liquid Turbocharger Parts Washing System Machine/no identification was found or provided by the employer exposed employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by, impalements.

o) The MIYANO CNC Lathe machine (Model BNC-34, SN #BN31503C) #RP-3017 exposed employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by, impalements.

p) The 460V CINCO-15 Centerless Grinder (Cincinnati-Milacron Model DR, serial No. 350200073-0046) exposed employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by, impalements.

In Department # Swiss Machine Area:

q) The CNC Swiss Automatic, Model KSI SQC 20-S/N 42005783 (with Bar Feeder) exposed employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by, impalements.

r) Three - KMT (Knowledge Machine Tool) SA-32 Swiss CNC Screw Machine (with Bar Feeder) exposed employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

caught-between, struck-by, impalements.

s) The CNC HANWHA Model XD 32II S/N XD-32-CN-0447-H (with Bar Feeder) exposed employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by, impalements.

t) The 230V IEMCA Boss 338 HD (N-021812NA07) exposed employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by, impalements.

u) The 230V IEMCA Boss 338 HD (N-021809NA-10) exposed employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by, impalements.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

December 01, 2023

Proposed Penalty:

\$10,938.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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 7 a Type of Violation: **Serious**

29 CFR 1910.147(c)(7)(i): The employer did not provide adequate training to ensure that employees acquired the knowledge and skills required for the safe application, usage and removal of energy control devices:

On or about May 15, 2023, the employer did not ensure employees understood the purpose and function of the energy control program exposing employees to caught-in between, crush-by, struck-by and unexpected startup or release of stored energy hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 2023
Proposed Penalty:	\$10,938.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 7 b 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 and control:

On or about May 15, 2023, the employers' failure to effectively train employee(s) resulted in employee(s) not knowing how to identify each potential energy source of the Horizontal Multiple Spindle Operations (MSO) Machine No. 114092 and how to isolate those sources during maintenance and servicing operations. Failing to isolate all potential energy sources during maintenance and servicing operations could result in serious injuries such as crush-by, struck-by, impalements, third and fourth degree burns and/or electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 08, 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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

29 CFR 1910.147(c)(7)(i)(B): Affected employees were not instructed in the purpose and use of the energy control procedure:

On or about May 15, 2023, the employer did not ensure affected employees had been trained in the purpose and use of the energy control procedures exposing employees to caught-in between, crush-by, struck-by and unexpected start up hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

29 CFR 1910.147(c)(7)(i)(C): Employees whose work operations were in an area where energy control procedures were utilized were not instructed about the procedure:

On or about May 15, 2023, employees whose work operations were in an area where energy control procedures were utilized were not instructed about the procedure exposing employees to caught-in between, crush-by, struck-by and unexpected start up hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

29 CFR 1910.147(c)(8): Lockout or tagout was not performed only by the authorized employees who are performing the servicing or maintenance:

On or about June 6, 2023, in Department #3 Extrusion Machine Area, an employee not identified as an authorized employee was allowed to perform maintenance on a Schuler 1200 Extrusion Press exposing employees to crush-by, struck-by, impalements, third and fourth degree burns and/or electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 2023
Proposed Penalty:	\$7,813.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

29 CFR 1910.147(d)(4)(i): Lockout or tagout devices were not affixed to each energy isolating device by authorized employees:

On or about May 16, 2023, in Department #7 Screw Machine Building, a lockout tagout device was affixed to a Tsugami Swiss Machine by an employee who was not authorized. This condition exposed employees to crush-by, struck-by, impalements, third and fourth degree burns and/or electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 2023
Proposed Penalty:	\$10,938.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

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

29 CFR 1910.157(c)(1): The employer did not provide portable fire extinguishers and did not mount, locate and identify them so that they were readily accessible to employees without subjecting the employees to possible injury.

On or about May 16, 2023, in Department #1 Machinist Building (southwest corner); a portable fire extinguisher was completely blocked with material/machines and not readily accessible exposing employees to smoke inhalation and burns.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 2023
Proposed Penalty:	\$4,687.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

29 CFR 1910.157(c)(4): Portable fire extinguishers were not maintained in a fully charged and operable condition:

On or about May 15, 2023, in Department #3 Extrusion Area North wall, a fire extinguisher was not fully charged exposing employees to smoke inhalation and superficial or first-degree burns hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 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.



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.

Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

29 CFR 1910.176(a) Where mechanical handling equipment was used, permanent aisles or passageways were not appropriately marked:

On or about May 15, 2023, permanent aisles and passageways were not appropriately marked exposing employees to struck-by hazards in the following instances:

- a) In Department #7 Screw Machine building, employees were exposed to struck-by hazards.
- b) In Department #3 Warehouse Area, employees were exposed to struck-by hazards.
- c) In Department #3 Extrusion Area, employees were exposed to struck-by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

December 08, 2023

Proposed Penalty:

\$9,376.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 12 Type of Violation: **Serious**

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

On or about May 15, 2023, in the warehouse area, materials stored on storage racks were not secured against sliding and collapse exposing employees to struck by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 2023
Proposed Penalty:	\$9,376.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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 13 a Type of Violation: **Serious**

29 CFR 1910.178(l)(4)(iii): An evaluation of each powered industrial truck operator's performance was not conducted at least once every three years:

On or about May 15, 2023, the employer did not ensure employees operating powered industrial trucks had completed a performance evaluation once every three years exposing employees to struck-by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 2023
Proposed Penalty:	\$7,813.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 13 b Type of Violation: **Serious**

29 CFR 1910.178(l)(6): The employer did not certify that each operator has been trained and evaluated as required by this paragraph (l):

On or about May 15, 2023, the employer did not certify that each operator had been trained on operating powered industrial trucks. This condition exposed employees to struck-by and crushed-by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 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.



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.178(p)(1): Powered industrial truck(s) found to be in need of repair, defective, or in any way unsafe had not been taken out of service until restored to safe operating condition(s):

On or about May 15, 2023, employees were exposed to tip-over hazards while operating powered industrial trucks with tires that were damaged, cracked and missing chunks of rubber in and a broken safety belt/restraint in the following instances:

- a) In Department #3, Warehouse Area a HYSTER Propane Forklift, (Model #S30XL, S/N B010B3271F) had damaged tires.
- b) In Department #7, Swiss Machine Building, a Yale Forklift (Model ERC030AFN365E094 Serial #A814V02000T) had damaged tires.
- c) On a subsequent visit, an employee in Department #3 Extrusion Area were operating a Nissan Forklift (Model No. CPHO1A15V, Type G) with a broken safety belt/safety restraint, exposing employees to crush hazards.
- d) In Department # 7 (Screw Machine Building) and Department #3 (Extrusion Area), a Nissan Forklift (Model No. CPHO1A15V, Type G) being used had the backlight damaged and was not operational exposing employees to struck-by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 08, 2023
Proposed Penalty: \$9,376.00

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: Dynamic Tool Co., Inc.

Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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 15 a Type of Violation: **Serious**

29 CFR 1910.215(a)(4): Work rest(s) on grinding machinery were not adjusted closely to the wheel with a maximum opening of one eighth inch:

On or about May 16, 2023, in Department #7, Swiss Machine Building (near the Davenport/Wickman Machine Area), work rest of an unmarked Bench Grinder was not adjusted to a maximum opening of one-eighth inch, exposing employees to caught in and struck-by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

December 08, 2023

Proposed Penalty:

\$7,813.00

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: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 15 b Type of Violation: **Serious**

29 CFR 1910.215(b)(9): The distance between the abrasive wheel periphery(s) and the adjustable tongue or the end of the safety guard peripheral member at the top exceeded one fourth inch:

On or about May 15, 2023, the distance between the adjustable guard exceeded one-fourth inch exposing employees to struck-by hazards in the following instances:

- a) In Department #1 Machinist Building, an unknown make and model (no markings) Combination Grinder/Belt Sander had the tongue adjustment set at approximately 3 inches.
- b) In Department #7 Screw Machine Building (near the Davenport/Wickman Machines), The bench grinder with no markings had the tongue adjustment set at approximately 2-inches on the right and 3 inches on the left.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 16 Type of Violation: **Serious**

29 CFR 1910.217(c)(3)(viii)(d): Two hand trip devices of mechanical power press(es) were not fixed in position so that only a supervisor or safety engineer was capable of relocating the controls:

On or about June 6, 2023, in Department #3, Press Area, the controls on the Bliss Press Machines were located on a mobile stand that were not in a fixed position exposing employees to caught-in hazards in the following instances:

- a) Controls on Bliss Press Machine #5 were located on a mobile stand.
- b) Controls on Bliss Press Machine #6 were located on a mobile stand.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 2023
Proposed Penalty:	\$10,938.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 17 Type of Violation: **Serious**

29 CFR 1910.217(e)(1)(i): A program of periodic and regular inspections of mechanical power press(es) was not established and followed to ensure that all parts, auxiliary equipment and safeguards were in a safe operating condition and adjustment:

On or about May 15, 2023, the employer did not establish an inspection program for the mechanical presses used by employees in the facility exposing employees to struck-by and caught-between hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 2023
Proposed Penalty:	\$10,938.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.217(h)(13)(ii): The employer did not certify that employees had been trained by preparing a certification record which included the identity of the person trained, the signature of the employer or the person who conducted the training, and the date the training was completed.

On or about May 15, 2023, the employer did not provide a written record of training for employees operating the mechanical presses exposing employees to struck-by and caught-in-between hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 2023
Proposed Penalty:	\$10,938.00

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: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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 19 a Type of Violation: **Serious**

29 CFR 1910.219(f)(1): Gear(s) were not guarded by a complete enclosure or by one of the methods specified in 29 CFR 1910.219(f)(1)(ii) and (f)(1)(iii):

On or about May 15, 2023, machine gears were not guarded by a complete enclosure or by other methods and exposed employees to struck-by and caught-in-between hazards in the following instances:

- a) In Department # 3 Can Department: A shop made Can Groover Machine had gears that were not guarded by a complete enclosure.
- b) In Department #7 Screw Machine Building: The Eubama Model (#81420) S8 Rotary Transfer Machine was missing a guard exposing rotating gears, the guard was removed and set aside.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 2023
Proposed Penalty:	\$10,938.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 19 b Type of Violation: **Serious**

29 CFR 1910.219(f)(3): Sprocket wheels and chains which were seven -7 feet or less above floors or platforms were not enclosed:

On or about May 15, 2023, at Department #3, sprocket wheels and chains were not enclosed or guarded which exposed employees to caught-between hazards in the following instances:

- a) In Department #3 Can Department, the Can Wash Machine's sprockets and chains (approximately 3 to 4 1/2 feet from the ground) were not guarded.
- b) In Department #3 Extrusion Area, the G250 Schuler 250-ton impact extrusion machine's sprockets and chains were not guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 19 c Type of Violation: **Serious**

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

On or about May 15, 2023, in Department #3 Can Department, a shop made Can Groover Machine had vertical and inclined belts that were not enclosed by guards exposing employees to struck-by and caught-in-between hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 20 Type of Violation: **Serious**

29 CFR 1910.242(b): Compressed air used for cleaning purposes was not reduced to less than 30 p.s.i.g.:

On or about May 15, 2023, in (Department #7 Screw Machine Building), the compressed air used for cleaning purposes was not reduced to less than 30 p.s.i.g. (pounds per square inch gauge, 204 kPa). The employer did not provide effective chip guarding and personal protective equipment to protect employees from the hazards of the release of compressed air and struck-by/flying debris.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 2023
Proposed Penalty:	\$9,376.00

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: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 21 Type of Violation: **Serious**

29 CFR 1910.243(b)(2): Airhose and hose connections used for conducting compressed air to utilization equipment was not designed for the pressure and service to which they were subjected.

On or about May 15, 2023, throughout the facility, the employer did not use air hose connections designed for the pressure used, exposing employees to struck-by hazards in the following instances:

- a) Located on the PEXTO Machine, Department #3 Can Department, there was an air hose that was used in part to supply air to a pneumatic ON/OFF control operation. The air hose was attached to the hose fitting by a worm drive type hose clamp which was not designed for use on an air hose, thereby exposing the employees to the whipping action of the hose.
- b) Located on the Bliss Press Machine #5, Department #3 in the Press Area, the pneumatic air hose had a worm-driven hose clamp attached to its hose fitting that was not designed to be used on an air hose, thereby exposing the employees to the whipping action of the air hose if the clamp were to come off.
- c) Located on the Maru32 Machine, Department #7 Screw Machine Building, there was an air hose used to clean off equipment. This hose was attached to a hose fitting which was secured by a worm-driven hose clamp which was not designed for use on an air hose, thereby exposing the employees to the whipping action of the hose.
- d) Located behind the Makino a51 NX machine, Department #7 Screw Machine Building, there was an air hose connected to the air inlet valve that had a worm-driven hose clamp attached to its air hose that was not designed to be used on an air hose, thereby exposing the employees to the whipping action of the air hose if the clamp were to come off.
- e) Located in the center wall behind the Sorting Machine, Department #7 Screw Machine Building, there was an air hose used to clean off equipment. This hose was attached to a hose fitting which was secured by a worm-driven hose clamp which was not designed for use on an air hose, thereby exposing the employees to the whipping action of the hose if the clamp were to come off.

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 08, 2023
Proposed Penalty: \$9,376.00

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: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 22 Type of Violation: **Serious**

29 CFR 1910.253(b)(2)(ii): Cylinders were not stored in areas to ensure that the cylinders would not be knocked over:

On or about May 15, 2023, four compressed gas cylinders were not in the storage space designated by the employer. The cylinders were left unsecured in areas where they could be knocked over or damaged exposing employees to struck-by hazards.

- a) At the entrance to the leading to Department #3 (Can Machine Area), three Acetylene cylinder tanks were stored within 6 to 12 inches from the entry way and were not secured.
- b) Department# 3 Impact Extrusion Area, an Acetylene cylinder tank with valved removed was stored within 1-inch of the staircase (the hose laying on the staircase) was not secured. The staircase was utilized by employees to access G250, Schuler 250-ton impact extrusion machine.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 2023
Proposed Penalty:	\$7,813.00

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

Inspection Number: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 23 Type of Violation: **Serious**

29 CFR 1910.303(b)(7)(iv): There existed damaged parts that could have adversely affected the safe operation or mechanical strength of electrical equipment, such as parts that are broken or bent:

On or about May 15, 2023, in Department #7 (Screw Machine Building), the Bowden Liquid Turbocharger Parts Washing System Control Box panel was missing the emergency stop button leaving an open hole on the control box which could potentially cause corrosion, reduce the insulation capability of wires and lead to short-circuits exposing employees to electrical shock and fire hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 2023
Proposed Penalty:	\$4,687.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 24 Type of Violation: **Serious**

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

On or about May 15, 2023, employees were exposed to electrical shock hazards due to electrical equipment not being used or installed in accordance with instructions included in listing or labeling in the following instances:

- a) In Department #3 Press Area, a lightweight brown 3-outlet extension cord connected to another 3-outlet white extension cord was daisy-chained and being used to supply power to a Microwave 1050W (8.75 A).
- b) In Department #7 Screw Machine Building, Relocatable Power Tab (RPT) permanently attached to wall supplying power to phone charger.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 2023
Proposed Penalty:	\$4,687.00

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: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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 25 a Type of Violation: **Serious**

29 CFR 1910.303(b)(7)(i): Unused openings in boxes, raceways, auxiliary gutters, cabinets, equipment cases, or housings were not effectively closed to afford protection substantially equivalent to the wall of the equipment:

On or about May 15, 2023, employees were exposed to electrical shock hazards due to unused openings on electrical boxes exposing live conductors in the following instances:

- a) In the Department #3 Press Area, the 480V electrical control box of a shop made Can Groover Machine had 3 holes on front panel exposing live conductors.
- b) In the Department #3 Press Area, the 220V electrical control box to the Light Green Can Press Machine had 3 holes on left side exposing live conductors.
- c) In the Department #3 Can Department, the control panel (No. RC 4017) to the Can Wash Machine had open holes.
- d) In Department #7 (Screw Machine Building) the Liquid Turbocharger Parts Washing System 1.5 HP, 3400 RPMs WEG Motor (Model AMT-162-016, 3 Ph 208/230/460V) was missing its front cover.
- e) In Department #3 (Can Department Area), the employer had a junction box installed to fit over an already existing junction box located against the wall, this left an open gap between the junction boxes exposing live wires to a wet/damp environment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 01, 2023
Proposed Penalty: \$9,376.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 25 b Type of Violation: **Serious**

29 CFR 1910.305(b)(1)(ii): Unused openings in boxes, cabinets, or fittings were not effectively closed:

On or about May 15, 2023, in Department #3 Press Area, below the Bliss Press 5 control panel, the electrical junction box with exposed live conductors had an unused opening exposing employees to electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 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.



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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 26 a Type of Violation: **Serious**

29 CFR 1910.303(b)(8)(i): Electrical equipment was not firmly secured to the surface on which it was mounted.

On or about May 15, 2023, employees were exposed to fire and electrical shock hazards in the following instances:

- a) In Department #3 Warehouse, Federal Pacific 480V Transformer (model 36B Series M) was not secured to the surface it was screwed into a piece of 4x4 wood, but screw was falling out.
- b) In Department #7 Screw Machine Building, the Acme Model No. TP1A 480V transformer next to the stack roll bars and in front of the machine control panels (D7-7) was not secured to the surface (started to shift to the one side), it needed 6 inches of space behind it but only had approximately 1-inch on left side and 3-inches on right side.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 01, 2023
Proposed Penalty: \$4,687.00

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: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 26 b Type of Violation: **Serious**

29 CFR 1910.303(b)(8)(iii): Electric equipment provided with ventilating openings was not installed so that walls or other obstructions did not prevent the free circulation of air through the equipment:

On or about May 15, 2023, employees were exposed to fire hazards due to the possibility of the transformers overheating. The ventilation openings in the back were blocked by the walls which prevented the free circulation of air through the equipment in the following instances:

- a) In Department #3 Warehouse Area, a Federal Pacific 480V Transformer (model 36B Series M) was too close to the wall. It required minimum space of 4 inches, and it was 2 ¼ inches from the wall.
- b) Department #3 Can Area Department, an un-marked Transformer secured against the wall with no room in the back for ventilation.
- c) In Department #7 Screw Machine Building, an Acme Model No. TP1A 480V transformer next to the stack roll bars and in front of the machine control panels (D7-7) was too close to the wall, it needed 6 inches of space behind it but only had approximately 1-inch on left side and 3-inches on right side.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 01, 2023
Proposed Penalty: \$0.00

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

Inspection Number: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 26 c Type of Violation: **Serious**

29 CFR 1910.303(e)(1)(i): Electric equipment was used without the manufacturer's name, trademark, or other descriptive marking by which the organization responsible for the product could be identified:

On or about May 15, 2023, Department #3 Can Department, a transformer attached to the wall had no markings to identify manufacturer and ratings of the transformer exposing employees to electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 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.



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 27 Type of Violation: **Serious**

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

On or about May 15, 2023, employees were exposed to electrical shock hazards in the following instances:

- a) In Department #7 Screw Machine Building, below the Metal Wash Degreaser model RD 19VIN Serial No. D 432 was a 4-outlet open box with live exposed conductors protruding from the receptacle.
- b) In the Employee Break Room between the soda machine and microwave, the two-receptacle outlet junction box had an open front plug.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 2023
Proposed Penalty:	\$9,376.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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 28 a Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(B): Unless specifically permitted otherwise in paragraph (g)(1)(ii) of this section, flexible cords and cables may not be used to run through holes in walls, ceilings, or floors.

On or about May 15, 2023, Department #7 Screw Machine Building, at the inventory desk there was a pinched electrical cord run through plexiglass and a metal shelf exposing employees to electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 2023
Proposed Penalty:	\$4,687.00

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 28 b Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(D): Flexible cords and cables were used where attached to building surfaces:

On or about May 15, 2023, in Department #7 Screw Machine Area between the exit door and bay door, a green 16(AWG) extension cord plugged into a 4-outlet electrical receptacle box was being used as permanent wiring and attached to the building surface. The extension cord was run up to the top of the ceiling where it was connected into another junction box exposing employees to electrical hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 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.



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.

Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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 29 a Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(ii): Flexible cords were not used only in continuous lengths without splice or tap:

On or about May 15, 2023, in Department #7(Screw Machine Building, a damaged relocatable power tap (RPT) located at the computer station was being used to power weight scale computer equipment. The RPT had black electrical tape wrapped around it to keep it from falling apart and was electrified from its outside cover exposing employees to electrical shock and fire hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

December 01, 2023

Proposed Penalty:

\$9,376.00

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: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 29 b Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables were not connected to devices and fittings so that strain relief is provided that will prevent pull from being directly transmitted to joints and/or terminal screws:

On or about May 15, 2023, employees were exposed to electrical shock and burn hazards in the following instances:

- a) In Department #3 Press Area, the 480V electrical control box to the Shop Made Can Groover Machine had a strain relief broken on the bottom and on the left side of the box.
- b) In Department #3 Can Department Area, the power cable to the Hytrol Conveyor Company Inc. Model 130635; (plugged into an electrical control box (No. RC 4017) of the can wash machine) had a strain relief broken.
- c) In Department #3 Press Area Can Manufacturing Area, the power cord to the #7 Minster P2-30-24 (RS2037) 35-Ton Press Machine had a strain relief broken at the bottom of the machine.
- d) In Department #7 Screw Machine Building, the WEG motor (1.5 HP, 2700 RPMs, 208/230/460V) attached to the Bowden Industries Inc., Liquid Turbocharger parts Washing System had strain relief broken.
- e) In Department #7 Screw Machine Building, the electrical control box behind the Bowden Industries Inc., Liquid Turbocharger Parts Washing System had a strain relief broken.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 30 Type of Violation: **Serious**

29 CFR 1910.305(a)(2)(ix): Lamps for general illumination were not protected from accidental contact or breakage by a suitable fixture or lamp holder with a guard:

On or about May 15, 2023, in Department #7 Screw Machine Building, a shop-made light fixture was laid on the floor without any guard to protect the light bulb from accidental contact. This condition exposed employees to fire and electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 2023
Proposed Penalty:	\$7,813.00

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: Dynamic Tool Co., Inc.

Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 31 Type of Violation: **Serious**

29 CFR 1910.305(j)(2)(iv): A receptacle installed in a wet or damp location was not suitable for the location:

On or about May 15, 2023, employees were exposed to electrical shock and fire hazards in the following instances.

a) In Department #3 Extrusion Department and on the outside wall of the employee breakroom, the Halsey Taylor water fountain (Model No. & Serial No. unknown) was directly in front of and plugged into an electrical two-outlet receptacle junction box that was not ground-fault circuit-interrupter (GFCI) protected.

b) In Department #1 Machine Shop Building, the Halsey Taylor water fountain (Model No. S500 5EQ 1N Serial No. 190440882) was directly above and plugged into an electrical two-outlet receptacle junction box that was not GFCI protected.

c) In Department #7 Screw Machine Building, the Safety Kleen Model 81 Agitating Parts Washer was directly in front of and plugged into an electrical four-outlet receptacle junction box that was not GFCI protected.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

December 01, 2023

Proposed Penalty:

\$7,813.00

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: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 32 Type of Violation: **Serious**

29 CFR 1910.334(a)(2)(ii): There was a defect or evidence of damage that could have exposed an employee to injury and the defective or damaged item was not removed from service and an employee was using it before repairs and tests necessary to render the equipment safe were made:

On or about May 15, 2023, in Department #3 and Department #1, extension cords were being used that had damaged electrical insulation and were not removed from service exposing employees to electrical shock hazards in the following instances:

- a) In Department #3 Press Area, an orange 16 AWG extension cord damaged, it had numerous insulation cuts with exposed inner conductors used to supply power to the Central machinery 6" bench grinder machine with light 3450 RPMs, 120V, 2.1 A.
- b) In the Machine Shop Building, an orange 16 AWG extension cord used to supply power to phone charger had damaged insulation exposing inner conductors.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 08, 2023
Proposed Penalty: \$6,250.00

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: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

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

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazards created by in-going nip points, rotating parts, and/or flying chips and sparks:

On or about May 15, 2023, the employer did not provide machine guards to protect the operators and other affected employees in the machine areas from hazards such as those created by in-going nip points, rotating parts, flying metal particles and geothermal sources in the following instances.

Screw Machine Department:

- a) The Detroit Horizontal Broach Machine (Model #2-392 R, S/N #M-b7994) was not guarded exposing employees to amputation, impalement flying metal particles and struck-by hazards.
- b) The MIYANO CNC Lathe machine (Model BNC-34, SN #BN31503C/ #RP-3017) had a cracked and broken plexiglass protective shield exposing employees to flying metal particles.
- c) The Horizontal Multiple Spindle Operations (MSO) Machine (No. 114092/no identifiable Model or S/N markings) was not guarded exposing employees to flying metal particles and struck-by hazards.
- d) Twelve Davenport Model-B Screw Machines (no identifiable Model or S/N markings) were not guarded, moving parts as such as but not limited springs moving up and down exposing employees to amputation, struck-by and caught between hazards.
- e) The employer allowed employee(s) to by-pass the KSI SQC-32, CNC Swiss automatic Lathe Machine's safety interlock device while the machine was operating exposing employees to struck-by and caught between hazards.
- f) The employer allowed employee(s) to by-pass two IEMCA Boss 338HD Bar Feeder Machine's safety interlock devices while the machines were operating exposing employees to struck-by and caught between hazards.

Press Area:

- g) The 220V Can Scratcher Machine was not guarded exposing employees to flying metal particles and struck-by hazards.
- h) The 220V Can Cutter Machine was not guarded exposing employees to flying metal particles and struck-by hazards.

Can Department:

- i) Can Wash machine (no. RC 405) with an unvented Gas-Fired Radiant Heater model #DR60 NFS-2 25V, 60,000 BTU was not guarded exposing employees to 1st, 2nd and 3rd degree burns hazards.

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Impact Extrusion Department:

j) The in-going nip points on the 250-ton Schuler Impact Extrusion Machine conveyor belt was not guarded exposing employees caught between hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

December 08, 2023

Proposed Penalty:

\$125,007.00

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: Dynamic Tool Co., Inc.

Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

29 CFR 1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

On or about May 15, 2023, on the production floor, point(s) of operation of machinery were not guarded in the following instances:

- a) Can Manufacturing Building: The Reed Thread Roller Machine was not guarded at point of operation exposing employees to struck-by and caught between hazards.
- b) Press Area (Can Manufacturing Building): The Minster #4 OBI Flywheel 32 Ton Air Clutch Stamping Punch Press (1425) was not guarded at point of operation / The #7 Minster P2-30-24 (RS2037) 35-Ton Press was not guarded at point of operation exposing employees to amputation, struck-by and caught between hazards.
- c) Can Department: The PEXTO Roper Whitney Shear Machine was not guarded at point of operation exposing employees to amputation, struck-by and caught between hazards.
- d) Swiss Machine Department (Screw Machine Building): The Bridgeport Vertical Milling Machine (No. B1) was not guarded at point of operation exposing employees to amputation, struck-by and caught between hazards.
- e) Screw Machine Department: The CINCO-15 Centerless Grinder (Cincinnati-Milacron Model DR, serial No. 350200073-0046) 460V was not guarded at point of operation exposing employees to struck-by and caught between hazards.
- f) Eight Wickman Screw Machines (1 3/4" x 6, 5/8"-6, 1"-6) (230-460V/rev./min.1650) were not guarded at point of operation exposing employees to amputation, struck-by and caught between hazards.
- g) Machinist Building: The Roll-in Saw blade was not guarded at point of operation exposing employees to amputation, struck-by and caught between hazards.
- h) Warehouse Area: The 230V 6-Ton ABEX Denison Hydraulic Press (Model #WR65L C3 4FS1 90461D/Serial #27215, P.S.I. 1450) was not guarded at the point of operation exposing employees to amputation, struck-by and caught between hazards.

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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

29 CFR 1910.37(b)(6): Each exit sign was not illuminated to a surface value of at least five foot-candles (54 lux) by a reliable light source and be distinctive in color:

On or about May 15, 2023, in Department #7 Screw Machine Building, an exit sign above the exit door was not illuminated exposing employees to fire hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 08, 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: 1670296
Inspection Date(s): 05/15/2023 - 06/06/2023
Issuance Date: 11/14/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935


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

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and/or cables were used as a substitute for the fixed wiring of a structure:

On or about May 15, 2023, in the warehouse, an electrical cable used to supply power to the PMI-455L automatic upcut saw (Model 455L Serial No. 45L016009) was suspended against the east wall by metal conduit clips exposing employees to electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 2023
Proposed Penalty:	\$877.00


Diego Alvarado Jr.
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
4849 North Mesa
Suite 200
El Paso, TX 79912



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935
Issuance Date: 11/13/2023

Summary of Penalties for Inspection Number: 1670296

Citation 1 Item 1, Serious	\$10,938.00
Citation 1 Item 2, Serious	\$7,813.00
Citation 1 Item 3, Serious	\$10,938.00
Citation 1 Item 4, Serious	\$10,938.00
Citation 1 Item 5, Serious	\$10,938.00
Citation 1 Item 6, Serious	\$10,938.00
Citation 1 Item 7a, Serious	\$10,938.00
Citation 1 Item 7b, Serious	\$0.00
Citation 1 Item 7c, Serious	\$0.00
Citation 1 Item 7d, Serious	\$0.00
Citation 1 Item 8, Serious	\$7,813.00
Citation 1 Item 9, Serious	\$10,938.00
Citation 1 Item 10a, Serious	\$4,687.00
Citation 1 Item 10b, Serious	\$0.00
Citation 1 Item 11, Serious	\$9,376.00
Citation 1 Item 12, Serious	\$9,376.00
Citation 1 Item 13a, Serious	\$7,813.00
Citation 1 Item 13b, Serious	\$0.00
Citation 1 Item 14, Serious	\$9,376.00
Citation 1 Item 15a, Serious	\$7,813.00
Citation 1 Item 15b, Serious	\$0.00
Citation 1 Item 16, Serious	\$10,938.00
Citation 1 Item 17, Serious	\$10,938.00
Citation 1 Item 18, Serious	\$10,938.00
Citation 1 Item 19a, Serious	\$10,938.00
Citation 1 Item 19b, Serious	\$0.00
Citation 1 Item 19c, Serious	\$0.00
Citation 1 Item 20, Serious	\$9,376.00
Citation 1 Item 21, Serious	\$9,376.00
Citation 1 Item 22, Serious	\$7,813.00
Citation 1 Item 23, Serious	\$4,687.00

Citation 1 Item 24, Serious	\$4,687.00
Citation 1 Item 25a, Serious	\$9,376.00
Citation 1 Item 25b, Serious	\$0.00
Citation 1 Item 26a, Serious	\$4,687.00
Citation 1 Item 26b, Serious	\$0.00
Citation 1 Item 26c, Serious	\$0.00
Citation 1 Item 27, Serious	\$9,376.00
Citation 1 Item 28a, Serious	\$4,687.00
Citation 1 Item 28b, Serious	\$0.00
Citation 1 Item 29a, Serious	\$9,376.00
Citation 1 Item 29b, Serious	\$0.00
Citation 1 Item 30, Serious	\$7,813.00
Citation 1 Item 31, Serious	\$7,813.00
Citation 1 Item 32, Serious	\$6,250.00
Citation 2 Item 1a, Willful - Serious	\$125,007.00
Citation 2 Item 1b, Willful - Serious	\$0.00
Citation 3 Item 1, Other-than-Serious	\$0.00
Citation 3 Item 2, Other-than-Serious	\$877.00

TOTAL PROPOSED PENALTIES: **\$405,586.00**

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.

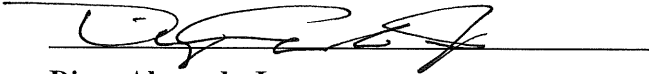
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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



Diego Alvarado Jr.

Area Director

11/14/23

Date

U.S. Department of Labor

Occupational Safety and Health Administration
El Paso Area Office
4849 North Mesa, Suite 200
El Paso, TX 79912



NOTICE OF EMPLOYER RIGHTS AND RESPONSIBILITIES

The OSHA publication “Employer Rights and Responsibilities Following an OSHA Inspection” is available by scanning the QR code below with your smartphone or barcode scanner.

English



OSHA 3000

Publications may also be found at: www.osha.gov/publications

AVISO DE DERECHOS Y RESPONSABILIDADES DEL EMPLEADOR

La publicación de OSHA "Derechos y responsabilidades del empleador después de una inspección de OSHA" está disponible escaneando el código QR a continuación con su teléfono inteligente o escáner de código de barras.

Spanish



OSHA 3195

Las publicaciones también se pueden encontrar en: www.osha.gov/publications

**Este documento es muy importante. Si ud. No habla inglés,
busque un traductor o llame al (915) 534-6251.**

U.S. Department of Labor Occupational Safety and Health Administration
4849 North Mesa Suite 200
El Paso, TX 79912
Phone: (915) 534-6251 Fax: (915) 534-6259



November 13, 2023

Dear Employer,

On 06 / 06 / 2023, an OSHA compliance officer met with you or your representative as part of an inspection at 1421 Vanderbilt Dr., El Paso, TX 79935. This letter includes the citations for the violations that were found (see summary below). Please choose one of the three options from the box to the right and complete the associated steps found on the following page **within 15 working days**. Please call us if you have any questions about the enclosed citation and/or penalties; we are here to help you choose the best option to resolve your citation as quickly as possible.

Sincerely,

Diego Alvarado Jr., Area Director

Your Citation Summary
Dynamic Tool Co., Inc.
Inspection Number: 1674996

Total Amount Due: \$190635.00
**Payment Due Date: 15 working days
after receipt of
this letter**

You must correct each violation by the date listed in the Citation and Notification of Penalty. Please see the violations and the correction deadline for each violation starting on page 6.

Total Number of Violations: 9
**Your First Correction Deadline is:
December 01, 2023**

Step 1 – Choose a Response Option and Act within 15 working days

Respond now before you lose the ability to discuss potential adjustments to penalty amounts and/or due dates. Please choose one option below and complete the steps on the next page.

Option #1 – Discuss with OSHA

I would like to discuss the citation with an OSHA representative. This may lead to changes in the penalty amount, due date or correction deadlines (if appropriate).

Option #2 – Correct and Pay

I agree with the citation, penalties, and correction deadlines, and do not contest.

Option #3 – Contest the Citation

I do not agree with the citation, penalties, and/or correction deadlines, and would like to contest.

Questions or Concerns?

If you have any questions or concerns regarding the citation, penalties, and/or correction deadlines, please call us at (915) 534-6251.

Step 2 – Complete One Option Checklist

Please post a copy of the citation at or near the place where each violation occurred, even if you plan to contest. You can use the checklist to the right to help plan your next steps. Please do not send in your checklist.

Option #1 – Discuss with OSHA

I will complete by:



1. Call: Diego Alvarado Jr., Area Director, at (915) 534-6251 as soon as possible to schedule a meeting with an OSHA representative that must occur **within 15 working days** of receiving this citation. Bring supporting documentation of existing conditions and corrections done thus far. If necessary, you can still contest the citation after this meeting. ****This meeting does NOT extend your 15 working day deadline to contest the citation.****

___ / ___



2. Fill in and post the attached "Notice to Employees OSHA Informal Conference" after scheduling meeting.

___ / ___

Option #2 – Correct Violations and Pay Penalty

I will complete by:



1. Correct violations, then complete and mail the attached "Certification of Corrective Action Worksheet" along with the appropriate evidence of repair (e.g. photos, purchase orders, etc.) to the OSHA office listed on the first page, **postmarked within 10 calendar days after each violation's correction deadline and include any required evidence. If these documents are transmitted by means other than mailing, the date the Agency received the documents is the date of submission.**

___ / ___



2. Pay the **Total Penalty** by using one of the following methods:
****Include your Inspection Number (see first page) on the payment.****

___ / ___

Pay Online: Search "OSHA" on www.pay.gov and complete the "OSHA Penalty Payment Form." Pay by debit, credit or Automated Clearing House (ACH) **within 15 working days.** Penalties over \$25,000 must be paid by ACH and require a Transaction ID (Call 202-693-2170 to obtain one).

Pay by Check: Mail check or money order payable to "DOL-OSHA" for the Total Penalty to the OSHA office listed on the first page **within 15 working days.**

Option #3 – Contest the Citation

I will complete by:



Mail a letter of intent to legally contest to the OSHA office listed on the first page, postmarked within **15 working days.**

___ / ___

U.S. Department of Labor

Occupational Safety and Health Administration
4849 North Mesa
Suite 200
El Paso, TX 79912



Citation and Notification of Penalty

To:
Dynamic Tool Co., Inc.
and its successors
1421 Vanderbilt Dr.
El Paso, TX 79935

Inspection Number: 1674996
Inspection Date(s): 06/06/2023 - 06/06/2023
Issuance Date: 11/13/2023

Inspection Site:
1421 Vanderbilt Dr.
El Paso, TX 79935

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 (915) 534-6251. 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](http://www.pay.gov) homepage, type “OSHA” in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

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

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

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

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

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination

occurred with the U.S. Department of Labor Area Office at the address shown above.

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

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

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. 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 11/13/2023. The conference will be held by telephone or at the OSHA office located at 4849 North Mesa, Suite 200, El Paso, TX 79912 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1674996

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935
Issuance Date: 11/13/2023

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, 4849 North Mesa, Suite 200, El Paso, TX 79912.**

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: 1674996
Inspection Date(s): 06/06/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

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

On or about August 29, 2023, the employer did not develop and implement a monitoring program with noise levels equaled or exceeding the 8-hour time weighted average of 85 decibels at 87.8 dBA. This condition exposed employees to health hazards such as hearing loss.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 2023
Proposed Penalty:	\$10,938.00

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: 1674996
Inspection Date(s): 06/06/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

29 CFR 1910.95(g)(5)(i): The employer did not establish, within 6 months of an employee's first exposure at or above the action level, a valid baseline audiogram against which subsequent audiograms can be compared:

On or about August 29, 2023, and at times prior thereto, employees working in high noise area in Department 7 did not have audiograms conducted within 6 months of the employees first exposure above the action level. This condition exposed employees to health hazards such as hearing loss.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 2023
Proposed Penalty:	\$10,938.00

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: 1674996
Inspection Date(s): 06/06/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

29 CFR 1910.95(i)(2)(i): The employer did not ensure that hearing protectors are worn by an employee who is required by 29 CFR 1910.95(b)(1) to wear personal protective equipment:

On or about August 29, 2023, the employer did not ensure that hearing protectors were worn by employees who were exposed at an 8-hour TWA of at least 87.8 dBA. This condition exposed employees to health hazards such as hearing loss.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 2023
Proposed Penalty:	\$10,938.00

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: 1674996
Inspection Date(s): 06/06/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

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

On or about August 29, 2023, the employer did not provide effective training to employees exposed to noise at or above an 8-hour time weighted average of 85 decibels at 87.8 dBA. This condition exposed employees to health hazards such as hearing loss.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 2023
Proposed Penalty:	\$10,938.00

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: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 5 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:

On or about June 06, 2023, the employer did not provide suitable facilities for quick drenching or flushing of the eyes and body near corrosive Power Wash-B and Whitetail Industrial Services DEGREEZ-6 storage and use. This condition exposed employees to highly injurious corrosive chemical burn hazards in the following instances:

- a) In the Can Washing Area, Dept. #3, employees use Power Wash-B, a highly injurious corrosive chemical (pH of 13.4-13.9), exposing employees to severe skin burns and severe eye damage.
- b) In Department #7, employees use Whitetail Industrial Services DEGREEZ-6, a highly injurious corrosive chemical (pH 12.5 - 14), exposing employees to severe skin burns and severe eye damage.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 2023
Proposed Penalty:	\$10,938.00

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: Dynamic Tool Co., Inc.

Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

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

29 CFR 1910.1200(f)(6): The employer did not ensure that each container of hazardous chemicals in the workplace is labeled, tagged or marked with the product identifier and word, pictures and/or symbols which provide the general information regarding the hazards of the chemical:

On or about June 06, 2023, and at time prior thereto, the employer did not ensure the proper labeling of several containers that were used to store different types of oils and chemicals. This condition exposed employees to health hazards.

- a) In Department 7 (Davenport area), there are four (4) unlabeled plastic bottles on top of the Davenport machines that contain Ecocut Machine Oil.
- b) In Department 7 (Davenport area), there is one (1) unlabeled plastic bottle on top of the Davenport machines that contained a mixture of Mineral Spirits and Ecocut Machine Oil.
- c) In Department 7 (Welding area), there are five (5) unlabeled plastic spray bottles hanging on a rack from the trigger, bottle 1 contains soap and water, bottle 2 contains Degreaz 6, bottle 3 contains Spindle Oil, bottle 4 contains Zep Degreaser, and bottle 5 is empty.
- d) In Department 1, there are three (3) unlabeled plastic bottles located under a table used for work that contain Xtreme Cut 251C cutting fluid.
- e) In Department 1, there is one (1) unlabeled plastic bottles on top of surface grinder machine that contains Extreme Cut 251 cutting fluid.

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: 1674996
Inspection Date(s): 06/06/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 2023
Proposed Penalty:	\$10,938.00

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: 1674996
Inspection Date(s): 06/06/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

Citation 1 Item 6 b 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 June 06, 2023, and at time prior thereto, the employer did not make safety data sheets for each hazardous chemical readily accessible for employees. This condition exposed employees to health hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 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: 1674996
Inspection Date(s): 06/06/2023 - 06/06/2023
Issuance Date: 11/13/2023



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

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

On or about June 06, 2023 and at time prior thereto, where employees working in Department 3 and 7 were using hazardous chemicals such as but not limited to Power Wash-B, Ecocut Machine Oil, Degreez 6, etc., did not have effective training. This condition exposed employees to health hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 01, 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.



Citation and Notification of Penalty

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935

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

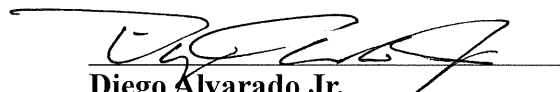
29 CFR 1910.95(g)(1): The employer did not establish and maintain an audiometric testing program as provided by 29 CFR 1910.95(g) by making audiometric testing available to all employees whose exposures equal or exceed an 8-hour time-weighted average of 85 decibels:

On or about August 29, 2023, and at times prior thereto; the employer did not maintain an audiometric testing program. This condition exposed employees to health hazards such as hearing loss.

- a) An operator in Department 7 was exposed to daily noise exposure or an equivalent sound level of approximately 87.8 dBA during the 470-minute sampling period on 8/29/2023. Exposure calculations included a zero increment for the 10 minutes not sampled.
- b) An operator in Department 7 was exposed to daily noise exposure or an equivalent sound level of approximately 89.8 dBA during the 470-minute sampling period on 8/29/2023. Exposure calculations included a zero increment for the 10 minutes not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: January 02, 2024
Proposed Penalty: \$125,007.00


Diego Alvarado Jr.
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
4849 North Mesa
Suite 200
El Paso, TX 79912



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Dynamic Tool Co., Inc.
Inspection Site: 1421 Vanderbilt Dr., El Paso, TX 79935
Issuance Date: 11/13/2023

Summary of Penalties for Inspection Number: 1674996

Citation 1 Item 1, Serious	\$10,938.00
Citation 1 Item 2, Serious	\$10,938.00
Citation 1 Item 3, Serious	\$10,938.00
Citation 1 Item 4, Serious	\$10,938.00
Citation 1 Item 5, Serious	\$10,938.00
Citation 1 Item 6a, Serious	\$10,938.00
Citation 1 Item 6b, Serious	\$0.00
Citation 1 Item 6c, Serious	\$0.00
Citation 2 Item 1, Willful - Serious	\$125,007.00

TOTAL PROPOSED PENALTIES: \$190,635.00

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

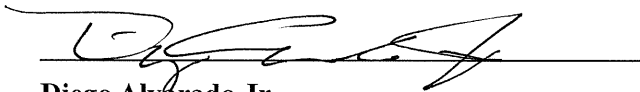
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to two times.

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.



Diego Alvarado Jr.

Area Director

11/13/23

Date

U.S. Department of Labor

Occupational Safety and Health Administration
El Paso Area Office
4849 North Mesa, Suite 200
El Paso, TX 79912



NOTICE OF EMPLOYER RIGHTS AND RESPONSIBILITIES

The OSHA publication “Employer Rights and Responsibilities Following an OSHA Inspection” is available by scanning the QR code below with your smartphone or barcode scanner.

English



OSHA 3000

Publications may also be found at: www.osha.gov/publications

AVISO DE DERECHOS Y RESPONSABILIDADES DEL EMPLEADOR

La publicación de OSHA "Derechos y responsabilidades del empleador después de una inspección de OSHA" está disponible escaneando el código QR a continuación con su teléfono inteligente o escáner de código de barras.

Spanish



OSHA 3195

Las publicaciones también se pueden encontrar en: www.osha.gov/publications