

**Este documento es muy importante. Si ud. No habla inglés,
busque un traductor o llame al (920) 734-4521.**

U.S. Department of Labor Occupational Safety and Health Administration
1648 Tri Park Way
Appleton, WI 54914
Phone: (920) 734-4521 Fax: (920) 734-2661



December 18, 2023

Dear Margaret Minerick,

On 06/29/2023, an OSHA compliance officer met with you or your representative as part of an inspection at 5843 Tower Dr., Florence, WI 54121. 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,


Robert J. Bonack, Area Director

Your Citation Summary
Florence Hardwoods, LLC
Inspection Number: 1680431

Total Amount Due: \$1,313,204.00
**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 : 30
**Your First Correction Deadline is:
January 02, 2024**

**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 (920) 734-4521.

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: Robert J. Bonack, Area Director, at (920) 734-4521 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
1648 Tri Park Way
Appleton, WI 54914



12/18/2023

Florence Hardwoods, LLC
and its successors
P.O. Box 16
Florence, WI 54121

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000-04R) revised 2018, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (920) 734-4521.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

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

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,

A handwritten signature in blue ink that reads "Robert J. Bonack". The signature is written in a cursive style with a large, sweeping initial "R".

Robert J. Bonack
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
1648 Tri Park Way
Appleton, WI 54914



Citation and Notification of Penalty

To:

Florence Hardwoods, LLC
and its successors
P.O. Box 16
Florence, WI 54121

Inspection Number: 1680431**Inspection Date(s):** 06/29/2023 - 12/18/2023**Issuance Date:** 12/18/2023**Inspection Site:**

5843 Tower Dr.
Florence, WI 54121

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 (920) 734-4521. 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 12/18/2023. The conference will be held by telephone or at the OSHA office located at 1648 Tri Park Way, Appleton, WI 54914 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1680431

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121
Issuance Date: 12/18/2023

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, 1648 Tri Park Way, Appleton, WI 54914.**

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.22(c): Access and egress. The employer must provide, and ensure each employee uses, a safe means of access and egress to and from walking-working surfaces:

- a) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; employees were not provided safe access to the elevated work platform on the SweCan Outfeed conveyor. Employees had to step about 31.5 in. to reach the platform on a daily basis to clear jams of the cants after they came out of the headsaw and transitioned to the gang saw conveyor infeed.
- b) On or about June 26, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin on the exterior of the Sawmill; employees accessing the elevated work platform on the north end of the exterior log unscrambler, climbed over the fixed guardrail to cross the unguarded log deck conveyor and down onto the work platform, exposing employees to a trip and fall hazard onto the elevated work platform.
- c) On or about June 26, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin on the exterior of the Sawmill; employees accessing the elevated work platform on the south side of the exterior log unscrambler, climbed over the fixed guardrail to cross the unguarded log deck conveyor to grease bearings and/or re-adjust the photo-eye, exposing employees to a fall hazard over nine feet to the ground level below.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 16, 2024
\$6,875.00

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.28(b)(1)(i): Unprotected sides and edges. Except as provided elsewhere in this section, the employer must ensure that each employee on a walking-working surface with an unprotected side or edge that is 4 feet (1.2 m) or more above a lower level is protected from falling by one or more of the following:

- a) On or about June 26, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; employees working near the east wall of the Debarker were exposed to fall hazards of over eight feet from an unprotected wall opening without adequate guardrails.
- b) On or about June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; employees removing sticks and/or cutting metal banding from stick bundles were exposed to a potential fall hazard of over 6.5 feet from the elevated stick conveyor on the infeed of the stick stacker.
- c) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building; employees accessing and walking across the loose boards on the Mellott Dry Chain System were not protected from fall hazards over four feet up to six feet from the boards to the concrete floor below.
- d) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building; employees accessing and walking on top of the stick cart(s) on the Mellott Stick Stacking System were not protected from fall hazards over four feet to the concrete floor below.
- e) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; employees working in close proximity to the unprotected side of the C310 operator's station created by a gap in the equipment framing were not protected from a caught in hazard or a fall hazard over 6.5 feet to the concrete floor below.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: January 16, 2024
Proposed Penalty: \$8,595.00

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: 1680431
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.28(b)(7): The employer must ensure that each employee on a walking-working surface near an opening, including one with a chute attached, where the inside bottom edge of the opening is less than 39 inches (99 cm) above that walking-working surface and the outside bottom edge of the opening is 4 feet (1.2 m) or more above a lower level is protected from falling by the use of:

On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; the Gang Trim Saw operator was exposed to a fall hazard over 16 feet from the waste chute opening immediately adjacent to the operator's station.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 10, 2024
\$8,595.00

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

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

- a) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; employees were required to perform maintenance and servicing tasks on the gang saw and procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques nor did the procedure identify all energy sources to be de-energized for the control of hazardous energy, and the means to enforce compliance.
- b) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; employees were required to perform maintenance and servicing tasks on the McDonough resaw and the procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques nor did the procedure identify all energy sources to be de-energized for the control of hazardous energy, and the means to enforce compliance.
- c) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building; employees were required to perform maintenance and servicing tasks on the Mellott Stick Stacking System and procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques nor did the procedures identify all energy sources and/or hazards to be de-energized for the control of hazardous energy, and the means to enforce compliance.
- d) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building; employees were required to perform maintenance and servicing tasks on the Mellott Dry Chains and Tilt Deck and procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques nor did the procedures identify all energy sources and/or hazards to be de-energized for the control of hazardous energy, and the means to enforce compliance.
- e) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building; employees were required to perform maintenance and servicing tasks on the Newman EPR-24 planer and procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques nor did the procedures identify all energy sources and/or hazards to be de-energized for the control of hazardous energy, and the means to enforce compliance.

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: 1680431
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

Date By Which Violation Must be Abated:
Proposed Penalty:

January 16, 2024
\$8,595.00

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: 1680431
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

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

On or about June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill and Planer Building; employees were required to perform various maintenance and servicing tasks on equipment and machinery including but not limited to, the Gang Saw and the McDonough ReSaw, the employer failed to perform periodic inspections on any of their energy control procedures to ensure that the procedure and the requirements of this standard were followed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------------|
| Date By Which Violation Must be Abated: | January 16, 2024 |
| Proposed Penalty: | \$8,595.00 |

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: 1680431
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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 1910.177(c)(1): The employer shall provide a program to train all employees who service rim wheels in the hazards involved in servicing those rim wheels and the safety procedures to be followed:

On or about July 11, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Truck Shop; the employer did not provide a program to train all employees, working in the Truck Shop tasked with changing tires and rims, in safety procedures to be followed when servicing single-piece rim wheels.

Training program elements are defined in paragraphs (c)(1)(i) through (c)(1)(iii) of 29 CFR 1910.177(c)(1).

Date By Which Violation Must be Abated: January 10, 2024
Proposed Penalty: \$8,595.00

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.177(c)(2): The employer shall assure that each employee demonstrates and maintains the ability to service rim wheels safely, including performance of the following tasks:

- 1910.177(c)(2)(i)
Demounting of tires (including deflation);
- 1910.177(c)(2)(ii)
Inspection and identification of the rim wheel components;
- 1910.177(c)(2)(iii)
Mounting of tires (including inflation with a restraining device or other safeguard required by this section);
- 1910.177(c)(2)(iv)
Use of the restraining device or barrier, and other equipment required by this section;
- 1910.177(c)(2)(v)
Handling of rim wheels;
- 1910.177(c)(2)(vi)
Inflation of the tire when a single piece rim wheel is mounted on a vehicle;
- 1910.177(c)(2)(vii)
An understanding of the necessity of standing outside the trajectory both during inflation of the tire and during inspection of the rim wheel following inflation; and
- 1910.177(c)(2)(viii)
Installation and removal of rim wheels.

On or about July 11, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Truck Shop; the employer did not provide a program to train all employees, working in the Truck Shop tasked with changing tires and rims, in safety procedures to be followed when servicing single-piece rim wheels.

Training program elements are defined in paragraphs (c)(1)(i) through (c)(1)(iii) of 29 CFR 1910.177(c)(1).

Date By Which Violation Must be Abated: January 10, 2024
Proposed Penalty: \$0.00

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

Inspection Number: 1680431
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.177(c)(3): The employer shall evaluate each employee's ability to perform these tasks and to service rim wheels safely, and shall provide additional training as necessary to assure that each employee maintains his or her proficiency:

On or about July 11, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Truck Shop; The employer did not have a training program nor an evaluation procedure for employees servicing and changing commercial vehicle tires and rims.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 10, 2024
\$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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.177(g): Safe operating procedure-single piece rim wheels. The employer shall establish a safe operating procedure for servicing single piece rim wheels and shall assure that employees are instructed in and follow that procedure. The procedure shall include at least the elements identified in 29 CFR 1910.177(g)(1) through 1910.177(g)(12):

On or about July 11, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Truck Shop; the employer did not develop safe operating procedures for employees engaged in demounting and mounting single rim wheels.

The elements of a safe operating procedure, include but are not limited to the following;

- 1) Tires shall be completely deflated by removal of the valve core before demounting,
- 2) Mounting and demounting of the tire shall be done only from the narrow ledge side of the wheel. Care shall be taken to avoid damaging the tire beads while mounting tires on wheels. Tires shall be mounted only on compatible wheels of matching bead diameter and width,
- 3) Nonflammable rubber lubricant shall be applied to bead and wheel mating surfaces before assembly of the rim wheel, unless the tire or wheel manufacturer recommends against the use of any rubber lubricant,
- 4) If a tire changing machine is used, the tire shall be inflated only to the minimum pressure necessary to force the tire bead onto the rim ledge while on the tire changing machine,
- 5) If a bead expander is used, it shall be removed before the valve core is installed and as soon as the rim wheel becomes airtight (the tire bead slips onto the bead seat),
- 6) Tires may be inflated only when contained within a restraining device, positioned behind a barrier or bolted on the vehicle with the lug nuts fully tightened,
- 7) Tires shall not be inflated when any flat, solid surface is in the trajectory and within one foot of the sidewall,
- 8) Employees shall stay out of the trajectory when inflating a tire,
- 9) Tires shall not be inflated to more than the inflation pressure stamped in the sidewall unless a higher pressure is recommended by the manufacturer,
- 10) Tires shall not be inflated above the maximum pressure recommended by the manufacturer to seat the tire bead firmly against the rim flange,
- 11) No heat shall be applied to a single piece wheel,
- 12) Cracked, broken, bent, or otherwise damaged wheels shall not be reworked, welded, brazed, or otherwise heated.

Date By Which Violation Must be Abated:

January 10, 2024

Proposed Penalty:

\$8,595.00

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.212(a)(1): Types of guarding. One or more methods of machine guarding shall be provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks. Examples of guarding methods are-barrier guards, two-hand tripping devices, electronic safety devices, etc.:

- a) On or about June 26, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Maintenance Shop; the Startrite H225 horizontal band saw was not equipped with adjustable guards on the unused portion of the saw blade exposing employees to cutting and/or shear hazards.
- b) On or about June 26, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Maintenance Shop; the JET drill press was not equipped with an adjustable chuck guard to prevent employee exposure to entanglement hazards.
- c) On or about July 5, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Truck Shop; the Ellis variable speed drill press was not equipped with an adjustable chuck guard to prevent employee exposure to entanglement hazards.

Date By Which Violation Must be Abated: **January 10, 2024**
Proposed Penalty: **\$6,875.00**

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.215(b)(9): Exposure adjustment. Safety guards of the types described in Subparagraphs (3) and (4) of this paragraph, where the operator stands in front of the opening, shall be constructed so that the peripheral protecting member can be adjusted to the constantly decreasing diameter of the wheel. The maximum angular exposure above the horizontal plane of the wheel spindle as specified in paragraphs (b)(3) and (4) of this section shall never be exceeded, and the distance between the wheel periphery and the adjustable tongue or the end of the peripheral member at the top shall never exceed one-fourth inch. (See Figures O-18, O-19, O-20, O-21, O-22, and O-23.):

- a) On or about June 26, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Maintenance Shop; employees were exposed to struck by hazards due to the tongue guard on the JET 6" Bench Grinder JBA-6A tongue guard not adjusted to ¼ inch or less to the abrasive grinding wheel.
- b) On or about June 26, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Maintenance Shop; employees were exposed to struck by hazards due to the tongue guard on the Cincinnati Electrical Tool Co. not adjusted to ¼ inch or less to the abrasive grinding wheel.

Date By Which Violation Must be Abated: January 02, 2024
Proposed Penalty: \$8,595.00

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.219(c)(4)(i): Projecting shaft ends shall present a smooth edge and end and shall not project more than one-half the diameter of the shaft unless guarded by nonrotating caps or safety sleeves:

- a) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Mill; employees were exposed to an unguarded rotating shaft protruding from the Merneen-Johnson ReSaw #2, 431-DC electric motor enclosure.
- b) On or about June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Mill; employees were exposed to an unguarded rotating shaft protruding from the Mellott LM13-916-12 outfeed cart chain electric motor enclosure.

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| Date By Which Violation Must be Abated: | Corrected During Inspection |
| Proposed Penalty: | \$6,875.00 |

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.242(b): Compressed air used for cleaning. Compressed air shall not be used for cleaning purposes except where reduced to less than 30 psi and then only with effective chip guarding and personal protective equipment:

- a) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; the air wand used by employees for cleaning purposes near and in the McDonough resaw was not reduced down to 30 psi due to the pressure reducing tip being removed from the nozzle.
- b) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; the Guard Air 75XT XtraThrust air wand used by employees for cleaning purposes near and in the gang saw was not reduced down to 30 psi due to the pressure reducing tip being removed from the nozzle.
- c) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; the air wand used by employees for cleaning purposes in the Turtle was not reduced down to 30 psi due to the pressure reducing tip being removed from the nozzle.
- d) On or about July 11, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Truck Shop; the air wand used by employees for cleaning purposes at the work table, did not have a pressure reducing nozzle to ensure the air pressure was 30 psi or less.

Date By Which Violation Must be Abated: January 02, 2024
Proposed Penalty: \$8,595.00

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: 1680431
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.265(c)(4)(iv): Elevated walks. All elevated walks, runways, or platforms, if 4 feet or more from the floor level, shall be provided with a standard railing except on loading or unloading sides of platforms. If height exceeds 6 feet, a standard toe board also shall be provided to prevent material from rolling or falling off.

a) On or about June 26, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin on the exterior of the Sawmill; employees accessing the elevated work platform on the north end of the exterior log unscrambler, climbed over the fixed guardrail to cross the log deck conveyor and down onto the unguarded work platform were exposed to a fall hazard over nine feet to the ground level below.

b) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin, on the exterior of the Sawmill; employees accessing the Green Saw Dust Trailer Platform were exposed to a potential fall hazard of approximately 78 inches when changing and installing dust collection tubes and checking trailer dust levels.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 16, 2024
\$8,595.00

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.265(c)(5)(i): Construction. Stairways shall be constructed in accordance with 29 CFR part 1910, subpart D:

- a) On or about June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; employees utilizing the fixed stairs leading up to the Swecan operator's station, were exposed to potential fall and/or tripping hazards from the damaged and uneven stair risers.
- b) On or about June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; employees were exposed to potential trip and/or fall hazards from the stair tread leading from the "Turtle" up onto the elevated walkway not having a minimum tread depth of 9.5 inches.
- c) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin on the exterior of the Sawmill; employees accessing the elevated work platform for the Green Saw Dust Trailers were exposed to potential fall hazards due to the stair railing being damaged and not connected at the base of the railing.

Date By Which Violation Must be Abated:

January 10, 2024

Proposed Penalty:

\$6,875.00

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: 1680431
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.265(c)(5)(ii): Handrails. Stairways shall be provided with a standard handrail on at least one side or on any open side. Where stairs are more than four feet wide there shall be a standard handrail at each side, and where more than eight feet wide, a third standard handrail shall be erected in the center of the stairway.

a) On or about June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin on the exterior of the sawmill; the stairs leading to and from the underside of the log deck and the hogger were not equipped with handrails on each open side, exposing employees to a fall hazard.

b) On or about June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the sawmill; the stairs leading to the Swecan operator's station were not equipped with handrails on each open side, exposing employees to a fall hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 02, 2024
\$6,875.00

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: 1680431
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.265(e)(6)(i)(c): Pressure feed rolls and "pineapples" shall be guarded.

On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building; the Mellott overhead gravity pressure roll was not guarded to prevent a pinch point hazard from the side of the machine framing.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 02, 2024
\$6,875.00

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: 1680431
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.333(a): "General." Safety-related work practices shall be employed to prevent electric shock or other injuries resulting from either direct or indirect electrical contacts, when work is performed near or on equipment or circuits which are or may be energized. The specific safety-related work practices shall be consistent with the nature and extent of the associated electrical hazards:

On or about June 20, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building; the employer did not ensure that live parts were deenergized prior to employees accessing the interior of equipment control panels to reset and/or reverse drive motors on the Mellott Automatic Stick Stacker System, exposing employees to electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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| Date By Which Violation Must be Abated: | January 10, 2024 |
| Proposed Penalty: | \$12,031.00 |

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.28(b)(3)(v): The employer must ensure that each employee is protected from falling through a hatchway and chute-floor hole by:

- 1) A hinged floor-hole cover that meets the criteria in § 1910.29 and a fixed guardrail system that leaves only one exposed side. When the hole is not in use, the employer must ensure the cover is closed or a removable guardrail system is provided on the exposed sides;
- 2) A removable guardrail system and toeboards on not more than two sides of the hole and a fixed guardrail system on all other exposed sides. The employer must ensure the removable guardrail system is kept in place when the hole is not in use; or
- 3) A guardrail system or a travel restraint system when a work operation necessitates passing material through a hatchway or chute floor hole:

Florence Hardwoods, LLC does not ensure that employees are protected from fall hazards through unguarded chute-floor openings when throwing scrap pieces of lumber into the waste chutes. This violation was most recently observed on June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill.

- a) On or about June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; employees sorting lumber and removing waste from the conveyor following the McDonough resaw were exposed to a fall hazard up to approximately 10 feet into an unguarded waste chute located immediately behind their working position.
- b) On or about June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; employees sorting lumber and removing waste from the conveyor following the gang saw were exposed to a fall hazard up to approximately 10 feet into an unguarded waste chute located adjacent to their working position.
- c) On or about June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; employees sorting lumber and removing waste from the conveyor feeding the Valley Edger were exposed to a fall hazard up to approximately 10 feet into an unguarded waste chute located adjacent to their working position.
- d) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; employees sweeping and/or pushing dust and waste into the unguarded floor opening underneath the McDonough outfeed conveyor were exposed to a fall hazard up to approximately ten feet.

Comply with 29 CFR 1910.28(b)(3)(v).

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: 1680431
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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|---|------------------|
| Date By Which Violation Must be Abated: | January 18, 2024 |
| Proposed Penalty: | \$137,508.00 |

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee shall 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:

Florence Hardwoods, LLC does not ensure that each authorized employee 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. This violation was most recently observed on June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building.

- a) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building, a supervisor employee engaged in cleaning, clearing boards jammed in equipment, climbing on top of and/or in-between automatic and fixed machine components, and setting up the Newman Planer, was not provided training in the recognition of application 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 as an authorized employee.
- b) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill, an employee engaged in cleaning, blade changes and blade tensioning on the McDonough Resaw was not provided training in the recognition of application 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 as an authorized employee.
- c) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill, an employee engaged in blade changes on the Gang Saw was not provided training in the recognition of application 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 as an authorized employee.
- d) On or about July 11, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Truck Shop, an employee engaged in tire changes and brake repair/replacement on log truck and trailers was not provided training in the recognition of application 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 as an authorized employee.

Comply with 29 CFR 1910.28(b)(3)(v).

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: 1680431
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------------|
| Date By Which Violation Must be Abated: | January 02, 2024 |
| Proposed Penalty: | \$137,508.00 |

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

Citation 2 Item 3 Type of Violation: **Willful - Serious**

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

Florence Hardwoods, LLC does not ensure that each affected employee receives training in the purpose and use of the energy control procedure. This violation was most recently observed on June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building.

- a) On or about June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building, a 16-year-old employee engaged in cleaning, clearing boards jammed in equipment and/or climbing on top of and/or in-between automatic and fixed machine components was not provided training in the purpose and use of the energy control procedure as an affected employee.
- b) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building, a 14-year-old employee engaged in cleaning, clearing boards jammed in equipment and/or climbing on top of and/or in-between automatic and fixed machine components was not provided training in the purpose and use of the energy control procedure as an affected employee.
- c) On or about June 26, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building, a 16-year-old employee engaged in cleaning, clearing boards jammed in equipment and/or climbing on top of and/or in-between automatic and fixed machine components was not provided training in the purpose and use of the energy control procedure as an affected employee.
- d) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building, a 17-year-old employee engaged in cleaning, clearing boards jammed in equipment and/or climbing on top of and/or in-between automatic and fixed machine components was not provided training in the purpose and use of the energy control procedure as an affected employee.

Comply with 29 CFR 1910.147(c)(7)(i)(B).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------------|
| Date By Which Violation Must be Abated: | January 03, 2024 |
| Proposed Penalty: | \$137,508.00 |

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

Citation 2 Item 4 Type of Violation: **Willful - Serious**

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

Florence Hardwoods, LLC does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not utilize energy control procedures to secure the electrical, gravity, mechanical, and pneumatic energy sources of the Mellott Dry Chain and Tilt Hoist System. This violation was most recently observed on June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building. Employees were exposed to machine hazards associated with moving parts when they engaged in cleaning tasks, board removal and/or straightening boards on the Mellott Dry Chain & Tilt Hoist System. The employer does not ensure that employees implemented energy control application steps prior to allowing them to be physically located on energized equipment.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lockout/tagout device application [1910.147(d)(4)], dissipation of residual energy [1910(d)(5)(i)], and verification of isolation [1910.147(d)(6)] were not implemented to protect employees from machine hazards.

Comply with 29 CFR 1910.147(d).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------------|
| Date By Which Violation Must be Abated: | January 02, 2024 |
| Proposed Penalty: | \$137,508.00 |

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

Citation 2 Item 5 Type of Violation: **Willful - Serious**

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

Florence Hardwoods, LLC does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not utilize energy control procedures to secure the electrical, gravity, mechanical, and pneumatic energy sources of the Mellott Stick Stacking System. This violation was most recently observed on June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building. Employees were exposed to machine hazards associated with moving parts when they engaged in cleaning, stick removal and/or unjamming activities on the Mellott Stick Stacking System. The employer did not ensure that employees implemented energy control application steps prior to allowing them to stand on energized equipment and/or between potential caught-in points.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lockout/tagout device application [1910.147(d)(4)], dissipation of residual energy [1910(d)(5)(i)], and verification of isolation [1910.147(d)(6)] were not implemented to protect employees from machine hazards.

Comply with 29 CFR 1910.147(d).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------------|
| Date By Which Violation Must be Abated: | January 02, 2024 |
| Proposed Penalty: | \$137,508.00 |

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

Citation 2 Item 6 Type of Violation: **Willful - Serious**

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

Florence Hardwoods, LLC does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not utilize energy control procedures to secure the electrical, gravity, mechanical, and pneumatic energy sources of the Newman EPR-24, Serial No. 15883 planer. This violation was most recently observed on June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building. Employees were exposed to machine hazards associated with moving parts when they engaged in board and/or wood dust/debris removal, setup and alignment activities on the Newman EPR-24 planer. The employer did not ensure that employees implemented energy control application steps prior to allowing them to be physically located on energized equipment.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lockout/tagout device application [1910.147(d)(4)], dissipation of residual energy [1910(d)(5)(i)], and verification of isolation [1910.147(d)(6)] were not implemented to protect employees from machine hazards.

Comply with 29 CFR 1910.147(d).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------------|
| Date By Which Violation Must be Abated: | January 02, 2024 |
| Proposed Penalty: | \$137,508.00 |

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

Citation 2 Item 7 Type of Violation: **Willful - Serious**

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

Florence Hardwoods, LLC does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not utilize energy control procedures to secure the electrical, gravity, and pneumatic energy sources of the logging trucks and trailers in the truck shop. This violation was most recently identified on July 11, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Truck Shop. Employees were exposed to struck-by and crushed-by hazards while engaged in tire changes and brake repair/replacement on log trucks and trailers. The employer did not ensure that employees implemented energy control application steps prior to allowing them to remove tires and perform brake repair/replacement.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lockout/tagout device application [1910.147(d)(4)], dissipation of residual energy [1910(d)(5)(i)], and verification of isolation [1910.147(d)(6)] were not implemented to protect employees from machine hazards.

Comply with 29 CFR 1910.147(d).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------------|
| Date By Which Violation Must be Abated: | January 02, 2024 |
| Proposed Penalty: | \$137,508.00 |

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

Citation 2 Item 8 Type of Violation: **Willful - Serious**

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

Florence Hardwoods, LLC does not ensure that all the steps outlined in 29 CFR 1910.147(d), required for the control of the hazardous energy sources, are performed. Employees do not utilize energy control procedures to secure the hazardous energy sources of equipment while performing servicing and maintenance work in the sawmill. This violation was most recently observed on June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill.

a) On or about June 28, 2023, employees were exposed to machine hazards associated with moving parts when they engaged in cleaning, blade changes and/or tensioning activities on the McDonough resaw. The employer did not ensure that employees implemented energy control application steps prior to allowing them to remove saw guards and/or covers.

b) On or about June 28, 2023, employees were exposed to machine hazards associated with moving parts when they engaged in cleaning and blade changes on the Gang saw. The employer did not ensure that employees implemented energy control application steps prior to allowing them to remove saw guards and/or covers.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lockout/tagout device application [1910.147(d)(4)], dissipation of residual energy [1910(d)(5)(i)], and verification of isolation [1910.147(d)(6)] were not implemented to protect employees from machine hazards.

Comply with 29 CFR 1910.147(d).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------------|
| Date By Which Violation Must be Abated: | January 02, 2024 |
| Proposed Penalty: | \$137,508.00 |

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

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

29 CFR 1910.265(c)(18)(i): Standards. Construction, operation, and maintenance of conveyors shall be in accordance with American National Standard B20.1-1957, which is incorporated by reference as specified in Sec. 1910.6:

Florence Hardwoods, LLC does not ensure that sawmill conveyors are constructed, operated, and maintained in accordance with ANSI Standard B20.1-1957. This violation was most recently identified on June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the sawmill.

- a) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; unguarded chains and three sprockets at chain conveyor feeding the gang saw operator's station exposed employees to pinch point hazards.
- b) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; unguarded chain and five sprockets on the chain conveyors feeding the Valley Edger operator's station exposed employees to pinch point hazards.
- c) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill, in the "Hole"; the in-running pinch point hazard created by the solid conveyor belt and roller was not guarded to prevent employee exposure to this hazard on the McDonough outfeed conveyor.
- d) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; unguarded chain and sprocket on the side of the C310 operator's station exposed employees to a pinch point hazard.
- e) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill Basement; an unguarded outfeed screw conveyor for the Precision Shaker Table was not enclosed to prevent employee exposure to pinch point hazards.
- f) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill Basement; an unguarded belt and end roller on the underside of the solid belt waste conveyor was not guarded to prevent employee exposure to an in-running nip point hazard.
- g) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin on the exterior of the Sawmill; the underside of the exterior chip conveyor was not guarded to prevent caught in hazards as the conveyor paddles traversed over the stationary cross supports.

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: 1680431
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

Florence Hardwoods, LLC was previously cited for a violation of this Occupational Safety and Health Standard 1910.265(c)(18)(i), which was contained in OSHA inspection number 1428560, citation number 1, item number 4 and was affirmed as a final order on February 10, 2020, with respect to a workplace located at 5843 Tower Drive, Florence, Wisconsin.

Florence Hardwoods, LLC was previously cited for a violation of an equivalent Occupational Safety and Health Standard 1910.219(f)(3), which was contained in OSHA inspection number 1428560, citation number 1, item number 5 and was affirmed as a final order on February 10, 2020, with respect to a workplace located at 5843 Tower Drive, Florence, Wisconsin.

Comply with 29 CFR 1910.265(c)(18)(i).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------------|
| Date By Which Violation Must be Abated: | January 16, 2024 |
| Proposed Penalty: | \$24,063.00 |

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

Citation 3 Item 2 Type of Violation: **Repeat - Serious**

29 CFR 1910.265(c)(26)(viii): Guarding lower landing area. The lower landing area of stackers and unstackers shall be guarded by enclosures that prevent entrance to the area or pit below the hoist platform. Entrances should be protected by electrically interlocked gates which, when open, will disconnect the power and set the hoist brakes. When the interlock is not installed, other positive means of protecting the entrance shall be provided:

Florence Hardwoods, LLC does not ensure that lower landing areas of stackers and unstackers are guarded. This violation was most recently identified on June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill and Planer Building.

a) On or about June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building; employees raking sticks and/or banding stick bundles were exposed to ingoing nip points, struck-by, and entanglement hazards created from the unguarded the Mellott Stick Stacking System lower landing area and unscrambler. The equipment did not have any form of guarding to prevent access to the lower landing areas.

b) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building; employees entering and/or exiting the building in close proximity to the Mellott hydraulic tilt hoist were not protected from struck by and/or crushing hazards from the raising and lowering of the tilt hoist and/or lumber pack(s). The equipment did not have any form of guarding to prevent access to the lower landing areas.

c) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; employees cleaning and/or walking in close proximity to the underside of the unscrambler conveying boards from the Bin PLC to the automated sticker machine and the lower landing area of the automated sticker were exposed to struck-by, caught-in hazards, and ingoing nip points. There was no form of machine guarding to prevent employees and operators from entering the south side of the PLC lower landing areas and below the hoist platform.

Florence Hardwoods, LLC was previously cited for a violation of this Occupational Safety and Health Standard 1910.265(c)(26)(viii), which was contained in OSHA inspection number 1428560, citation number 1, item number 7 and was affirmed as a final order on February 10, 2020, with respect to a workplace located 5843 Tower Drive, Florence, Wisconsin.

Comply with 29 CFR 1910.265(c)(26)(viii)

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: 1680431
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------------|
| Date By Which Violation Must be Abated: | January 16, 2024 |
| Proposed Penalty: | \$24,063.00 |

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

Citation 3 Item 3 Type of Violation: **Repeat - Serious**

29 CFR 1910.305(b)(1)(i): Conductors entering cutout boxes, cabinets, or fittings shall be protected from abrasion, and openings through which conductors enter shall be effectively closed:

Florence Hardwoods, LLC does not ensure that conductors entering cutout boxes, cabinets, or fittings are protected from abrasion and openings are effectively closed. This violation was most recently identified on June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill and Planer Building.

- a) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building; conduit installed underneath the Mellott 5 Chain C-55 Rooftop Transfer Deck and the 5 Chain 81X Transfer Deck was broken and/or damaged at the fittings and did not protect the conductors from abrasion exposing employees to electrical hazards.
- b) On or about June 29, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Planer Building; conduit entering the electrical box on the shaker conveyor motor was not protected from abrasion and was pulled away from the fitting, exposing employees to electrical hazards.
- c) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; conductors entering a junction box installed at the end of the slasher saw outfeed conveyor was not effectively closed and did not protect the electrical conductors from abrasion exposing employees to electrical hazards.
- d) On or about June 28, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill; conductors powering the electric motor for the 02-17 conveyor on the underside of the conveyance equipment feeding the McDonough saw, were not protected from abrasion and/or physical damage.

Florence Hardwoods, LLC was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.305(b)(1)(i), which was contained in OSHA inspection number 1433682, citation number 1, item number 2a and was affirmed as a final order on February 10, 2020, with respect to a workplace located at 5843 Tower Drive, Florence, Wisconsin.

Comply with 29 CFR 1910.305(b)(1)(i).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: January 02, 2024
Proposed Penalty: \$17,189.00

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121

Citation 3 Item 4 Type of Violation: **Repeat - Serious**

29 CFR 1910.305(b)(2)(i): All pull boxes, junction boxes, and fittings shall be provided with covers identified for the purpose. If metal covers are used, they shall be grounded. In completed installations, each outlet box shall have a cover, faceplate, or fixture canopy. Covers of outlet boxes having holes through which flexible cord pendants pass shall be provided with bushings designed for the purpose or shall have smooth, well-rounded surfaces on which the cords may bear.

Florence Hardwoods, LLC does not ensure that all pull boxes, and fittings are provided with covers. This violation was most recently identified on June 24, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin in the Sawmill.

a) On or about June 20, 2023, at a workplace located at 5853 Tower Drive, Florence, Wisconsin adjacent to the Log Deck on the exterior of the Sawmill; employees accessing the elevated work platform for maintenance and/or adjustment work were exposed to electrical hazards from the missing cover on the junction box powering the photo sensor eye.

b) On or about June 24, 2023, at a workplace located at 5843 Tower Drive, Florence, Wisconsin on the exterior of the Sawmill; employees accessing the dry chains on the Log Unscrambler were exposed to electrical hazards from the missing cover for the junction box powering the photo sensor eye.

Florence Hardwoods, LLC was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.305(b)(2)(i), which was contained in OSHA inspection number 1428560, citation number 2, item number 1 and was affirmed as a final order on February 10, 2020, with respect to a workplace located at 5843 Tower Drive, Florence, Wisconsin.

Comply with 29 CFR 1910.305(b)(2)(i).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: January 02, 2024
Proposed Penalty: \$17,189.00


Robert J. Bonack
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1648 Tri Park Way
Appleton, WI 54914



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Dr., Florence, WI 54121
Issuance Date: 12/18/2023

Summary of Penalties for Inspection Number: 1680431

| | |
|--------------------------------------|--------------|
| Citation 1 Item 1, Serious | \$6,875.00 |
| Citation 1 Item 2, Serious | \$8,595.00 |
| Citation 1 Item 3, Serious | \$8,595.00 |
| Citation 1 Item 4, Serious | \$8,595.00 |
| Citation 1 Item 5, Serious | \$8,595.00 |
| Citation 1 Item 6a, Serious | \$8,595.00 |
| Citation 1 Item 6b, Serious | \$0.00 |
| Citation 1 Item 6c, Serious | \$0.00 |
| Citation 1 Item 7, Serious | \$8,595.00 |
| Citation 1 Item 8, Serious | \$6,875.00 |
| Citation 1 Item 9, Serious | \$8,595.00 |
| Citation 1 Item 10, Serious | \$6,875.00 |
| Citation 1 Item 11, Serious | \$8,595.00 |
| Citation 1 Item 12, Serious | \$8,595.00 |
| Citation 1 Item 13, Serious | \$6,875.00 |
| Citation 1 Item 14, Serious | \$6,875.00 |
| Citation 1 Item 15, Serious | \$6,875.00 |
| Citation 1 Item 16, Serious | \$12,031.00 |
| Citation 2 Item 1, Willful - Serious | \$137,508.00 |
| Citation 2 Item 2, Willful - Serious | \$137,508.00 |
| Citation 2 Item 3, Willful - Serious | \$137,508.00 |
| Citation 2 Item 4, Willful - Serious | \$137,508.00 |
| Citation 2 Item 5, Willful - Serious | \$137,508.00 |
| Citation 2 Item 6, Willful - Serious | \$137,508.00 |
| Citation 2 Item 7, Willful - Serious | \$137,508.00 |
| Citation 2 Item 8, Willful - Serious | \$137,508.00 |
| Citation 3 Item 1, Repeat - Serious | \$24,063.00 |
| Citation 3 Item 2, Repeat - Serious | \$24,063.00 |
| Citation 3 Item 3, Repeat - Serious | \$17,189.00 |
| Citation 3 Item 4, Repeat - Serious | \$17,189.00 |

TOTAL PROPOSED PENALTIES: \$1,313,204.00

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.

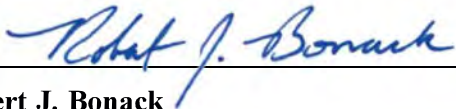
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



Robert J. Bonack

Area Director

December 18, 2023

Date

**Este documento es muy importante. Si ud. No habla inglés,
busque un traductor o llame al (920) 734-4521.**

U.S. Department of Labor Occupational Safety and Health Administration
1648 Tri Park Way
Appleton, WI 54914
Phone: (920) 734-4521 Fax: (920) 734-2661



December 18, 2023

Dear Margaret Minerick,

On 06/29/2023, an OSHA compliance officer met with you or your representative as part of an inspection at 5843 Tower Drive, Florence, WI 54121. 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,


Robert J. Borjack, Area Director

Your Citation Summary
Florence Hardwoods, LLC
Inspection Number: 1680557

Total Amount Due: \$68,752.00

**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 : 12

**Your First Correction Deadline is:
January 05, 2024**

**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 (920) 734-4521.

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: Robert J. Bonack, Area Director, at (920) 734-4521 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
1648 Tri Park Way
Appleton, WI 54914



12/18/2023

Florence Hardwoods, LLC
and its successors
P.O. Box 16
Florence, WI 54121

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000-04R) revised 2018, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (920) 734-4521.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

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

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,

A handwritten signature in blue ink that reads "Robert J. Bonack". The signature is written in a cursive style with a large initial "R".

Robert J. Bonack
Area Director

Enclosures

U.S. Department of Labor
Occupational Safety and Health Administration
1648 Tri Park Way
Appleton, WI 54914



Citation and Notification of Penalty

To:
Florence Hardwoods, LLC
and its successors
P.O. Box 16
Florence, WI 54121

Inspection Number: 1680557
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023

Inspection Site:
5843 Tower Drive
Florence, WI 54121

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 (920) 734-4521. During such an informal conference, you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically at www.pay.gov. At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

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

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

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

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

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

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

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

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 12/18/2023. The conference will be held by telephone or at the OSHA office located at 1648 Tri Park Way, Appleton, WI 54914 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1680557

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121
Issuance Date: 12/18/2023

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, 1648 Tri Park Way, Appleton, WI 54914.**

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: 1680557
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

29 CFR 1910.95(g)(1): The employer shall establish and maintain an audiometric testing program as provided in this paragraph by making audiometric testing available to all employees whose exposures equal or exceed an 8-hour time-weighted average of 85 decibels.

a) On or about July 25, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; the employer failed to make available and perform audiometric testing for a Laborer employee performing general labor with exposure that exceeded 85 decibels on an A-weighted scale (dBA). On this date, a Laborer employee working in the Sawmill and the Planer Building was exposed to a noise dose of 125.7% of the permissible daily dose as measured during a 432-minute sampling period. The 125.7% dose is equivalent to an 8-hour TWA exposure of 91.6 dBA period sampled. Zero exposure is assumed for 48 minutes unmonitored.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 18, 2024
\$5,156.00

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

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

29 CFR 1910.134(a)(2): A respirator shall be provided to each employee when such equipment is necessary to protect the health of such employee. The employer shall provide the respirators which are applicable and suitable for the purpose intended. The employer shall be responsible for the establishment and maintenance of a respiratory protection program, which shall include the requirements outlined in paragraph (c) of this section. The program shall cover each employee required by this section to use a respirator.

a)) On or about July 25, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; the employer did not provide and require the use of respiratory protection for a Saw Filer overexposed to iron dust generated during daily operations. On this date, the Saw Filer was exposed to 34.9 milligrams per cubic meter of iron dust, approximately 2.32 times the permissible exposure limit (PEL) of 15 milligrams per cubic meter without the use of respiratory protection. Due to this condition, the employee had exposure to the inhalation hazards associated with the iron dust which includes increased risk for pneumoconiosis.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 25, 2024
\$6,875.00



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

29 CFR 1910.1000(a)(2): An employee's exposure to any substance in Table Z-1, the exposure limit of which is not preceded by a "C", shall not exceed the 8-hour Time Weighted Average given for that substance any 8-hour work shift of a 40-hour work week.

a) On or about July 25, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; an employee was exposed to airborne iron dust that exceeded the permissible exposure limit (PEL) while performing routine Saw Filer duties that included sharpening bandsaw blades. The employee was exposed to an 8-hour time-weighted average (TWA) of 34.9 milligrams per cubic meter of iron dust, approximately 2.32 times the permissible exposure limit (PEL) of 15 milligrams per cubic meter for the total dust fraction of particulate not otherwise regulated (PNOR) listed in Table Z-1. Zero exposure assumed for the unsampled period of 51 minutes. Inhalation hazards associated with elevated exposures to iron dust include increased risk for pneumoconiosis.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$0.00



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

29 CFR 1910.1000(e): To achieve compliance with paragraphs (a) through (d) of this section, administrative or engineering controls must first be determined and implemented whenever feasible. When such controls are not feasible to achieve full compliance, protective equipment or any other protective measures shall be used to keep the exposure of employees to air contaminants within the limits prescribed in this section. Any equipment and/or technical measures used for this purpose must be approved for each particular use by a competent industrial hygienist or other technically qualified person. Whenever respirators are used, their use shall comply with 1910.134.

a) On or about July 25, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; the employer did not determine and implement feasible administrative or engineering controls to achieve compliance with paragraph (a) of this section. On this date, an employee was exposed to airborne iron dust that exceeded the permissible exposure limit (PEL) while performing routine Saw Filer duties that included sharpening bandsaw blades. The employee was exposed to an 8-hour time-weighted average (TWA) of 34.9 milligrams per cubic meter of iron dust, approximately 2.32 times the permissible exposure limit (PEL) of 15 milligrams per cubic meter for the total dust fraction of particulate not otherwise regulated (PNOR) listed in Table Z-1. Zero exposure assumed for the unsampled period of 51 minutes. Inhalation hazards associated with elevated exposures to iron dust include increased risk for pneumoconiosis.

Applicable engineering or administrative controls may include, but are not limited to the following:

Step 1: Effective respiratory protection shall be provided and used by exposed employees as an interim protective measure until feasible engineering and/or administrative dust controls can be implemented or whenever such controls fail to reduce employee exposure to within permissible exposure limits. For selection of appropriate respiratory protection equipment, actual time weighted averages for employee exposure must be used to determine maximum use concentrations.

Step 1 abatement due January 18, 2024.

Step 2: Submit to the Area Director a written, detailed plan of abatement outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposure to hazardous substances as referenced in this citation. This plan shall include, at the minimum, target dates for the following actions which must be consistent with the abatement dates required by this citation:

1. Evaluation and listing of engineering/administrative dust control options. Ensure the following are considered in your control options evaluation: analysis of existing emission sources, the worker proximity to the dust emission source(s) and the job task or tasks being performed;

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

-
2. Selection criteria for control method(s), selection of the optimum control methods and completion of design;
 3. Procurement, installation and operation of selected control measures;
 4. Testing and acceptance or modification/redesign of controls.

All proposed control measures shall be approved for each particular use by a competent industrial hygienist, certified industrial ventilation specialist experienced in complex processes or other technically qualified person. Identify the person and qualifications in the report of plan to the Area Director.

Step 2 abatement due February 18, 2024.

Step 3: Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance. Submission to the Area Director of personal employee exposure air monitoring is required for documenting engineering control effectiveness.

Feasible administrative and/or engineering controls could include, but is not limited to, the following:

1. Equip processes with local exhaust ventilation such as, but not limited to, downdraft collection tables, hooded work positions for anticipated job functions and slotted hoods at emission points.
2. Consider utilization of tool integrated dust capture at the point of dust generation as part of a coordinated solution with local exhaust ventilation to increase ventilation system effectiveness.
3. Place emphasis on the design phase in attempting to create a solution that is fixed in place in lieu of portable in nature. The use of fixed placement versus portable systems is one method to assure the capture ventilation is positioned in the designed placement for maximum effectiveness.
4. Consider the use of increased general dilution air (otherwise known as make-up air), during capture ventilation system design, to increase exhaust ventilation system dust capture. Introduction of targeted make-up air systems such as air islands, increasing flow into existing ventilation systems providing air into the work area and relocation of existing general dilution air ductwork are examples of dilution ventilation system improvements to increase dust capture system efficiency.
5. Consider and develop work practices for reducing emissions of particulate matter into the breathing zone through body and tool positioning.

Step 3 abatement due March 18, 2024.

Date By Which Violation Must be Abated: March 25, 2024
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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

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

29 CFR 1910.132(d)(1)(i): The employer shall assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE). If such hazards are present, or likely to be present, the employer shall select, and have each affected employee use, the types of PPE that will protect the affected employee from the hazards identified in the hazard assessment.

a) On or about and at times prior to July 25, 2023, at the workplace located at 5843 Tower Drive; the employer did not select and require the use of personal protective equipment that would protect each employee from the hazards identified in the hazard assessment, such as but not limited to appropriate hand protection, exposing employees to skin irritation and chemical burn hazards from direct contact with hazardous chemicals and skin absorption hazards which include impact on target organ systems of the kidneys and gastrointestinal systems during handling of hazardous chemicals or puncture hazards without protection during on-going daily manual handling of wood boards.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 18, 2024
\$6,875.00



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

29 CFR 1910.138(a): Employers shall select and require employees to use appropriate hand protection when employees' hands are exposed to hazards such as those from skin absorption of harmful substances; severe cuts or lacerations; severe abrasions; punctures; chemical burns; thermal burns; and harmful temperature extremes.

a) On or about and at times prior to July 25, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; in the Boiler Room; the employer did not require and ensure maintenance employees used appropriate hand protection, such as chemical resistant gloves, when handling and using boiler treatment chemicals, such as but not limited to Formula 48 and Formula LC5. Formula 48 contains diethylaminoethanol, which is corrosive and has the skin designation found in 29 CFR 1910.1000 Table Z-1 for chemicals absorbable through skin. Formula LC5 contains the hazardous ingredient sodium hydroxide and is corrosive to the skin. Due to this condition, maintenance employees were exposed to skin irritation and chemical burn hazards from direct contact with hazardous chemicals and skin absorption hazards which include impact on target organ systems of the kidneys and gastrointestinal systems.

b) On or about and at times prior to July 25, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; in the Planer Building; the employer did not require and assure the use of hand protection for employees, such as the Planer Building supervisor, performing routine duties that involved handling wood boards. Due to this condition, employees have exposure to puncture hazards without protection during on-going daily manual handling of wood boards.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 18, 2024
\$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: 1680557
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

29 CFR 1910.157(e)(5): The employer shall assure that alternate equivalent protection is provided when portable fire extinguishers are removed from service for maintenance and recharging.

a) On or about and at times prior to July 25, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; in the Circular Saw Sharpening Room, the employer did not ensure that when a fire extinguisher was removed from service after extinguishing a fire and not replaced, that alternate equivalent protection was provided, exposing an employee to fire hazards.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 18, 2024
\$5,156.00

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: 1680557
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

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

29 CFR 1910.252(a)(2)(i): Wherever there are floor openings or cracks in the flooring that cannot be closed, precautions shall be taken so that no readily combustible materials on the floor below will be exposed to sparks which might drop through the floor. The same precautions shall be observed with regard to cracks or holes in walls, open doorways and open or broken windows.

a) On or about July 10, 2023 and July 11, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; at the Swecan Saw Outfeed, the employer did not prevent sparks from welding work from falling through a metal grating floor surface, thereby exposing employees to fire hazards from combustible wood dust and/or shavings.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 18, 2024
\$6,875.00

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: 1680557
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

29 CFR 1910.252(a)(2)(v): Where combustible materials such as paper clippings, wood shavings, or textile fibers are on the floor, the floor shall be swept clean for a radius of 35 feet (10.7 m). Combustible floors shall be kept wet, covered with damp sand, or protected by fire-resistant shields. Where floors have been wet down, personnel operating arc welding or cutting equipment shall be protected from possible shock.

a) On or about July 10, 2023 and July 11, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; at the Swecan Outfeed, the employer did not ensure that combustible materials on the floor, such as but not limited to wood dust and/or wood shavings, was swept clean for a radius of 35 feet (10.7m) prior to welding work being performed, exposing employees to fire hazards. A pile of wood dust and/or wood shavings was located less than 10 feet from welding work.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 18, 2024
\$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: 1680557
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

29 CFR 1910.252(a)(2)(vii): Where practicable, all combustibles shall be relocated at least 35 feet (10.7 m) from the work site. Where relocation is impracticable, combustibles shall be protected with flameproofed covers or otherwise shielded with metal or asbestos guards or curtains.

a) On or about July 10, 2023 and July 11, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; at the Swecan Outfeed, the employer did not ensure that all combustibles, such as but not limited to cardboard, was relocated at 35 feet (10.7m) away from the welding work or protected with flameproofed covers or otherwise shielded with metal or curtains, exposing employees to fire hazards. A stack of cardboard was located less than 12 feet away from the welding work.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 18, 2024
\$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: 1680557
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

29 CFR 1910.1200(h)(3)(ii): Employees were not trained on the physical, health, simple asphyxiation, combustible dust, and pyrophoric gas hazards, as well as hazards not otherwise classified, of the chemicals in the work area.

a) On or about and at times prior to July 25, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; the employer did not ensure that employees working with hazardous chemicals in the workplace, such as but not limited to Brake & Metal Parts Cleaner #74HV-A, Purus Heavy Duty Extended Life 50/50 Prediluted Antifreeze/Coolant, Safety-Kleen Premium Solvent, and used oil, were provided with information and training on the hazardous chemicals and their hazards.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 18, 2024
\$6,875.00

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

29 CFR 1910.253(b)(4)(iii): Oxygen cylinders in storage shall be separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least one-half hour.

At the workplace located at 5843 Tower Drive, Florence, Wisconsin; the employer did not ensure that Oxygen cylinders in storage were separated from fuel-gas cylinders or combustible materials by a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least one-half hour, exposing employees to fire and/or explosion hazards in the following instances:

- a) On or about and at times prior to July 11, 2023, in the Truck Stop, combustible materials, such as but not limited to full acetylene cylinders, were stored approximately 18 feet and 1 inch away from full oxygen cylinders without a noncombustible barrier.
- b) On or about and at times prior to July 25, 2023, in the Basement, combustible materials, such as but not limited to full drums of oil (Hydraulic Oil All-Season and AGMA EP-4 ISO 150 Gear Oil), were stored approximately 2 feet and 10 inches away from full oxygen cylinders without a noncombustible barrier.

Florence Hardwoods, LLC was previously cited for a serious violation of this occupational safety and health standard, 29 CFR 1910.253(b)(4)(iii), which was contained in OSHA inspection number 1431640, citation number 1, item number 1, and was affirmed as a final order on February 10, 2020, with respect to a workplace located at 5843 Tower Drive, Florence, WI 54121.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------------|
| Date By Which Violation Must be Abated: | January 18, 2024 |
| Proposed Penalty: | \$17,189.00 |

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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

Citation 2 Item 2 Type of Violation: **Repeat - Serious**

29 CFR 1910.1200(f)(6)(ii): Except as provided in paragraphs (f)(7) and (f)(8) of 29 CFR 1910.1200, the employer shall ensure that each container of hazardous chemicals in the workplace is labeled, tagged or marked with product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical.

At the workplace located at 5843 Tower Drive, Florence, Wisconsin; the employer did not ensure that each workplace (in-house) container of hazardous chemicals was labeled, tagged or marked with product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, exposing employees to the hazards associated with hazardous chemicals in the following instances:

- a) On or about and at times prior to July 11, 2023, in the Boiler Room, the employer did not ensure that one workplace (in-house) containers containing boiler treatment chemicals, such as but not limited to FORMULA 48, FORMULA 1100, FORMULA LC5, and FORMULA SS-CAT, was appropriately labeled, tagged or marked with the product identifier and words, pictures, symbols, or combination thereof.
- b) On or about and at times prior to July 5, 2023, at the top of the stairs leading to the basement of the Sawmill, the employer did not ensure that one container (55-gallon drum) containing Automotive Diesel Fuel was appropriately labeled, tagged or marked with the product identifier and words, pictures, symbols, or combination thereof. The container had no labeling. Diesel fuel is a combustible liquid that can cause skin irritation.

Florence Hardwoods, LLC was previously cited for a serious violation of this occupational safety and health standard, 29 CFR 1910.1200(f)(6)(ii), which was contained in OSHA inspection number 1431640, citation number 1, item number 2, and was affirmed as a final order on February 10, 2020, with respect to a workplace located at 5843 Tower Drive, Florence, WI 54121.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------------|
| Date By Which Violation Must be Abated: | January 18, 2024 |
| Proposed Penalty: | \$13,751.00 |

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: 1680557
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

29 CFR 1910.106(d)(2)(i): Only approved containers and portable tanks shall be used. Metal containers and portable tanks meeting the requirements of and containing products authorized by chapter I, title 49 of the Code of Federal Regulations (regulations issued by the Hazardous Materials Regulations Board, Department of Transportation), shall be deemed to be acceptable.

On or about and at times prior to July 25, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; in the Sawmill, containers containing diesel fuel (Flammable liquid category 4) used for lubrication of the saws were not in an approved metal container authorized by chapter 1, title 49 of the Code of Federal Regulations, exposing employees to fire hazards in the following instances:

- a) By the Swecan Saw, two unapproved plastic containers contained automotive diesel fuel (Flammable liquid category 4).
- b) By the McDonough Saw, one unapproved metal container and one unapproved plastic container contained automotive diesel fuel (Flammable liquid category 4).

Date By Which Violation Must be Abated:

January 18, 2024

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: 1680557
Inspection Date(s): 06/29/2023 - 12/18/2023
Issuance Date: 12/18/2023



Citation and Notification of Penalty

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

29 CFR 1910.157(c)(1): The employer shall provide portable fire extinguishers and shall mount, locate and identify them so that they are readily accessible to employees without subjecting the employees to possible injury.

a) On or about and at times prior to July 25, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; in the Gang Saw area, the employer did not ensure that each fire extinguisher was mounted so that they were readily accessible to employees, such as but not limited to a 5 lb multi-purpose dry chemical fire extinguisher (Amerex) located on a stand near the Gang Saw, exposing an employee to fire hazards.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 05, 2024
\$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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

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

29 CFR 1910.157(e)(3): The employer shall assure that portable fire extinguishers are subjected to an annual maintenance check. Stored pressure extinguishers do not require an internal examination. The employer shall record the annual maintenance date and retain this record for one year after the last entry or the life of the shell, whichever is less. The record shall be available to the Assistant Secretary upon request.

- a) On or about and at times prior to July 11, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; the employer did not ensure that a 5 lb multi-purpose dry chemical fire extinguisher (Amerex) available for use located on a stand near the Gang Saw, was subjected to an annual maintenance check, exposing employees to fire hazards. The fire extinguisher tag indicated that it was last inspected March 2021.
- b) On or about and at times prior to July 25, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; the employer did not ensure that a 5 lb multi-purpose dry chemical fire extinguisher (Amerex A400) available for use located at the bottom of the stairs leading to the basement of the Sawmill, was subjected to an annual maintenance check, exposing employees to fire hazards. The fire extinguisher tag indicated that it was last inspected March 2021.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 18, 2024
\$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: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121

Citation 3 Item 4 Type of Violation: **Other-than-Serious**

29 CFR 1910.265(c)(20)(ii): All mills containing one or more machines that create dust, shavings, chips, or slivers during a period of time equal to or greater than one-fourth of the working day, shall be equipped with a collecting system. It may be either continuous or automatic, and shall be of sufficient strength and capacity to enable it to remove such refuse from points of operation and immediate vicinities of machines and work areas.


a) On or about and at times prior to July 25, 2023, at the workplace located at 5843 Tower Drive, Florence, Wisconsin; in the Sawmill, the employer did not ensure that machines, such as but not limited to the McDonough Saw and Gang Saw, were equipped with a collecting system to remove dust, shaving, chips, and/or slivers, from points of operation and surrounding work areas. Due to this condition, employees were exposed to respiratory, slip, and fire hazards.

Date By Which Violation Must be Abated:

January 25, 2024

Proposed Penalty:

\$0.00



Robert J. Bonack
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
1648 Tri Park Way
Appleton, WI 54914



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Florence Hardwoods, LLC
Inspection Site: 5843 Tower Drive, Florence, WI 54121
Issuance Date: 12/18/2023

Summary of Penalties for Inspection Number: 1680557

| | |
|---------------------------------------|-------------|
| Citation 1 Item 1, Serious | \$5,156.00 |
| Citation 1 Item 2a, Serious | \$6,875.00 |
| Citation 1 Item 2b, Serious | \$0.00 |
| Citation 1 Item 2c, Serious | \$0.00 |
| Citation 1 Item 3a, Serious | \$6,875.00 |
| Citation 1 Item 3b, Serious | \$0.00 |
| Citation 1 Item 4, Serious | \$5,156.00 |
| Citation 1 Item 5a, Serious | \$6,875.00 |
| Citation 1 Item 5b, Serious | \$0.00 |
| Citation 1 Item 5c, Serious | \$0.00 |
| Citation 1 Item 6, Serious | \$6,875.00 |
| Citation 2 Item 1, Repeat - Serious | \$17,189.00 |
| Citation 2 Item 2, Repeat - Serious | \$13,751.00 |
| Citation 3 Item 1, Other-than-Serious | \$0.00 |
| Citation 3 Item 2, Other-than-Serious | \$0.00 |
| Citation 3 Item 3, Other-than-Serious | \$0.00 |
| Citation 3 Item 4, Other-than-Serious | \$0.00 |

TOTAL PROPOSED PENALTIES: \$68,752.00

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.

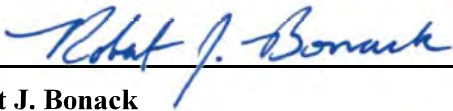
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



Robert J. Bonack

Area Director

December 18, 2023

Date