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 22, 2023

Dear Sarah Morack,

On 07/19/2023, an OSHA compliance officer met with you or your representative as part of an inspection at 121 Cedar Street, Tigerton, WI 54486. 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

Tigerton Lumber Company Inspection Number: 1683623

Total Amount Due: \$283,608.00

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: 19

Your First Correction Deadline is: January 24, 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 P	enalty	I will complete by:
1.	Correct violations, then complete and mail Corrective Action Worksheet" along with the repair (e.g. photos, purchase orders, etc.) the first page, postmarked within 10 calendar correction deadline and include any required documents are transmitted by means otherwise.	ne appropriate evidence of o the OSHA office listed on the days after each violation's ired evidence. If these ner than mailing, the date the	/
2.	Pay the Total Penalty by using one of the for **Include your Inspection Number (see f	_	/
	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



12/22/2023

Tigerton Lumber Company and its successors P.O. Box 70 Tigerton, WI 54486

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-workingday 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,

Robert J. Bonack

Area Director

Enclosures

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



Citation and Notification of Penalty

To:

Tigerton Lumber Company and its successors P.O. Box 70 Tigerton, WI 54486

Inspection Site:

121 Cedar Street Tigerton, WI 54486 **Inspection Number**: 1683623

Inspection Date(s): 07/19/2023 - 07/20/2023

Issuance Date: 12/22/2023

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period by calling (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. <u>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.</u>

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 w	with OSHA to discuss the	citation(s) issued on
12/22/2023. The conference will be held by te	elephone or at the OSHA	office located at 1648 Tr
Park Way, Appleton, WI 54914 on	at	Employees
and/or representatives of employees have a rig	ght to attend an informal of	conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1683623

Company Name: Tigerton Lumber Company

Inspection Site: 121 Cedar Street, Tigerton, WI 54486

Issuance Date: 12/22/2023

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.

By (Method of Abatement):	was corrected on
Citation Number and Item Number By (Method of Abatement):	was corrected on
By (Method of Abatement):	was corrected on
Citation Number and Item Number By (Method of Abatement):	was corrected on
Citation Number and Item Number By (Method of Abatement):	was corrected on
Citation Number and Item Number By (Method of Abatement):	was corrected on
	document is accurate and that the affected employees and their
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.

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

29 CFR 1910.28(b)(3)(iv): Each employee is protected from falling into a ladderway floor hole or ladderway platform hole by a guardrail system and toe boards erected on all exposed sides, except at the entrance to the hole, where a self-closing gate or an offset must be used;

At an establishment located at 121 Cedar Street, in Tigerton, Wisconsin;

- (a) On or about July 19, 2023, located outside the Sawmill, the two fixed ladders on either side of the yellow platform used by employees to inspect the level of material in the trailers did not have a self-closing gate or offset exposing employees to fall hazards over six feet.
- (b) On or about October 13, 2023, located outside the Planer Building, the two fixed ladders on either side of the yellow platform used by employees to inspect the level of material in the trailer(s) did not have a self-closing gate or offset exposing employees to fall hazards over six feet.
- (c) On or about July 28, 2023, in the Chipper Building, the black fixed ladder used to access an elevated platform for the dust blower did not have a self-closing gate or offset exposing employees to fall hazards of approximately 79.5 inches.

Date By Which Violation Must be Abated: Proposed Penalty:

January 24, 2024 \$8,595.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

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

Note: Exception: The employer need not document the required procedure for a particular machine or equipment, when all of the following elements exist: (1) The machine or equipment has no potential for stored or residual energy or reaccumulation of stored energy after shut down which could endanger employees; (2) the machine or equipment has a single energy source which can be readily identified and isolated; (3) the isolation and locking out of that energy source will completely deenergize and deactivate the machine or equipment; (4) the machine or equipment is isolated from that energy source and locked out during servicing or maintenance; (5) a single lockout device will achieve a locker-out condition; (6) the lockout device is under the exclusive control of the authorized employee performing the servicing or maintenance; (7) the servicing or maintenance does not create hazards for other employees; and (8) the employer, in utilizing this exception, has had no accidents involving the unexpected activation or reenergization of the machine or equipment during servicing or maintenance.

On or about July 7, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; the employer did not develop, document, and utilize procedures for the control of potentially hazardous energy when employees are engaged in servicing and maintenance activities on the Volvo Wheel Loader L90G and other powered industrial vehicles.

Date By Which Violation Must be Abated: Proposed Penalty:

January 31, 2024 \$8,595.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

29 CFR 1910.213(r)(4): The mention of specific machines in paragraphs (a) thru (q) and this paragraph (r) of this section, inclusive, is not intended to exclude other woodworking machines from the requirement that suitable guards and exhaust hoods be provided to reduce to a minimum the hazard due to the point of operation of such machines.

On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Planing/Stacking Building, the Industrial Woodworking Machine Co. Inc. Up-Cut Chop Saw did not have adequate guarding to prevent employees from accessing the cutting blade exposing them to the point of operation hazards.

Date By Which Violation Must be Abated: January 24, 2024 Proposed Penalty: \$8,595.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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 4 a Type of Violation: **Serious**

29 CFR 1910.219(c)(2)(i): All exposed parts of horizontal shafting seven (7) feet or less from floor or working platform, excepting runways used exclusively for oiling, or running adjustments, shall be protected by a stationary casing enclosing shafting completely or by a trough enclosing sides and top or sides and bottom of shafting as location requires.

On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Sawmill, employees were cleaning around the unguarded, rotating drive shaft for the Six Feet Roll Case motor exposing employees to entanglement hazards.

Date By Which Violation Must be Abated: January 24, 2024 Proposed Penalty: \$8,595.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

29 CFR 1910.219(d)(1): Guarding. Pulleys, any parts of which are seven (7) feet or less from the floor or working platform, shall be guarded in accordance with the standards specified in paragraphs (m) and (o) of this section. Pulleys serving as balance wheels (e.g., punch presses) on which the point of contact between belt and pulley is more than six feet six inches (6 ft. 6 in.) from the floor or platform may be guarded with a disk covering the spokes.

- (a) On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Sawmill, employees were cleaning around the unguarded inclined belt and pulley assembly on the bottom guard for the Six Feet Roll Case motor exposing employees to entanglement hazards.
- (b) On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Sawmill, employees were cleaning in near proximity of an unguarded inclined belt and pulley assembly below the West Seven Feet Head Saw exposing employees to entanglement and struck by hazards.

Date By Which Violation Must be Abated: January 24, 2024 Proposed Penalty: \$0.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

29 CFR 1910.219(e)(3)(i): Vertical and inclined belts shall be enclosed by a guard conforming to standards in paragraphs (m) and (o) of this section.

- (a) On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Sawmill, employees were cleaning around the unguarded inclined belt and pulley assembly on the bottom guard for the Six Feet Roll Case motor exposing employees to entanglement hazards.
- (b) On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Sawmill, employees were cleaning in near proximity of an unguarded inclined belt and pulley assembly below the West Seven Feet Head Saw exposing employees to entanglement and struck by hazards.

Date By Which Violation Must be Abated: January 24, 2024 Proposed Penalty: \$0.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

Citation 1 Item 5 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 July 18, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; outside employees were not protected from entanglement hazards created by the exposed rotating projecting shaft when performing cleaning activities by the Waste Chain Conveyor located below the Debarker.
- (b) On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Sawmill employees were not protected from entanglement hazards created by the exposed rotating projecting shaft when maneuvering boards to go through the Trim Saw.
- (c) On or about July 20, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Planing/Stacking Building employees were not protected from entanglement hazards created by the exposed rotating projecting shaft with a keyway when walking through the main exit and clearing jams on the infeed stacker conveyor.
- (d) On or about July 20, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Planing/Stacking Building employees were not protected from entanglement hazards created by the exposed rotating projecting shaft with a keyway when grading and flipping boards on the Green Line.
- (e) On or about July 27, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Boiler Building employees were not protected from entanglement hazards created by the exposed rotating projecting shaft when walking through and cleaning next to the main screw auger for the wood fired boiler.

Date By Which Violation Must be Abated: Proposed Penalty:

January 24, 2024 \$8,595.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

29 CFR 1910.219(f)(3): Sprockets and chains. All sprocket wheels and chains shall be enclosed unless they are more than seven (7) feet above the floor or platform. Where the drive extends over other machine or working areas, protection against falling shall be provided. This subparagraph does not apply to manually operated sprockets.

On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; located on the platform north of the East Six Feet Headsaw, employees were exposed to an unguarded chain and sprocket when walking down the platform and accessing the work area while being exposed to caught-in between hazards.

Date By Which Violation Must be Abated: January 24, 2024 Proposed Penalty: \$8,595.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

Citation 1 Item 7 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 July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; located outside, the yellow platform used by employees to remove tubes going into the trailers had the top rail removed in sections exposing employees to fall hazards over six feet.
- (b) On or about July 20, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Planing/Stacking Building, employees placing sticks between the lumber was exposed to fall hazards of approximately 81.5 inches from the back and side of the platform.
- (c) On or about October 13, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; located outside the Planing/Stacking Building, the Green Line had a catwalk over the conveyor system employees used to inspect and determine the level of saw dust and debris in the back of the trailers exposed to fall hazards of approximately 51 inches.
- (d) On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; located in the Saw Mill, the East Six Feet Head Saw Platform was not guarded while employees were cleaning and performing preventative maintenance exposing employees to a fall hazard of approximately 82 inches.

Date By Which Violation Must be Abated: Proposed Penalty:

January 24, 2024 \$6,875.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

Citation 1 Item 8 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. In accordance with 29 CFR 1910.25(b)(3): Stairs have uniform riser heights and tread depths between landings and 29 CFR 1910.28(b)(11)(ii): Each flight of stairs having at least 3 treads and at least 4 risers is equipped with stair rail systems and handrails as follows: (see TABLE D-2)

- (a) On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; outside of the chipper building, the employer did not ensure the riser heights were uniform at the first step of the staircase leading to the platform used by employees to check the level of wood chips in the trailer, exposing employees to trip and fall hazards.
- (b) On or about October 13, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; outside the Planing/Stacking Building, the stairs leading to trailers did not have a stair rail system and handrail on both side, exposing employees to trip and fall hazards.

Date By Which Violation Must be Abated: January 24, 2024 Proposed Penalty: \$5,156.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

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.

At an establishment located at 121 Cedar Street, in Tigerton, Wisconsin;

- (a) On or about July 18, 2023, the Waste Chain Conveyor by the Nicholson A6 Chain Feed Debarker had an unguarded slatted tail pulley exposing employees to entanglement hazards while performing cleaning activities.
- (b) On or about July 13, 2023, in the Planing/Stacking Building, the infeed chain conveyor leading to the descrambler for the Mellott Stacker had unguarded inrunning nip points around the sprocket exposing employees to caught in between hazards.
- (c) On or about July 20, 2023, in the Planing/Stacking Building on the elevated work platform for the Mellott Stacker, the chain conveyor had unguarded inrunning nip points around the sprocket exposing employees to caught in between hazards.
- (d) On or about October 18, 2023, outside of the Sawmill leading to the Planing/Stacking Building; the Green Line from the Trim Saw, the chain conveyor had an unguarded inrunning nip point around the sprocket exposing employees to caught in between hazards.
- (e) On or about October 18, 2023, outside of the Sawmill leading to the Planing/Stacking Building; the Green Line from the Trim Saw, the had an unguarded inrunning nip point on the bottom of the belt conveyor exposing employees to caught in between hazards.
- (f) On or about July 19, 2023, in the Sawmill, the main barn sweep in the floor was not guarded where employees performed cleaning activities and walkways to workstations exposing employees to trip and struck by hazards.
- (g) On or about July 19, 2023, in the Sawmill, the barn sweep paddles rotated around dropping sawdust and debris onto the main barn was not guarded exposing employees to shear points.
- (h) On or about July 19, 2023, in the Sawmill, at the end of the main barn cleaner by the door to the chipper building, the paddles rotated around dropping debris to the shaker table was not guarded exposing employees to shear points.

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

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

- (i) On or about July 19, 2023, in the Sawmill, employee(s) working around the Main Sawdust Belt Conveyor were exposed to caught-in hazards from the unguarded slatted tail pulley.
- (j) On or about July 19, 2023, in the Sawmill, the chain drive for the Log Deck was inadequately guarded with a yellow chain exposing employees to caught in between hazards.
- (k) On or about July 19, 2023, in the Sawmill by the Resaw, the chain conveyor bringing boards from the Resaw had an unguarded inrunning nip point around the sprocket exposing employees to caught in between hazards.
- (1) On or about July 19, 2023, in the Sawmill by the Edger, the USNR conveyor descrambler leading to the Edger had unguarded rotating discs to carry lumber up the conveyor exposing employees to caught in between hazards.
- (m) On or about July 19, 2023, in the Sawmill by the Control Panel for the Edger, the USNR chain conveyor had an unguarded inrunning nip point around the sprocket exposing employees to caught in between hazards.
- (n) On or about July 19, 2023, in the Sawmill by the Edger, the USNR chain conveyor just before Edger had multiple unguarded nip points around the sprockets exposing employees to caught in between hazards.
- (o) On or about July 13, 2023, the infeed auger leading to the silo bucket elevator had the cover removed to determine when the system was full exposing employees to caught in between hazards.
- (p) On or about July 13, 2023, the silo bucket elevator doors remained open during operation to determine when the system was full exposing employees to caught in between and struck by hazards.
- (q) On or about July 19, 2023, in the Boiler Building, the screw auger used to feed the wood fire boiler had the guard removed during operation exposing employees to caught in between hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

January 24, 2024 Date By Which Violation Must be Abated: Proposed Penalty: \$12,031.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

Citation 1 Item 10 Type of Violation: **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.

At an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Planing/Stacking Building:

- (a) On or about July 19, 2023, employees working near the Mellott Tilt Table leading to the infeed planer were exposed to struck-by, crushed-by, and pinch point hazards created by the lumber arms raising and lowering. There was no form of machine guarding to prevent employees and operators from accessing the danger zones during operation.
- (b) On or about July 19, 2023, employees working near the Mellott Stacker machine were exposed to struck-by, crushed-by, and pinch point hazards created by the lumber elevator to the grading table and the stacking lift table. There was only a chain and sign at a door access point to prevent employees and operators from accessing the danger zones during operation.

Date By Which Violation Must be Abated: January 24, 2024 Proposed Penalty: \$8,595.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

29 CFR 1910.265(d)(4)(iii): Area around barkers. The hazardous area around ring barkers and their conveyors shall be fenced off or posted as a prohibited area for unauthorized persons.

On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; the area around the Nicholson A6 Chain Feed Debarker and the conveyors were not fenced off or posted to prevent unauthorized employees from accessing danger areas during operation.

Date By Which Violation Must be Abated: January 24, 2024 \$8,595.00 Proposed Penalty:

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

- 29 CFR 1910.265(e)(1)(v): Barriers and warning signs. A barrier shall be provided to prevent employees from entering the space necessary for travel of the carriage, with headblocks fully receded, for the full length and extreme ends of carriage runways. Warning signs shall be posted at possible entry points to this area.
- (a) On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; on the ground level of the West Seven Feet Headsaw Carriage area, barriers and warning signs were not provided to prevent employees from entering the space along the full length and ends of the head saw carriage.
- (b) On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; on the ground level of the East Six Feet Headsaw Carriage area, barriers and warning signs were not provided to prevent employees from entering the space along the full length and ends of the head saw carriage.
- (c) On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; on the platform level of the East Six Feet Headsaw Carriage area, a warning sign was not provided to prevent employees from entering the space along the full length and ends of the head saw carriage.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: January 24, 2024 \$12,031.00 Proposed Penalty:

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

29 CFR 1910.305(b)(1)(ii): Unused openings in cabinets, boxes, and fittings shall be effectively closed.

- (a) On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Debarker Cab, the green AB Allen Bradley box was not effectively closed. An employee would activate the trailer conveyor and hog buttons and was exposed to electrical shock and fire hazards.
- (b) On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; on the control panel for the Mellott Tilt conveyor feeding the planer was not effectively closed. An employee would activate the conveyor and was exposed to electrical shock and fire hazards.
- (c) On or about July 20, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; on the Green Line the start/stop button for the conveyor was not effectively closed. An employee would activate/deactivate the conveyor and was exposed to electrical shock and fire hazards.

Date By Which Violation Must be Abated: Proposed Penalty:

January 24, 2024 \$8,595.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

Citation 1 Item 14 Type of Violation: **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.

- (a) On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Sawmill at the door for the Seven Feet East Headsaw, an electrical junction box was missing the cover exposing employees to electrical shock and fire hazards.
- (b) On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Sawmill at the stairs leading to the Edger by the Waste Chain Conveyor, an electrical pull box was missing the cover exposing employees to electrical shock and fire hazards.

Date By Which Violation Must be Abated: Proposed Penalty:

January 24, 2024 \$8,595.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

At an establishment located at 121 Cedar Street, in Tigerton, Wisconsin;

- (a) On or about July 19, 2023, the employer did not train employees as authorized employees when performing cleaning under the debarker exposing employees to inadvertent/accidental restart of equipment or activation of stored energy. Debarker operators engaged in servicing and maintenance tasks on a daily basis including cleaning without de-energizing the waste chain and shaker conveyors.
- (b) On or about July 28, 2023, in the Sawmill, the employer did not train employees as authorized employees when performing cleaning under the headsaws exposing employees to inadvertent/accidental restart of equipment or activation of stored energy. Employees entered the danger areas under the headsaw, under and around the unguarded belt and pulleys driving the headsaw, and under the log deck to clean and sweep without applying lock to the equipment.
- (c) On or about July 28, 2023, in the Planing/Stacking Building, the employer did not train employees as authorized employees when performing cleaning under the stacker exposing employees to accidental/inadvertent restart of the equipment. Employees entered the danger area under the stacker and unguarded lower landing of the unscrambler to clean and sweep without applying a lock to the equipment.

Tigerton Lumber Company was previously cited for a violation of this Occupational Safety and Health standard or equivalent (29 CFR 1910.147(c)(7)(i)(A)) which was contained in OSHA inspection number 1346228, citation number 1, item number 3 and was affirmed as a final order on January 14, 2020, with respect to a workplace located at 121 Cedar Street in Tigerton, Wisconsin.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: Proposed Penalty:

January 31, 2024 \$24,063.00

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

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

At an establishment located at 121 Cedar Street, in Tigerton, Wisconsin;

- (a) On or about July 18, 2023, employees were exposed to machine hazards associated with moving parts when they engaged in cleaning activities on the Nicholson A6 Chain Feed Debarker. The employer did not ensure that employees implemented energy control application steps or equivalent protective measures prior to allowing them to clean around and underneath the debarker. The Waste Chain and Shaker Conveyor were not deenergized prior to the employee engaging in the servicing / maintenance activity.
- (b) On or about July 19, 2023, employees were exposed to machine hazards associated with moving parts when they engaged in servicing activities between the Resaw and Headsaw. The employer did not ensure that employees verified proper energy control application steps prior to allowing them to change a broken chain. The machine was not deenergized prior to the employee engaging in the servicing / maintenance activity.

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.

Tigerton Lumber Company was previously cited for a violation of this Occupational Safety and Health standard which was contained in OSHA inspection number 1346228, citation number 1, item number 1 and was affirmed as a final order on January 14, 2020, with respect to a workplace located at 121 Cedar Street in Tigerton, Wisconsin.

The Tigerton Lumber Company was previously cited for a violation of this Occupational Safety and Health standard 29 CFR 1910.147(d), which was contained in OSHA inspection number 1284119, citation number 1, item number 1b and was affirmed as a final order on June 20, 2018, with respect to a workplace located at 105 Ash St., Tigerton, Wisconsin 54486.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: Proposed Penalty:

January 24, 2024 \$120,313.00

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

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

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

At an establishment located at 121 Cedar Street, in Tigerton, Wisconsin;

- (a) On or about July 28, 2023, in the Sawmill, an employee did not affix a personal lockout or tagout device(s) prior to performing cleaning activities under the headsaws exposing employees to accidental/inadvertent restart of the equipment.
- (b) On or about July 28, 2023, in the Planing/Stacking Building, employee(s) did not affix a personal lockout or tagout device(s) prior to performing cleaning activities under the stacker exposing employees to accidental/inadvertent restart of the equipment.

Tigerton Lumber Company was previously cited for a violation of this Occupational Safety and Health standard which was contained in OSHA inspection number 1346228, citation number 1, item number 1 and was affirmed as a final order on January 14, 2020, with respect to a workplace located at 121 Cedar Street in Tigerton, Wisconsin.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: January 31, 2024 Proposed Penalty: \$17,189.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

29 CFR 1910.147(c)(5)(ii): Lockout devices and tagout devices shall be singularly identified; shall be the only devices(s) used for controlling energy; shall not be used for other purposes; and shall meet the following requirements:

On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; at the Debarker, a lockout lock and tag with an ex-employee's name on it was used to control activation to the debarker for purposes other than the scope covered under the control of hazardous energy.

Date By Which Violation Must be Abated: January 24, 2024 Proposed Penalty: \$0.00

Occupational Safety and Health Administration Inspection Date(s): 07/19/2023 - 07/20/2023

Inspection Number: 1683623

Issuance Date: 12/22/2023



Citation and Notification of Penalty

Company Name: Tigerton Lumber Company Inspection Site: 121 Cedar Street, Tigerton, WI 54486

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

29 CFR 1910.303(b)(2): Installation and use. Listed or labeled equipment shall be installed and used in accordance with any instructions included in the listing or labeling.

On or about July 19, 2023, at an establishment located at 121 Cedar Street, in Tigerton, Wisconsin; in the Planing/Stacking Building, a quad metallic outlet box, was placed on top of the Mattison Rip Saw, was connected to a flexible cord and used to power a cell phone charger, pedestal fan, and red light guide. The metal outlet box was not installed in accordance with the UL identifier QCIT, which states that boxes shall be mounted in or on a surface exposing employees to electrical shock hazards.

Date By Which Violation Must be Abated: January 24, 2024 Proposed Penalty: \$0.00

Area Director

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



INVOICE / DEBT COLLECTION NOTICE

Company Name: Tigerton Lumber Company

Inspection Site: 121 Cedar Street, Tigerton, WI 54486

Issuance Date: 12/22/2023

Summary of Penalties for Inspection Number: 1683623

Citation 1 Item 1, Serious	8,595.00
Citation 1 Item 2, Serious \$	8,595.00
Citation 1 Item 3, Serious \$	8,595.00
Citation 1 Item 4a, Serious \$	8,595.00
Citation 1 Item 4b, Serious	\$0.00
Citation 1 Item 4c, Serious	\$0.00
Citation 1 Item 5, Serious \$	8,595.00
Citation 1 Item 6, Serious \$	8,595.00
Citation 1 Item 7, Serious \$6	6,875.00
Citation 1 Item 8, Serious \$5	5,156.00
Citation 1 Item 9, Serious \$1	2,031.00
Citation 1 Item 10, Serious \$	8,595.00
Citation 1 Item 11, Serious \$	8,595.00
Citation 1 Item 12, Serious \$13	2,031.00
Citation 1 Item 13, Serious	8,595.00
Citation 1 Item 14, Serious \$	8,595.00
Citation 2 Item 1, Repeat - Serious \$2	4,063.00
Citation 2 Item 2, Repeat - Serious \$120	0,313.00
Citation 2 Item 3, Repeat - Serious \$1	7,189.00
Citation 3 Item 1, Other-than-Serious	\$0.00
Citation 3 Item 2, Other-than-Serious	\$0.00

TOTAL PROPOSED PENALTIES:

\$283,608.00

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.

<u>Interest</u>: 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.

<u>Delinquent Charges</u>: 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.

and hat	12/22/2023	
Robert J. Bonack	Date	
Area Director		