

U.S. Department of Labor

Occupational Safety and Health Administration
1141 Montlamar Drive
Suite 1006
Mobile, AL 36609



Citation and Notification of Penalty

To:
MDLG, Inc., dba Phenix Lumber Company and John
Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a
Leslie D Greene
and its successors
P.O. Box 639
Phenix City, AL 36867

Inspection Number: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024

Inspection Site:
4 Cutrate Road
Phenix City, AL 36870

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 (251) 441-6131. 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 02/21/2024. The conference will be held by telephone or at the OSHA office located at 1141 Montlimar Drive, Suite 1006, Mobile, AL 36609 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1695169

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870
Issuance Date: 02/21/2024

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, 1141 Montlimar Drive, Suite 1006, Mobile, AL 36609.**

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: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Citrate Road, Phenix City, AL 36870

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees:

a) The employer fails to ensure effective measures to prevent crushed-by and ejection hazards as demonstrated on or about August 25, 2023, in the Planer Mill, where an employee operates a forklift to move product. Feasible means of abatement to address this hazard include but are not limited to ensuring seatbelts are utilized while operating forklifts.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from tipping and ejection hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

March 06, 2024
\$12,676.00

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: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

a) The employer fails to ensure effective measures to prevent fire hazards as demonstrated on or about August 25, 2023, in the Planer Mill at the trim saw, where fire extinguishers are not maintained in a fully charged condition. To abate this hazard, the employer must ensure fire extinguishers are kept in a fully charged and operable condition.

b) The employer fails to ensure effective measures to prevent fire hazards as demonstrated on or about August 25, 2023, in the Planer Mill at the sorter, where fire extinguishers are not maintained in a fully charged condition. To abate this hazard, the employer must ensure fire extinguishers are kept in a fully charged and operable condition.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from fire hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

March 06, 2024
\$10,140.00

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

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Occupational Safety and Health Administration

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Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

- a) The employer fails to ensure effective measures to prevent electrical hazards as demonstrated on or about August 25, 2023, in the Planer Mill at the Sorter control panel, where employees operate the Sorter. To abate this hazard, the employer must ensure all openings leading to electrical components are closed.
- b) The employer fails to ensure effective measures to prevent electrical hazards as demonstrated on or about August 25, 2023, in the Planer Mill at the Trim saw control panel, where employees operate the Trim saw. To abate this hazard, the employer must ensure all openings leading to electrical components are closed.
- c) The employer fails to ensure effective measures to prevent electrical hazards as demonstrated on or about August 25, 2023, in the Sawmill at the Trim saw control panel, where employees operate the Trim saw. To abate this hazard, the employer must ensure all openings leading to electrical components are closed.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from electrical hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	March 06, 2024
Proposed Penalty:	\$10,140.00

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: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

29 CFR 1910.305(g)(2)(iii): Flexible cords were not connected to devices and fittings so that tension would not be transmitted to joints or terminal screws:

- a) The employer fails to ensure effective measures to prevent electrical hazards as demonstrated on or about August 23, 2023, in the Sawmill at the Chipper/auger area, where an employee works to operate the chipper. To abate this hazard, the employer must ensure that the flexible cord to the vibrator motor is connected with a strain relief to prevent tension from being transmitted to the terminal screws in the disconnect.
- b) The employer fails to ensure effective measures to prevent electrical hazards as demonstrated on or about August 25, 2023, in the Planer Mill at the stick machine, where an employee works to operate the stick machine. To abate this hazard, the employer must ensure that flexible cords in that area are connected with a strain relief to prevent tension from being transmitted to the terminal screws in the disconnect.
- c) The employer fails to ensure effective measures to prevent electrical hazards as demonstrated on or about August 25, 2023, in the Planer Mill at the Sorter, where an employee walks the platform. To abate this hazard, the employer must ensure that flexible cords in that area are connected with a strain relief to prevent tension from being transmitted to the terminal screws in the disconnect.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from electrical hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	March 06, 2024
Proposed Penalty:	\$10,140.00

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: 1695169
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Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

29 CFR 1910.305(j)(4)(ii): As it applies to motors, motor circuits and controllers; a disconnecting means for the controller was not located within sight of the controller location:

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Sawmill at the Chipper, where employees engage in maintenance activities. To abate this hazard, the employer must ensure that there is direct sight access from the electrical disconnect to the equipment being locked out.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	March 06, 2024
Proposed Penalty:	\$16,131.00

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

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Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Sawmill at the chipper, where an employee engages in maintenance activities such as, but not limited to, jam clearing and changing belts. To abate this hazard, the employer must ensure lockout/tagout procedures for the chipper and incline screw conveyor or auger to the shaker are utilized.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

March 06, 2024
\$161,323.00

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: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Sawmill at the chipper, where an employee engages in maintenance activities such as, but not limited to, jam clearing and changing belts. To abate this hazard, the employer must ensure that lockout/tagout devices are affixed to isolate energy to the chipper and the incline screw conveyor or auger to the shaker.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	March 06, 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: 1695169
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Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Sawmill at the chipper, where an employee engages in maintenance activities such as, but not limited to, clearing jams and changing belts. To abate this hazard, the employer must ensure that lockout/tagout procedures are utilized at the chipper.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

March 06, 2024
\$161,323.00

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

Inspection Number: 1695169
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Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Sawmill at the chipper, where an employee engages in maintenance activities such as, but not limited to, clearing jams and changing belts. To abate this hazard, the employer must ensure that lockout tagout devices are affixed to isolate energy to the chipper.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	March 06, 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: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
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Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Sawmill at the chipper, where an employee engages in maintenance activities such as, but not limited to, clearing jams and changing belts. To abate this hazard, the employer must ensure that lockout/tagout procedures are utilized at the chipper.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

March 06, 2024
\$161,323.00

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
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Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Sawmill at the chipper, where an employee engages in maintenance activities such as, but not limited to, clearing jams and changing belts. To abate this hazard, the employer must ensure that lockout/tagout devices are affixed to isolate energy to the chipper.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	March 06, 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.

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Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Sawmill at the chipper, where an employee engages in maintenance activities such as, but not limited to, clearing jams and changing belts. To abate this hazard, the employer must ensure that lockout/tagout procedures are utilized at the chipper.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Proposed Penalty:

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Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Sawmill at the chipper, where an employee engages in maintenance activities such as, but not limited to, clearing jams and changing belts. To abate this hazard, the employer must ensure that lockout/tagout devices are affixed to isolate energy to the chipper.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
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Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Planer Mill at the stacker hoist, where an employee engages in maintenance activities such as, but not limited to, sprocket and chain repair. To abate this hazard, the employer must ensure that lockout/tagout procedures are utilized at the stacker hoist.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Planer Mill at the stacker hoist, where an employee engages in maintenance activities such as, but not limited to, sprocket and chain repair. To abate this hazard, the employer must ensure that lockout/tagout devices are affixed to isolate energy to the stacker hoist.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	March 06, 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: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Planer Mill at the stacker hoist, where an employee engages in maintenance activities such as, but not limited to, sprocket and chain repair. To abate this hazard, the employer must ensure that lockout/tagout procedures are utilized at the stacker hoist.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

March 06, 2024
\$161,323.00

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: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Planer Mill at the stacker hoist, where an employee engages in maintenance activities such as, but not limited to, sprocket and chain repair. To abate this hazard, the employer must ensure that lockout/tagout procedures are utilized at the stacker hoist.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	March 06, 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: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Sawmill at the chipper, where an employee engages in maintenance activities such as, but not limited to, clearing jams and changing belts. To abate this hazard, the employer must ensure that employees engaged in lockout/tagout activities are trained in energy control as authorized employees.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

March 06, 2024
\$161,323.00

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: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Sawmill at the chipper, where an employee engages in maintenance activities such as, but not limited to, clearing jams and changing belts. To abate this hazard, the employer must ensure that employees engaged in lockout/tagout activities are trained in energy control as authorized employees.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	March 06, 2024
Proposed Penalty:	\$161,323.00

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: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

Citation 2 Item 9 Type of Violation: **Willful - Serious**

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

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Planer Mill at the stacker hoist, where an employee engages in maintenance activities such as, but not limited to, sprocket and chain repair. To abate this hazard, the employer must ensure that employees engaged in lockout/tagout activities are trained in energy control as authorized employees.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

March 06, 2024
\$161,323.00

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: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

Citation 2 Item 10 Type of Violation: **Willful - Serious**

29 CFR 1910.28(b)(1)(i): Except as provided elsewhere in this section 29 CFR 1910.28, the employer did not 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 systems described in 29 CFR 1910.28(b)(1)(i):

a) The employer fails to ensure effective measures to prevent fall hazards of approximately six feet as demonstrated on or about August 23, 2023, in the Sawmill at the chipper, where an employee performs maintenance. To abate this hazard, the employer must ensure fall protection is in use when working in areas above 4 feet at the chipper.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from fall hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	March 06, 2024
Proposed Penalty:	\$152,100.00

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: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

Citation 2 Item 11 Type of Violation: **Willful - Serious**

29 CFR 1910.28(b)(6)(i): The employer did not ensure that each employee less than 4 feet (1.2 m) above dangerous equipment is protected from falling into or onto the dangerous equipment by a guardrail system or a travel restraint system, unless the equipment is covered or guarded to eliminate the hazard.

a) The employer fails to ensure effective measures to prevent fall hazards of less than one foot into or onto dangerous equipment as demonstrated on or about August 23, 2023, in the Sawmill at the chipper, where an employee performs maintenance. To abate this hazard, the employer must ensure employees are protected from falling into the blades of the chipper.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

March 06, 2024
\$152,100.00

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: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

Citation 2 Item 12 Type of Violation: **Willful - Serious**

29 CFR 1910.28(b)(1)(i): Except as provided elsewhere in this section 29 CFR 1910.28, the employer did not 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 systems described in 29 CFR 1910.28(b)(1)(i):

a) The employer fails to ensure effective measures to prevent fall hazards of approximately seventeen feet as demonstrated on or about August 23, 2023, in the Sawmill at the incline chip auger, where an employee climbs or walks to access the chipper vent port to clear jams. To abate this hazard, the employer must ensure fall protection is in use when working in areas above 4 feet at the incline chip auger.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from fall hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

March 06, 2024
\$161,323.00

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: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

Citation 2 Item 14 Type of Violation: **Willful - Serious**

29 CFR 1910.265(c)(4)(iv): Elevated platform(s), 4 feet or more from the floor level, were not provided with a standard railing:

a) The employer fails to ensure effective measures to present fall hazards of six feet as demonstrated on or about August 25, 2023, in the Planer Mill at the tilt hoist, where an employee works to straighten out boards. To abate this hazard, the employer must ensure that fall protection is in place at unprotected edges of the platform above 4 feet at the tilt hoist.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from fall hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

March 06, 2024
\$152,100.00

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: 1695169
Inspection Date(s): 08/24/2023 - 08/29/2023
Issuance Date: 02/21/2024



Citation and Notification of Penalty

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

Citation 2 Item 15 Type of Violation: **Willful - Serious**

29 CFR 1910.265(c)(18)(i): Means were not provided to guard against accidental injury to personnel at conveyor transfer, loading, or discharge point(s):

a) The employer fails to ensure effective measures to prevent amputation hazards as demonstrated on or about August 23, 2023, in the Sawmill at the incline auger, where employees work and access the Sawmill. To abate this hazard, the employer must ensure that guarding is in use around the screw conveyor or auger to the chip bin.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

March 06, 2024

Proposed Penalty:

\$161,323.00

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: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870

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

29 CFR 1910.178(l)(1)(i): The employer did not ensure that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (l):

- a) The employer fails to ensure effective measures to prevent struck by hazards as demonstrated on or about August 25, 2023, in the production areas, where employees move or operate powered industrial trucks. To abate this hazard, the employer must ensure operators are trained and evaluated prior to operating powered industrial trucks.
- b) The employer fails to ensure effective measures to prevent struck by hazards as demonstrated on or about August 25, 2023, in the Planer Mill, where employees move or operate powered industrial trucks. To abate this hazard, the employer must ensure operators are trained and evaluated prior to operating powered industrial trucks.

MDLG, Inc was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.178(l)(1)(i), which was contained in OSHA inspection number 1476807, citation number 1, item number 4(a) and was affirmed as a final order on November 23, 2021, with respect to the workplace located at 4 Cutrate Rd, Phenix City, AL.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the measures it is taking to ensure compliance, including an explanation of how these steps protect its employees from struck by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: **March 06, 2024**
Proposed Penalty: **\$20,280.00**

A handwritten signature in blue ink, appearing to read "JG13", written over a horizontal line.

Jose A. Gonzalez
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1141 Montlimar Drive
Suite 1006
Mobile, AL 36609



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: MDLG, Inc., dba Phenix Lumber Company and John Menza Dudley, Jr. and Leslie Elizabeth Dudley a.k.a Leslie D Greene
Inspection Site: 4 Cutrate Road, Phenix City, AL 36870
Issuance Date: 02/21/2024

Summary of Penalties for Inspection Number: 1695169

Citation 1 Item 1, Serious	\$12,676.00
Citation 1 Item 2, Serious	\$10,140.00
Citation 1 Item 3, Serious	\$10,140.00
Citation 1 Item 4, Serious	\$10,140.00
Citation 1 Item 5, Serious	\$16,131.00
Citation 2 Item 1a, Willful - Serious	\$161,323.00
Citation 2 Item 1b, Willful - Serious	\$0.00
Citation 2 Item 2a, Willful - Serious	\$161,323.00
Citation 2 Item 2b, Willful - Serious	\$0.00
Citation 2 Item 3a, Willful - Serious	\$161,323.00
Citation 2 Item 3b, Willful - Serious	\$0.00
Citation 2 Item 4a, Willful - Serious	\$161,323.00
Citation 2 Item 4b, Willful - Serious	\$0.00
Citation 2 Item 5a, Willful - Serious	\$161,323.00
Citation 2 Item 5b, Willful - Serious	\$0.00
Citation 2 Item 6a, Willful - Serious	\$161,323.00
Citation 2 Item 6b, Willful - Serious	\$0.00
Citation 2 Item 7, Willful - Serious	\$161,323.00
Citation 2 Item 8, Willful - Serious	\$161,323.00
Citation 2 Item 9, Willful - Serious	\$161,323.00
Citation 2 Item 10, Willful - Serious	\$152,100.00
Citation 2 Item 11, Willful - Serious	\$152,100.00
Citation 2 Item 12, Willful - Serious	\$161,323.00
Citation 2 Item 13a, Willful - Serious	\$161,323.00
Citation 2 Item 13b, Willful - Serious	\$0.00
Citation 2 Item 14, Willful - Serious	\$152,100.00
Citation 2 Item 15, Willful - Serious	\$161,323.00
Citation 3 Item 1, Repeat - Serious	\$20,280.00

TOTAL PROPOSED PENALTIES: \$2,471,683.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the

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

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

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

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

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

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

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



Jose A. Gonzalez
Area Director

02/21/2024

Date