

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
365 Smoke Tree Plaza  
North Aurora, IL 60542  
630-896-8700 Fax: 630-892-2160



## Citation and Notification of Penalty

**To:**  
Cleary Pallet Sales, Inc.  
32570 Genoa  
Genoa, IL 60135

**Inspection Number:** 1285828  
**Inspection Date(s):** 01/03/2018 - 06/28/2018  
**Issuance Date:** 06/29/2018

**Inspection Site:**  
32570 Genoa Road  
Genoa, IL 60135

*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. 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 on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on OSHA Penalty Payment Form. 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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 06/29/2018. The conference will be held by telephone or at the OSHA office located at 365 Smoke Tree Plaza, North Aurora, IL 60542 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1285828**

Company Name: Cleary Pallet Sales, Inc.  
Inspection Site: 32570 Genoa Road, Genoa, IL 60135  
Issuance Date: 06/29/2018

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, 365 Smoke Tree Plaza, North Aurora, IL 60542**

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

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**Issuance Date:** 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

29 CFR 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program, as described in paragraphs (c) through (o) of this section, where employee noise exposures equaled or exceeded an 8 hour time weighted average sound level (TWA) of 85 decibels measured on the A scale (slow response), or equivalently, a dose of fifty percent:

On or about January 26, 2018, employees were exposed to elevated noise levels while repurposing wood pallets. The employer did not administer a continuing, effective hearing conservation program where employee noise exposures equaled or exceeded an 8 hour time weighted average sound level (TWA) of 85 decibels:

- 1) An employee using a band saw to disassemble wooden pallets was exposed to an 8-hour TWA noise level of 96.6 dBA measured on the A scale with a dose of 249% during a 320 minute sampling period assuming zero exposure for the unsampled 160 minutes.
- 2) An employee using a table saw to disassemble wooden pallets in the saw room was exposed to an 8-hour TWA noise level of 87.7 dBA measured on the A scale with a dose of 72.9% during a 315 minute sampling period assuming zero exposure for the unsampled 165 minutes.

Abatement documentation is required for this item in accordance with 29 CFR 1903.19(d).

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**08/20/2018**  
**\$5691.00**

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

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**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
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**Citation 1 Item 2** Type of Violation: **Serious**

29 CFR 1910.134(d)(1)(iii): When the employer was unable to identify or reasonably estimate the employee exposure, the employer did not consider the atmosphere to be Immediately Dangerous to Life or Health (IDLH):

- 1) On January 2, 2018, the employer failed to estimate employee exposure to carbon monoxide (CO) in the production areas. Despite alarms from CO detectors, the employer failed to consider the workplace atmosphere to be IDLH. Employee(s) were exposed to CO levels exceeding the 8-hour time weighted average (TWA) of 50 ppm.
- 2) On January 3, 2018, the employer failed to estimate employee exposure to carbon monoxide (CO) in the production areas. Despite alarms from CO detectors, the employer failed to consider the workplace atmosphere to be IDLH. Employee(s) were exposed to CO levels exceeding the 8-hour time weighted average (TWA) of 50 ppm.
- 3) On January 4, 2018, the employer failed to estimate employee exposure to carbon monoxide (CO) in the production areas. Despite alarms from CO detectors, the employer failed to consider the workplace atmosphere to be IDLH. Employee(s) were exposed to CO levels exceeding the 8-hour time weighted average (TWA) of 50 ppm.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**08/20/2018**  
**\$5691.00**

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

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**Issuance Date:** 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

29 CFR 1910.304(f)(1)(iv): Overcurrent devices for circuits rated 600 volts, nominal, or less, were located in the vicinity of easily ignitable material:

On or about January 3, 2018, the employer did not ensure that circuit breaker panelboards in the pallet disassembly area were mounted in locations where, in the course of their operation, they would be safe from igniting accumulations of wood dust.

Abatement certification is required for this item in accordance with the requirements of 29 CFR 1903.19(c).

<b>Date By Which Violation Must be Abated:</b>	<b>08/20/2018</b>
<b>Proposed Penalty:</b>	<b>\$4065.00</b>

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**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
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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 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

On or about January 2, 2018, the employer did not develop a written hazard communication program when employees were working with hazardous chemicals such as, but not limited to, propane and carbon monoxide.

All provisions of 29 CFR 1910.1200(e) through (h) must be covered in a written hazard communication program. Key elements include, but are not limited to the following:

- 1) Chemical inventory list
- 2) Safety Data Sheets (SDS)
- 3) Labeling of containers
- 4) Employee information and training

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**08/20/2018**  
**\$5691.00**

**U.S. Department of Labor**  
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**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

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

On or about January 2, 2018, the employer did not provide employees with effective information and training on the hazardous chemicals in their work areas at the time of their initial assignment or whenever a new hazardous chemical was introduced to the work area. Employees working in the production area worked with hazardous chemicals such as, but not limited to, propane and carbon monoxide.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

**Date By Which Violation Must be Abated:**

**08/20/2018**

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**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

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

On or about January 3, 2018 through January 5, 2018, the employer did not remove from service three powered industrial trucks that were found to be in need of repair. After being instructed by the fire department and the gas utility company to service and/or repair the forklifts, the employer continued to operate one Yale and two Clark forklifts while they were in need of repairs including, muffler replacement, spark plug replacement, and fuel mixing diaphragm replacement and adjustments. Operators and other employees were exposed to fire and respiratory hazards.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

<b>Date By Which Violation Must be Abated:</b>	<b>08/20/2018</b>
<b>Proposed Penalty:</b>	<b>\$71135.00</b>



### Citation and Notification of Penalty

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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**

29 CFR 1910.1000(a)(2): Employee(s) were exposed to an airborne concentration of carbon monoxide listed in Table Z-1 in excess of the 8 hour Time Weighted Average concentration of 50 ppm:

- 1) On or about January 2, 2018, the employer did not ensure that employee(s) exposed to carbon monoxide did not exceed 50 ppm for an 8-hour time weighted average (TWA). An employee sorting boards in the saw room was exposed to carbon monoxide at an 8-hour TWA of 513.4 ppm, approximately 10.27 times the permissible exposure limit of 50 ppm. The carbon monoxide level was derived from blood carboxyhemoglobin levels.
- 2) On or about January 2, 2018, the employer did not ensure that employee(s) exposed to carbon monoxide did not exceed 50 ppm for an 8-hour time weighted average (TWA). An employee disassembling pallets in the shop area was exposed to carbon monoxide at an 8-hour TWA of 344.4 ppm, approximately 6.89 times the permissible exposure limit of 50 ppm. The carbon monoxide level was derived from blood carboxyhemoglobin levels.
- 3) On or about January 2, 2018, the employer did not ensure that employee(s) exposed to carbon monoxide did not exceed 50 ppm for an 8-hour time weighted average (TWA). An employee sorting boards in the saw room was exposed to carbon monoxide at an 8-hour TWA of 214.9 ppm, approximately 4.30 times the permissible exposure limit of 50 ppm. The carbon monoxide level was derived from blood carboxyhemoglobin levels.
- 4) On or about January 4, 2018, the employer did not ensure that employee(s) exposed to carbon monoxide did not exceed 50 ppm for an 8-hour time weighted average (TWA). An employee sorting boards in the saw room was exposed to carbon monoxide at an 8-hour TWA of 113.4 ppm, approximately 2.27 times the permissible exposure limit of 50 ppm. The carbon monoxide level was derived from blood carboxyhemoglobin levels.

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:** Cleary Pallet Sales, Inc.  
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- 5) On or about January 4, 2018, the employer did not ensure that employee(s) exposed to carbon monoxide did not exceed 50 ppm for an 8-hour time weighted average (TWA). An employee assembling pallets in the shop area was exposed to carbon monoxide at an 8-hour TWA of 235.8 ppm, approximately 4.72 times the permissible exposure limit of 50 ppm. The carbon monoxide level was derived from blood carboxyhemoglobin levels.
- 6) On or about January 4, 2018, the employer did not ensure that employee(s) exposed to carbon monoxide did not exceed 50 ppm for an 8-hour time weighted average (TWA). An employee assembling pallets in the shop area was exposed to carbon monoxide at an 8-hour TWA of 225 ppm, approximately 4.50 times the permissible exposure limit of 50 ppm. The carbon monoxide level was derived from blood carboxyhemoglobin levels.
- 7) On or about January 4, 2018, the employer did not ensure that employee(s) exposed to carbon monoxide did not exceed 50 ppm for an 8-hour time weighted average (TWA). An employee disassembling pallets in the shop area was exposed to carbon monoxide at an 8-hour TWA of 214.1 ppm, approximately 4.28 times the permissible exposure limit of 50 ppm. The carbon monoxide level was derived from blood carboxyhemoglobin levels.
- 8) On or about January 4, 2018, the employer did not ensure that employee(s) exposed to carbon monoxide did not exceed 50 ppm for an 8-hour time weighted average (TWA). An employee sorting boards in the saw room was exposed to carbon monoxide at an 8-hour TWA of 174.6 ppm, approximately 3.49 times the permissible exposure limit of 50 ppm. The carbon monoxide level was derived from blood carboxyhemoglobin levels.
- 9) On or about January 4, 2018, the employer did not ensure that employee(s) exposed to carbon monoxide did not exceed 50 ppm for an 8-hour time weighted average (TWA). An employee sorting boards in the saw room was exposed to carbon monoxide at an 8-hour TWA of 70.9 ppm, approximately 1.42 times the permissible exposure limit of 50 ppm. The carbon monoxide level was derived from blood carboxyhemoglobin levels.
- 10) On or about January 4, 2018, the employer did not ensure that employee(s) exposed to carbon monoxide did not exceed 50 ppm for an 8-hour time weighted average (TWA). An employee sorting boards in the saw room was exposed to carbon monoxide at an 8-hour TWA of 107.2 ppm, approximately 2.14 times the permissible exposure limit of 50 ppm. The carbon monoxide level was

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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**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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derived from blood carboxyhemoglobin levels.

11) On or about January 4, 2018, the employer did not ensure that employee(s) exposed to carbon monoxide did not exceed 50 ppm for an 8-hour time weighted average (TWA). An employee working in the front office was exposed to carbon monoxide at an 8-hour TWA of 108.0 ppm, approximately 2.16 times the permissible exposure limit of 50 ppm. The carbon monoxide level was derived from blood carboxyhemoglobin levels.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**08/20/2018**  
**\$71135.00**



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

29 CFR 1910.1000(e): Feasible administrative or engineering controls were not determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000(a) through (d):

- 1) On or about January 2, 2018, the employer failed to implement an effective combination of engineering and work practice controls to reduce and maintain employee(s) exposures to carbon monoxide to or below 50 parts per million or less.
  - a) An employee sorting boards in the saw room area was exposed to carbon monoxide at an 8-hour TWA of 513.4 ppm, approximately 10.27 times the permissible exposure limit.
  - b) An employee disassembling pallets in the shop area was exposed to carbon monoxide at an 8-hour TWA of 344.4 ppm, approximately 6.89 times the permissible exposure limit.
  - c) An employee sorting boards in the saw room was exposed to carbon monoxide at an 8-hour TWA of 214.9 ppm, approximately 4.30 times the permissible exposure limit.
- 2) On or about January 4, 2018, the employer failed to implement an effective combination of engineering and work practice controls to reduce and maintain employee(s) exposures to carbon monoxide to or below 50 parts per million or less.
  - a) An employee sorting boards in the saw room was exposed to carbon monoxide at an 8-hour TWA of 113.4 ppm, approximately 2.27 times the permissible exposure limit.
  - b) An employee assembling pallets in the shop area was exposed to carbon monoxide at an 8-hour TWA of 235.8 ppm, approximately 4.72 times the permissible exposure limit.
  - c) An employee assembling pallets in the shop area was exposed to carbon monoxide at an 8-hour TWA of 225 ppm, approximately 4.50 times the permissible exposure limit.
  - d) An employee disassembling pallets in the shop area was exposed to carbon monoxide at an 8-hour TWA of 214.1 ppm, approximately 4.28 times the permissible exposure limit.

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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- e) An employee sorting boards in the saw room was exposed to carbon monoxide at an 8-hour TWA of 174.6 ppm, approximately 3.49 times the permissible exposure limit.
- f) An employee sorting boards in the saw room was exposed to carbon monoxide at an 8-hour TWA of 70.9 ppm, approximately 1.42 times the permissible exposure limit.
- g) An employee sorting boards in the saw room was exposed to carbon monoxide at an 8-hour TWA of 107.2 ppm, approximately 2.14 times the permissible exposure limit.
- h) An employee working in the front office was exposed to carbon monoxide at an 8-hour TWA of 108.0 ppm, approximately 2.16 times the permissible exposure limit.

Methods of engineering and work practice controls include but are not limited to:

1. Seek the expertise of a competent individual such as an engineer or certified industrial hygienist to assess existing controls and work practices, obtain recommendations to improve existing controls and work practices, and prepare documentation for the successful installation of recommended equipment or modifications.
2. Repair, replace or otherwise tune, by a professional service, any and all propane-powered forklifts, ensuring compliance with current and/or applicable emission controls criteria and standards for Powered Industrial Vehicles. Implement and adhere to a forklift preventative maintenance schedule.
3. Assess production necessities and necessities as well as the spatial arrangement of the various work stations to optimize and reduce the duration of time propane-powered forklifts are operated indoors.
4. Replace propane-powered forklifts with electric / battery-powered forklifts and/or bulk moving equipment.
5. Repair, replace or otherwise tune any and all natural gas-powered space-heating equipment, ensuring compliance with current and/or applicable emission controls criteria and standards. Ensure proper ventilation of exhaust gas to the outdoors.



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6. Install improved mechanical ventilation in the work areas.
7. Evaluate employee work practices. Develop policies geared towards minimizing use of forklifts in enclosed areas and minimize idling of forklifts.

**ABATEMENT NOTE:**

**STEP 1:** Effective training on the recognition, signs and symptoms of Carbon Monoxide shall be provided to affected employees along with development of policies geared towards minimizing the idling of forklifts.

**Abatement Date:** 15 days from the citation issuance date

**STEP 2:** A written, detailed plan of abatement shall be submitted to the Area Director outlining a schedule for the implementation of engineering controls and work practice measures to control employee exposures to carbon monoxide, as referenced in the citation. This plan shall include, at a minimum, target dates for the following action, which must be consistent with the dates required by this citation:

- (1) Evaluation of engineering and work practices.
- (2) Selection of the optimum combination of engineering controls and work practices.
- (3) Installation and operation of the optimum engineering controls and work practices.
- (4) Testing and acceptance, or modification/redesign of engineering controls and work practices.

**Abatement Date:** 60 days from the citation issuance date

**STEP 3:** Abatement shall have been completed by the implementation of feasible engineering / administrative controls and/or work practice changes, upon verification of their effectiveness in achieving compliance

**Abatement Date:** 90 days from the citation issuance date.

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Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

**Date By Which Violation Must be Abated:**

**08/20/2018**

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**Company Name:** Cleary Pallet Sales, Inc.  
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**Citation 3 Item 1** Type of Violation: **Repeat**

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

On or about January 2, 2018, the employer did not ensure that each powered industrial truck operator was evaluated on their competency to operate a powered industrial truck safely at least once every 3 years.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

The employer was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 942954, citation number 1, item number 2 and was affirmed as a final order on December 3, 2013, with respect to a workplace located at 32570 Genoa Road in Genoa, Illinois 60135.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**08/20/2018**  
**\$9756.00**

A handwritten signature in black ink that reads "Jacob Scott".

**Jacob Scott**  
Area Director

U.S. Department of Labor  
Occupational Safety and Health Administration  
365 Smoke Tree Plaza  
North Aurora, IL 60542  
630-896-8700 Fax: 630-892-2160



## INVOICE / DEBT COLLECTION NOTICE

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135  
**Issuance Date:** 06/29/2018

<b>Summary of Penalties for Inspection Number</b>	<b>1285828</b>
<b>Citation 1, Serious</b>	<b>\$21138.00</b>
<b>Citation 2, Willful</b>	<b>\$142270.00</b>
<b>Citation 3, Repeat</b>	<b>\$9756.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$173164.00</b>

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 on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. 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 2 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.

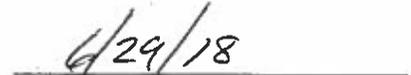
**Interest:** Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (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.



Jacob Scott  
Area Director



Date

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
365 Smoke Tree Plaza  
North Aurora, IL 60542  
630-896-8700 Fax: 630-892-2160



## Citation and Notification of Penalty

**To:**  
Cleary Pallet Sales, Inc.  
32570 Genoa  
Genoa, IL 60135

**Inspection Number:** 1292249  
**Inspection Date(s):** 02/02/2018 - 06/28/2018  
**Issuance Date:** 06/29/2018

**Inspection Site:**  
32570 Genoa Road  
Genoa, IL 60135

*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. 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 on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on OSHA Penalty Payment Form. 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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 06/29/2018. The conference will be held by telephone or at the OSHA office located at 365 Smoke Tree Plaza, North Aurora, IL 60542 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1292249**

Company Name: Cleary Pallet Sales, Inc.  
Inspection Site: 32570 Genoa Road, Genoa, IL 60135  
Issuance Date: 06/29/2018

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, 365 Smoke Tree Plaza, North Aurora, IL 60542**

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: 1292249  
Inspection Date(s): 02/02/2018 - 06/28/2018  
Issuance Date: 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

29 CFR 1910.178(q)(7): Industrial trucks shall be examined before being placed in service, and shall not be placed in service if the examination shows any condition adversely affecting the safety of the vehicle. Such examination shall be made at least daily. Where industrial trucks are used on a round-the-clock basis, they shall be examined after each shift. Defects when found shall be immediately reported and corrected:

On or about February 2, 2018, the employer failed to ensure that all powered industrial trucks were properly inspected and removed from service if any safety conditions were found. On the Yale Powered Industrial Vehicle, the strap that holds the propane bottle to the powered industrial vehicle was broken and was not holding the bottle in place. This exposed the employee who was operating the PIV and also all employees who were in the vicinity to a fire and explosion hazard.

Abatement documentation is required for this item in accordance with 29 CFR 1903.19(d).

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/08/2018  
\$3252.00

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

**Inspection Number:** 1292249  
**Inspection Date(s):** 02/02/2018 - 06/28/2018  
**Issuance Date:** 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

29 CFR 1910.212(a)(3)(ii): The point of operation of machines whose operation exposes an employee to injury, shall be guarded. The guarding device shall be in conformity with any appropriate standards therefor, or, in the absence of applicable specific standards, shall be so designed and constructed as to prevent the operator from having any part of his body in the danger zone during the operating cycle:

On or about February 2, 2018, the employer failed to guard the point(s) of operation of the band saws to prevent employee(s) from having any part of their body in the danger zone(s) during the operating cycle(s). Employees are required to cut the nails holding the pallets together on a daily basis throughout the day.

Abatement documentation is required for this item in accordance with 29 CFR 1903.19(d).

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**08/08/2018**  
**\$5691.00**

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

**Inspection Number:** 1292249  
**Inspection Date(s):** 02/02/2018 - 06/28/2018  
**Issuance Date:** 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

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

29 CFR 1910.213(c)(1): Each circular hand-fed rip saw shall be guarded by a hood which shall completely enclose that portion of the saw above the table and that portion of the saw above the material being cut:

On or about February 2, 2018, the employer failed to effectively guard the rip saw blades. The rip saw saw(s) did not have/were not provided with an upper hood that completely enclosed the upper portion of the blade. This exposed employees to caught-in and amputation hazards while feeding material over the circular saw blade.

Abatement documentation is required in accordance with 29 CFR 1903.19(d).

<b>Date By Which Violation Must be Abated:</b>	<b>08/08/2018</b>
<b>Proposed Penalty:</b>	<b>\$4065.00</b>

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

**Inspection Number:** 1292249  
**Inspection Date(s):** 02/02/2018 - 06/28/2018  
**Issuance Date:** 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

29 CFR 1910.213(e)(1): Each circular resaw shall be guarded by a hood or shield of metal above the saw. This hood or shield shall be so designed as to guard against danger from flying splinters or broken saw teeth:

On February 2, 2018, the employer failed to properly guard machines in the production area to prevent employees from the point of operation while the machine was in operation:

- a. Dismantler Re-saws- The existing guarding for five such machines did not protect the employees from inadvertently contacting the saw blade during operation. The blades were exposed as the safety guard could not self-adjust to protect the employees operating the machine from amputation.
- b. Knotcher- The existing guarding did not prevent employees from inadvertently contacting the rotating blade during operation, therefore exposing them to an amputation hazard.

Abatement documentation is required for this item in accordance with 29 CFR 1903.19(d).

**Date By Which Violation Must be Abated:**

**08/08/2018**

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

**Inspection Number:** 1292249  
**Inspection Date(s):** 02/02/2018 - 06/28/2018  
**Issuance Date:** 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

29 CFR 1910.213(i)(1): All portions of the saw blade shall be enclosed or guarded, except for the working portion of the blade between the bottom of the guide rolls and the table.

On February 2, 2018, the employer failed to guard the saw blades on the two Brew Co. E-Z Cut re-saw machines. The blades of the machines were not guarded to prevent employees from inadvertent contact during the operating cycle of the machine, therefore exposing employees to an amputation hazard.

Abatement documentation is required for this item in accordance with 29 CFR 1903.19(d).

Date By Which Violation Must be Abated:

08/08/2018

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

**Inspection Number:** 1292249  
**Inspection Date(s):** 02/02/2018 - 06/28/2018  
**Issuance Date:** 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

**Citation 1 Item 4** 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:

On or about February 2, 2018, employees were exposed to caught-in hazards as the employer failed to guard sprocket and chain assemblies on the following machines:

- a. Brew Co. Re-saw- The chain and sprocket did not have adequate enclosure.
- b. Dismantler- Multiple chains and sprockets did not have adequate enclosures.
- c. Knotcher- The chain and sprocket did not have adequate enclosure.

Abatement documentation is required for this item in accordance with 29 CFR 1903.19(d)

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**08/08/2018**  
**\$4065.00**

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

**Inspection Number:** 1292249  
**Inspection Date(s):** 02/02/2018 - 06/28/2018  
**Issuance Date:** 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

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

29 CFR 1910.305(g)(1)(iii): If used as permitted in paragraphs (g)(1)(ii)(C), (g)(1)(ii)(G), or (g)(1)(ii)(I) of this section, the flexible cord shall be equipped with an attachment plug and shall be energized from an approved receptacle outlet:

On or about February 2, 2018, the employer failed to provide the appropriate plug attachments for the flexible cords. The flexible cords were not equipped with an attachment plug and energized from an approved receptacle outlet. This exposed employees to a fire hazard.

Abatement documentation is required in accordance with 29 CFR 1903.19(d).

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/08/2018  
\$3252.00

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

**Inspection Number:** 1292249  
**Inspection Date(s):** 02/02/2018 - 06/28/2018  
**Issuance Date:** 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables shall be connected to devices and fittings so that strain relief is provided that will prevent pull from being directly transmitted to joints or terminal screws.

On or about February 2, 2018, the employer failed to ensure that flexible cords and cables were connected to devices and fittings so that strain relief was provided that would prevent pull from being directly transmitted to joints or terminal screws. This exposed employees to electric shock and/or burns in the event the cord was pulled from the wire terminals.

Abatement documentation is required for this item in accordance with 29 CFR 1903.19(d).

**Date By Which Violation Must be Abated:**

**08/08/2018**

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

**Inspection Number:** 1292249  
**Inspection Date(s):** 02/02/2018 - 06/28/2018  
**Issuance Date:** 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

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

29 CFR 1910.305(a)(2)(v)(C): No branch-circuit conductor may be laid on the floor:

On or about February 2, 2018 the employer did not ensure that flexible cords used in the workplace were protected from accidental damage. There were flexible cords running through the walkways where employees walk and work throughout the day. This exposed employees to burns from arcing and electrical fires and also shock hazards.

Abatement documentation is required for this item in accordance with 29 CFR 1903.19(d).

Date By Which Violation Must be Abated:	08/08/2018
Proposed Penalty:	\$3252.00

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

**Inspection Number:** 1292249  
**Inspection Date(s):** 02/02/2018 - 06/28/2018  
**Issuance Date:** 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

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

On or about February 2, 2018, throughout the production area flexible cords were used as a substitute for fixed wiring. This exposed employees to burns from arcing and electrical fires.

Abatement documentation is required for this item in accordance with 29 CFR 1903.19(d).

**Date By Which Violation Must be Abated:**

**08/08/2018**

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

Inspection Number: 1292249  
Inspection Date(s): 02/02/2018 - 06/28/2018  
Issuance Date: 06/29/2018



**Citation and Notification of Penalty**

Company Name: Cleary Pallet Sales, Inc.  
Inspection Site: 32570 Genoa Road, Genoa, IL 60135

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

29 CFR 1910.334(a)(2)(i): Portable cord and plug connected equipment and flexible cord sets (extension cords) shall be visually inspected before use on any shift for external defects (such as loose parts, deformed and missing pins, or damage to outer jacket or insulation) and for evidence of possible internal damage (such as pinched or crushed outer jacket).

On or about February 2, 2018, flexible power cords in the production area had splicing and/or were covered with tape, masking repairs, and there was evidence of the outer insulation jacket being pinched. These cords were not subject to adequate inspection or identified for removal. This exposed employees to arcing and electrical fires.

Abatement documentation is required for this item in accordance with 29 CFR 1903.19(d)

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/08/2018  
\$3252.00

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

Inspection Number: 1292249  
Inspection Date(s): 02/02/2018 - 06/28/2018  
Issuance Date: 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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: Repeat**

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:

On or about February 2, 2018, the employer did not develop, document and utilize energy control (lockout/tagout) procedures. Employees were not required to isolate and render equipment inoperable before performing maintenance and servicing on pallet band saws, a compressor, and a baler, including saw blade changes.

Abatement documentation is required for this item in accordance with 29 CFR 1903.19(d).

The Cleary Pallet Sales, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.147(c)(1), which was contained in OSHA inspection number 942954, citation number 1, item number 1 and was affirmed as a final order on December 3, 2013, with respect to a workplace located at 32570 Genoa Rd. Genoa, IL. 60135.

Date By Which Violation Must be Abated:	08/08/2018
Proposed Penalty:	\$8130.00

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

**Inspection Number:** 1292249  
**Inspection Date(s):** 02/02/2018 - 06/28/2018  
**Issuance Date:** 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

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

On or about February 2, 2018, the employer did not ensure a periodic inspection of energy control (lockout/tagout) procedures. Employees were not required to isolate and render equipment inoperable before performing maintenance and servicing on pallet band saws, a compressor, forklifts and a baler, including saw blade changes.

Abatement documentation is required for this item in accordance with 29 CFR 1903.19(d).

The Cleary Pallet Sales, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.147(c)(1), which was contained in OSHA inspection number 942954, citation number 1, item number 1 and was affirmed as a final order on December 3, 2013, with respect to a workplace located at 32570 Genoa Rd. Genoa, IL. 60135.

**Date By Which Violation Must be Abated:**

**08/08/2018**

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

Inspection Number: 1292249  
Inspection Date(s): 02/02/2018 - 06/28/2018  
Issuance Date: 06/29/2018



**Citation and Notification of Penalty**

**Company Name:** Cleary Pallet Sales, Inc.  
**Inspection Site:** 32570 Genoa Road, Genoa, IL 60135

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

29 CFR 1910.147(c)(7)(i): The employer shall provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage, and removal of the energy controls are acquired by employees:

On or about February 2, 2018, the employer did not provide employees with training to ensure that employees performing servicing and maintenance acquired the knowledge and skills necessary to safely isolate hazardous energy sources. Employees were not required to isolate and render equipment inoperable before performing maintenance and servicing on pallet band saws, forklifts, a compressor, and a baler, including saw blade changes.

Abatement documentation is required for this item in accordance with 29 CFR 1903.19(d).

The Cleary Pallet Sales, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.147(c)(1), which was contained in OSHA inspection number 942954, citation number 1, item number 1 and was affirmed as a final order on December 3, 2013, with respect to a workplace located at 32570 Genoa Rd. Genoa, IL. 60135.

Date By Which Violation Must be Abated:

08/08/2018

Proposed Penalty:

\$8130.00

A handwritten signature in black ink, appearing to read "J Scott", written over a horizontal line.

**Jacob Scott**  
Area Director

U.S. Department of Labor  
Occupational Safety and Health Administration  
365 Smoke Tree Plaza  
North Aurora, IL 60542  
630-896-8700 Fax: 630-892-2160



## INVOICE / DEBT COLLECTION NOTICE

Company Name: Cleary Pallet Sales, Inc.  
Inspection Site: 32570 Genoa Road, Genoa, IL 60135  
Issuance Date: 06/29/2018

Summary of Penalties for Inspection Number	1292249
Citation 1, Serious	\$26829.00
Citation 2, Repeat	\$16260.00
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$43089.00</b>

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 on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. 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 2 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.

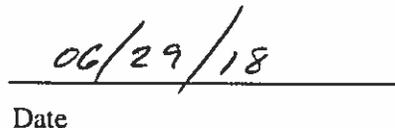
**Interest:** Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (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.



**Jacob Scott**  
Area Director



Date