

U.S. Department of Labor Occupational Safety and Health Administration
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131



07/19/2018

Polystar Inc., dba Polystar Containment
1676 Commerce Drive
Stow, OH 44224

Dear Employer,

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000) revised 2015, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at 216-447-4194.

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

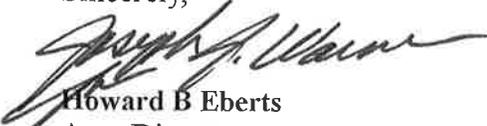
As indicated on page 6 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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

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

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

Sincerely,



Howard B Eberts
Area Director

Enclosures

U.S. Department of Labor
Occupational Safety and Health Administration
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131



Citation and Notification of Penalty

To:
Polystar Inc., dba Polystar Containment
and its successors
1676 Commerce Drive
Stow, OH 44224

Inspection Number: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018

Inspection Site:
1676 Commerce Drive
Stow, OH 44224

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 216-447-4194. 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. 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. 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 07/19/2018. The conference will be held by telephone or at the OSHA office located at 6393 Oak Tree Blvd, Suite 203, Independence, OH 44131 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1289927

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224
Issuance Date: 07/19/2018

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, 6393 Oak Tree Blvd, Suite 203, Independence, OH 44131**

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: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.94(a)(7): Abrasive blasting dust(s) were permitted to accumulate on the floor or on ledges outside of the abrasive blasting enclosure(s):

On or about January 25, 2018, the employer had blasting dust escaping from openings in the booth which permitted it to accumulate on the floor and ledges below.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/30/2018
Proposed Penalty:	\$7114.00

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: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

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

The employer did not develop and implement a monitoring program for employees exposed to 8-hour time-weighted average (TWA) sound levels of 85 dBA or greater (50%).

a) On February 1, 2018, the Fiberglass Fabricator in the Fabrication Shop was exposed to continuous noise levels at 73.9% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 457 minute sampling period. Exposure calculations include a zero increment for the 23 minutes not sampled. The employer had not developed or implemented a monitoring program to assess employee noise level exposures in the area.

b) On February 1, 2018, the Fiberglass Fabricator in the Fabrication Shop was exposed to continuous noise levels at 85.6% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 450 minute sampling period. Exposure calculations include a zero increment for the 30 minutes not sampled. The employer had not developed or implemented a monitoring program to assess employee noise level exposures in the area.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$9959.00



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.95(i)(2)(ii)(A): The employer did not ensure that hearing protectors are worn by any employee who is exposed to an 8-hour time-weighted average of 85 decibels or greater and has not yet had a baseline audiogram established pursuant to 29 CFR 1910.95(g)(5)(ii):

- a) On February 1, 2018, the Fiberglass Fabricator in the Fabrication Shop was exposed to continuous noise levels at 73.9% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 457 minute sampling period. Exposure calculations include a zero increment for the 23 minutes not sampled. The employer did not ensure employees wore hearing protection when required. The employee has been employed with the company for 10 months and has not had a baseline audiogram established.
- b) On February 1, 2018, the Welder in the Steel Shop was exposed to continuous noise levels at 82.5% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 457 minute sampling period. Exposure calculations include a zero increment for the 23 minutes not sampled. The employer did not ensure employees wore hearing protection when required. The employee has been employed with the company for 7 months and has not had a baseline audiogram established.
- c) On February 1, 2018, the Welder in the Steel Shop was exposed to continuous noise levels at 71.7% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 466 minute sampling period. Exposure calculations include a zero increment for the 14 minutes not sampled. The employer did not ensure employees wore hearing protection when required. The employee has been employed with the company for 3 years and has not had a baseline audiogram established.

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: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

d) On February 1, 2018, the Fiberglass Fabricator in the Fabrication Shop was exposed to continuous noise levels at 85.6% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 450 minute sampling period. Exposure calculations include a zero increment for the 30 minutes not sampled. The employer did not ensure employees wore hearing protection when required. The employee has been employed with the company for 4 months and has not had a baseline audiogram established.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$9959.00

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: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.106(e)(2)(ii)(b)(2): The quantity of Category 2, 3 or 4 flammable liquid located outside of an inside storage room or storage cabinet in a building or in any one fire area of a building exceeded 120 gallons:

On or about January 25, 2018, the employer had 490 gallons of Category 2, 3 and/or 4 flammable liquid stored throughout the fiberglass department.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

07/30/2018
\$5691.00

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: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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 1910.134(c)(1)(vi): The written program did not contain procedures to ensure adequate air quality, quantity, and flow of breathing air for atmosphere-supplying respirators:

On or about January 25, 2018, the employer did not have procedures in the written respiratory protection program that ensured the supplied air respirator hooked to an air compressor was supplying adequate grade D air.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/30/2018
Proposed Penalty:	\$9959.00

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: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.134(i)(1)(ii): Compressed breathing air shall meet at least the requirements for Grade D breathing air described in ANSI/Compressed Gas Association Commodity Specification for Air, G-7.1-1989, to include:

- (A): Oxygen content (v/v) of 19.5-23.5%;
- (B): Hydrocarbon (condensed) content of 5 milligrams per cubic meter of air or less;
- (C): Carbon monoxide (CO) content of 10 ppm or less;
- (D): Carbon dioxide content of 1,000 ppm or less; and
- (E): Lack of noticeable odor.

On or about January 25, 2018, the employer did not ensure the compressed breathing air supplied to a supply air respirator met the requirements set forth in the ANSI Specifications used by the shot blasters.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/30/2018

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

Inspection Number: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.134(i)(5)(iv): The employer did not ensure that the person authorized to perform the necessary sorbent bed and filter changes filled out a tag indicating by the signature and date that maintenance changes were performed:

On or about January 25, 2018, the employer did not complete the maintenance tag on the sorbent bed with the date filter changes were performed.

Date By Which Violation Must be Abated:

Corrected During Inspection

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: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.134(i)(7): Oil lubricated compressor(s) used to supply breathing air did not have a high-temperature or carbon monoxide alarm(s) or both:

On or about January 25, 2018, the company's oil-lubricated compressor did not have a carbon monoxide alarm to monitor the supplied air being provided to the blaster.

Date By Which Violation Must be Abated:

Corrected During Inspection

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: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator, before the employee was fit tested or required to use the respirator in the workplace:

On or about January 25, 2018, employees were required to wear a supplied air respirator Nova 3 respiratory protection while blasting and had not first received a medical evaluation.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$9959.00

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: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.134(f)(1): The employer did not ensure that employee(s) required to use a tight-fitting facepiece respirator passed the appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT):

On or about January 25, 2018, employees were required to wear N-95 respiratory protection under there supplied air respirator Nova 3 while blasting and had not first received a fit test.

Date By Which Violation Must be Abated:

Corrected During Inspection

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: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

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

29 CFR 1910.134(g)(2)(ii)(B): The employer did not ensure that employees left the respirator use area when employees detected vapor or gas breakthrough, changes in breathing resistance, or leakage of the facepiece:

Between January 25, 2018 and February 1, 2018, the employer did not ensure employees using a supplied air respirator in the blasting booth left the area when leakage of the facepiece occurred to include insufficient air flow through the filters causing dust to build up inside the respirator.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 07/30/2018
Proposed Penalty: \$9959.00

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: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.134(g)(2)(iii): The employer did not repair or replace the respirator before allowing an employee to return to the work area when the employee detected vapor or gas breakthrough, changes in breathing resistance, or leakage of the facepiece:

Between January 25, 2018 and February 1, 2018, the employer did not repair or replace the supplied air respirator when leakage of the facepiece occurred to include insufficient air flow through the filters causing dust to build up inside the respirator.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/30/2018

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: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.138(a): Appropriate hand protection was not used when employee's hands were exposed to hazards such as those from skin absorption of harmful substances; severe cuts or lacerations; severe abrasions; punctures; chemical burns; thermal burns; and harmful temperature extremes.

On or about February 1, 2018, the employer did not enforce the use of chemical resistant gloves. Employees were observed using acetone to remove dried resin from the skin.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/30/2018
Proposed Penalty:	\$4268.00

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: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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 9 a Type of Violation: **Serious**

29 CFR 1910.1000(c): Employee(s) were exposed to total dust in excess of the 8-hour time weighted average limits of 15.0 mg/m³ listed in Table Z-3;

On or about February 22, 2018, the blaster working in the Blasting Booth with Indian Garnet was exposed to total dust at a time-weighted average (TWA) of 332.147 mg/m³ which is approximately 22.143 times the permissible exposure limit (PEL) of 15.0 mg/m³, for 425 minutes. Zero exposure is assumed for the time not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/23/2018
Proposed Penalty: \$9959.00

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: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

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

For the employees including, but not limited to , those as described in Citation 1, Item 9(a).

On or about February 22, 2018, the blaster working in the Blasting Booth with Indian Garnet was exposed to total dust at a time-weighted average (TWA) of 332.147 mg/m³ which is approximately 22.143 times the permissible exposure limit (PEL) of 15.0 mg/m³, for 425 minutes. Zero exposure is assumed for the time not sampled.

General methods of control applicable in these circumstances include, but are not limited to, the following:

- 1) Installing a downdraft exhaust system at the manual abrasive blasting booth that averages 80 fpm over the entire floor.
- 2) Installing a cross ventilation system at the manual abrasive blasting booth that averages 100 fpm velocity over the vertical cross section of the room.
- 3) Administratively rotate employees to insure that exposures are below the allowable exposure limits for all air contaminants involved.
- 4) Provide adequate respiratory protection to prohibit abrasive blasters from inhaling the dust.

STEP 1: Effective respiratory protection shall be provided and used by exposed employees as an interim protective measure until feasible engineering and/or administrative controls can be implemented, or whenever such controls fail to reduce employee exposure to the respirable dust permissible exposure limits. Abatement period by (5 working days)

STEP 2: Submit to the area director a written, detail plan of abatement outlining a schedule for the

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: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

implementation of engineering and/or administrative measure to control employee exposure to hazardous substances as referenced in this citation. This plan shall include, at a minimum, target dates for the following action which must be consistent with the abatement dates required by this citation. Abatement period by (15 working days)

- 1) Evaluation of engineering/administrative control options;
- 2) Selection of optimum control methods and completion of design;
- 3) Procurement, installation and operation of selected control measures; and
- 4) Testing and acceptance or modification/redesign of controls.

STEP 3: Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance. Abatement period by (30 working days)

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/24/2018

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

Inspection Number: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

Citation 1 Item 10 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 25, 2018, the employer did not provide effective information and training to employees, to include but not limited too hazards associated with working around silica-containing material.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/30/2018
Proposed Penalty:	\$9959.00

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: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.95(b)(1): When employees were subjected to sound exceeding those listed in Table G-16, feasible administrative or engineering controls were not utilized:

On February 22, 2018, the Blaster was exposed to continuous noise levels at 1207% of the permissible daily exposure (8-hour, time-weighted average sound level of 90 dbA or equivalently, a dose of 100 percent), during the 430 minute sampling period. Exposure calculations include a zero increment for the 50 minutes not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/23/2018
Proposed Penalty:	\$71135.00

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: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

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

- a) On February 1, 2018, the Fiberglass Fabricator in the Fabrication Shop was exposed to continuous noise levels at 73.9% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 457 minute sampling period. Exposure calculations include a zero increment for the 23 minutes not sampled. The employee has not received an audiometric test.
- b) On February 1, 2018, the Welder in the Steel Shop was exposed to continuous noise levels at 82.5% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 457 minute sampling period. Exposure calculations include a zero increment for the 23 minutes not sampled. The employee has not received an audiometric test.
- c) On February 1, 2018, the Welder in the Steel Shop was exposed to continuous noise levels at 71.7% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 466 minute sampling period. Exposure calculations include a zero increment for the 14 minutes not sampled. The employee has not received an audiometric test.

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: 1289927
Inspection Date(s): 01/25/2018 - 02/22/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

d) On February 1, 2018, the Fiberglass Fabricator in the Fabrication Shop was exposed to continuous noise levels at 85.6% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 450 minute sampling period. Exposure calculations include a zero increment for the 30 minutes not sampled. The employee has not received an audiometric test.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$71135.00


Howard B Eberts
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131



INVOICE / DEBT COLLECTION NOTICE

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224
Issuance Date: 07/19/2018

Summary of Penalties for Inspection Number	1289927
Citation 1, Serious	\$86786.00
Citation 2, Willful	\$142270.00
TOTAL PROPOSED PENALTIES	\$229056.00

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 on 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.


Howard B Eberts
Area Director


Date

U.S. Department of Labor Occupational Safety and Health Administration
6393 Oak Tree Blvd
Suite 203
Independence, OH44131



07/19/2018

Polystar Inc., dba Polystar Containment
1676 Commerce Drive
Stow, OH 44224

Dear Employer,

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000) revised 2015, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at 216-447-4194.

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

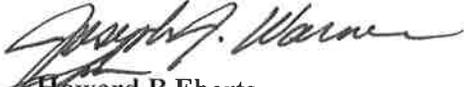
As indicated on page 6 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to read "Howard B Eberts", written in a cursive style.

Howard B Eberts
Area Director

Enclosures

U.S. Department of Labor
Occupational Safety and Health Administration
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131



Citation and Notification of Penalty

To:
Polystar Inc., dba Polystar Containment
and its successors
1676 Commerce Drive
Stow, OH 44224

Inspection Number: 1290179
Inspection Date(s): 01/25/2018 - 01/25/2018
Issuance Date: 07/19/2018

Inspection Site:
1676 Commerce Drive
Stow, OH 44224

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 216-447-4194. 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. 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. 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 07/19/2018. The conference will be held by telephone or at the OSHA office located at 6393

Oak Tree Blvd, Suite 203, Independence, OH 44131 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1290179

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224
Issuance Date: 07/19/2018

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, 6393 Oak Tree Blvd, Suite 203, Independence, OH 44131**

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: 1290179
Inspection Date(s): 01/25/2018 - 01/25/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.101(b): The in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks were not in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in CFR 1910.6:

On or about January 25, 2018, the employer failed to ensure employees moving high pressure compressed gas cylinders utilized a cart with a chain. Employees had a rolling cart with no way to secure the cylinders or rolled them across the floor.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/30/2018
Proposed Penalty:	\$7114.00

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: 1290179
Inspection Date(s): 01/25/2018 - 01/25/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.178(l)(4)(ii)(B): Refresher training and evaluation was not provided to the operator when the operator has been involved in an accident or near-miss incident:

On or about November 17, 2017, the employer failed to retrain the operator of a forklift who sustained injuries from front loading the equipment and losing the load. The employee came back to work December 7, 2017 and continued to operate forklifts until he was retrained in January 2018.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5691.00

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: 1290179
Inspection Date(s): 01/25/2018 - 01/25/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.178(m)(2): Employee(s) stood under or passed under the elevated portion of a powered industrial truck(s):

On or about January 25, 2018, the employer failed to ensure employees removing safety bars from the Tri-Star Rack System did not climb under an approximate 8,000 pound load being lifted by two (2) forklifts.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/08/2018
Proposed Penalty:	\$9959.00

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: 1290179
Inspection Date(s): 01/25/2018 - 01/25/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

On or about January 25, 2018, the employer failed to ensure extension cords used to power a hand-held blower in the blasting booth were not used as permanent wiring.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8535.00

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: 1290179
Inspection Date(s): 01/25/2018 - 01/25/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.305(g)(1)(iv)(B): Flexible cords and/ or cables were used for purposes prohibited by being run through holes in walls, ceilings, or floors:

On or about January 25, 2018, the employer failed to ensure extension cords used for cleaning equipment were not run through holes in the blasting booth.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/08/2018

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: 1290179
Inspection Date(s): 01/25/2018 - 01/25/2018
Issuance Date: 07/19/2018



Citation and Notification of Penalty

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224

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

29 CFR 1910.243(c)(3): Abrasive wheels used on vertical portable grinder(s) (right angle head grinders) were not provided with safety guard(s) having a maximum exposure angle of 180 degrees and located between the operator and wheel:

On or about January 25, 2018, the employer failed to ensure employees operating hand-held angle grinders were protected against being struck by flying debris and the sanding wheel by ensuring the guards remained on the equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/03/2018
Proposed Penalty:	\$71135.00


Howard B Eberts
Area Director

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

U.S. Department of Labor
Occupational Safety and Health Administration
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131



INVOICE / DEBT COLLECTION NOTICE

Company Name: Polystar Inc., dba Polystar Containment
Inspection Site: 1676 Commerce Drive, Stow, OH 44224
Issuance Date: 07/19/2018

Summary of Penalties for Inspection Number	1290179
Citation 1, Serious	\$31299.00
Citation 2, Willful	\$71135.00
TOTAL PROPOSED PENALTIES	\$102434.00

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 on 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.


Howard B Eberts
Area Director


Date