

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1310 W. Clairemont Avenue  
Eau Claire, WI 54701



## Citation and Notification of Penalty

**To:**  
Spooner Machine Inc  
and its successors  
1100 Roundhouse Road  
Spooner, WI 54801

**Inspection Number:** 1298689  
**Inspection Date(s):** 03/02/2018 - 08/22/2018  
**Issuance Date:** 08/22/2018

**Inspection Site:**  
1100 Roundhouse Road  
Spooner, WI 54801

*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 715-832-9019. 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.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/22/2018. The conference will be held by telephone or at the OSHA office located at 1310 W. Clairemont Avenue, Eau Claire, WI 54701 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1298689**

Company Name: Spooner Machine Inc  
Inspection Site: 1100 Roundhouse Road, Spooner, WI 54801  
Issuance Date: 08/22/2018

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, 1310 W. Clairemont Avenue, Eau Claire, WI 54701**

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

**NOTE: 29 USC 666(g)** whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

**POSTING:** A copy of completed Corrective Action Worksheet should be posted for employee review



**Citation and Notification of Penalty**

**Company Name:** Spooner Machine Inc  
**Inspection Site:** 1100 Roundhouse Road, Spooner, WI 54801

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 1 a** 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 tank cars, 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:

- (a) Compressed gas cylinder storage area; The employer did not ensure that cylinder storage areas were prominently posted with the names of the gases to be stored in accordance with the ACG P-1 1965, 3.3.2.
- (b) Compressed gas cylinder storage area; Where gases of different types are stored at the same location the employer did not ensure cylinders were grouped by types of gas, and the groups arranged to take into account the gases contained, in accordance with ACG P-1 1965, 3.3.3.

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/06/2018  
\$3880.00

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

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**Company Name:** Spooner Machine Inc  
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**Citation 1 Item 1 b** Type of Violation: **Serious**

29 CFR 1910.253(b)(4)(iii): Oxygen cylinders in storage were not separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least:

- (a) Compressed gas cylinder storage area; The employer had stored reserve stocks of cylinders containing liquid petroleum gas with cylinders containing oxygen.

Date By Which Violation Must be Abated:

09/06/2018

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:** Spooner Machine Inc  
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Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.147(c)(6)(i): The employer did not conduct an annual or more frequent inspection of the energy control procedure to ensure that the procedure and requirements of this standard were followed:

- (a) The production area; The employer did not perform periodic inspections of the energy control procedures on equipment such as but not limited to Bridgeport Mills, Laser Cutter, Automatic Saw, Profile Saw, Okuma Computer Numerical Control (CNC) machine, Shear, Hole Wizard, Strippet, Hurco VM2, Hurco TM8 and other machines and equipment at the facility.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

10/12/2018  
\$9054.00

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:** Spooner Machine 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 3 a** Type of Violation: **Serious**

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

- (a) The production area; The employer did not provide training for employees as authorized employees to perform lock out of hazardous energy sources prior to performing cleaning, maintenance or repairs of equipment such as but not limited to the water table used for plasma arc cutting and the Accurpress 400 ton press.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	10/12/2018
Proposed Penalty:	\$9054.00

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**Company Name:** Spooner Machine Inc  
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**Citation 1 Item 3 b Type of Violation: **Serious****

29 CFR 1910.147(c)(8): Lockout or tagout was not performed only by the authorized employees who are performing the servicing or maintenance:

- (a) The production area; The supervisor affixed energy isolating devices to hazardous energy sources, on behalf of the employees, when the employees performed cleaning, maintenance, or repairs of equipment.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

10/12/2018

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

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

- (a) The Accurpress 400 ton press; The employer did not ensure that lock out devices were affixed to the Accurpress 400 ton press while repairs were being performed.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/06/2018
Proposed Penalty:	\$9054.00

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

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

29 CFR 1910.178(f)(2): The storage and handling of liquefied petroleum gas fuel was not in accordance with NFPA Storage and Handling of Liquefied Petroleum Gases (NFPA No. 58-1969), which is incorporated by reference as specified in Sec. 1910.6:

- (a) Yale powered industrial vehicle; A removable fuel container of liquid petroleum (LP) was not securely mounted to prevent jarring loose, slipping or rotating.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$3880.00

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

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**Citation and Notification of Penalty**

**Company Name:** Spooner Machine Inc  
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**Citation 1 Item 6** Type of Violation: **Serious**

29 CFR 1910.180(d)(4)(x): Periodic inspection of mobile cranes were not performed for excessively worn or damaged tires:

- (a) The Broderson carry deck crane; The employer did not ensure that a periodic inspection of tires was performed.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

10/12/2018  
\$9054.00

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

**U.S. Department of Labor**  
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Citation 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.243(c)(1): Abrasive wheel(s) were used on portable grinder(s) which were not provided with safety guard(s) meeting the requirements specified in 29 CFR 1910.243(c)(1) through (c)(4):

(a) In the production area; The employer did not ensure portable grinders were guarded.

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/06/2018  
\$6467.00

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

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

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**Issuance Date:** 08/22/2018



**Citation and Notification of Penalty**

**Company Name:** Spooner Machine 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 8 a** Type of Violation: **Serious**

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

- (a) In the production area; The employer was utilizing electrical boxes that were designed for in-wall (concealed) or on-wall (exposed) installations for electrical drop installations throughout the production area.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/20/2018
Proposed Penalty:	\$9054.00

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

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

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

- (a) In the production area; The employer was utilizing electrical drop service installations which had boxes with unused opening that were not effectively closed.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

09/20/2018

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:** Spooner Machine Inc  
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**Citation 1 Item 8 c Type of Violation: **Serious****

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

- (a) In the welding area; The flexible cord that supplies power to the Lincoln Electric power MIG metal inert gas welder was not installed to prevent tension from being transmitted to joints or terminal screws.
- (b) Safan Darley brake press; The flexible cord that supplies power to the foot pedal that actuates the Safan brake press was not installed to prevent tension from being transmitted to joints or terminal screws

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

09/20/2018

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**Citation and Notification of Penalty**

**Company Name:** Spooner Machine Inc  
**Inspection Site:** 1100 Roundhouse Road, Spooner, WI 54801

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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 9 a** Type of Violation: **Serious**

29 CFR 1910.1200(e)(1)(i): The employer did not compile a list of the hazardous chemicals known to be present using a product identifier that was referenced on the appropriate safety data sheet:

- (a) The production area; The employer did not maintain a complete and accurate list of all chemicals including but not limited to oxygen, acetylene, liquid petroleum gas, plasma arc torch coolant, metals, and metal alloys present at the facility.

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/20/2018  
\$6467.00

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

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**Citation and Notification of Penalty**

**Company Name:** Spooner Machine Inc  
**Inspection Site:** 1100 Roundhouse Road, Spooner, WI 54801

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

29 CFR 1910.1200(g)(1): Employers did not have a safety data sheet in the workplace for each hazardous chemical which they use:

- (a) The production area; The employer did not maintain a safety data sheet in the workplace for chemical hazards including but not limited to ESAB plasma arc torch coolant, metals, and metal alloys present at the facility.

Date By Which Violation Must be Abated:

10/12/2018

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:** Spooner Machine Inc  
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**Citation 1 Item 9 c Type of Violation: **Serious****

29 CFR 1910.1200(j)(2)(ii): Employees were not provided effective information and training on hazardous chemicals in their work area in accordance with the update to the hazard communication program required by paragraph (h)(1) and (h)(3):

- (a) Throughout the facility; Training was not provided to inform employees of the Global Harmonization System changes for container labeling and safety data sheet (SDS) format.

Date By Which Violation Must be Abated:

10/12/2018

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:** Spooner Machine 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 2 Item 1 a** Type of Violation: **Willful**

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

- (a) The water table at plasma arc cutter; The employer did not develop, document and utilize procedures for the control of hydrogen gas when employees were engaged in cleaning, maintenance and repair of the water table.
- (b) The Accurpress 400 ton press; The employer did not develop, document and utilize procedures for the control of hazardous energy sources such as but not limited to gravity, hydraulic, and electrical energy when employees were engaged in cleaning, maintenance and repair of the Accurpress 400 ton press.

To abate this hazard in the future, the employer must ensure procedures are developed, documented and utilized for the control of hydrogen gas when employees were engaged in cleaning, maintenance and repair of the water table and Accurpress 400 ton press.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the energy isolation that is being used to ensure compliance, including a description of how the energy isolation protects the machine operators from the energy sources.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	10/12/2018
Proposed Penalty:	\$77602.00

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:** Spooner Machine Inc  
**Inspection Site:** 1100 Roundhouse Road, Spooner, WI 54801

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

29 CFR 1910.147(d)(3): All energy isolating devices that were needed to control the energy to the machine or equipment were not physically located and operated in such a manner as to isolate the machine or equipment from the energy source(s):

- (a) Water table at plasma arc cutter; The employer did not ensure that all energy isolating devices needed to control the buildup of hazardous gasses were physically located and operated in such a manner as to isolate the hazardous energy source, such as but not limited to, Hydrogen gas from the aluminum cutting process, when employees were engaged in cleaning, maintenance and repair of the water table.

To abate this hazard in the future, the employer must ensure all devices used to ensure the isolation of energy sources are physically located and operated in such a manner as to isolate the hazardous energy source during clean-up, repair, and maintenance of the water table.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the energy isolation that is being used to ensure compliance, including a description of how the energy isolation protects the machine operators from the energy sources.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

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**Citation and Notification of Penalty**

**Company Name:** Spooner Machine Inc  
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Citation 2 Item 2 Type of Violation: **Willful**

29 CFR 1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

- (a) The Accurpress 400 ton press; On or about February 28, 2018 through March 5, 2018, the employer did not ensure the point of operation on the Accurpress 400T hydraulic press was guarded to prevent the employees from having any part of their bodies in the danger zone during the operating cycle.

To abate this hazard in the future, the employer must ensure guarding is in place and prevents employees from having any part of their body in the danger zone during the operating cycle.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the method of guarding that is being used to ensure compliance, including a description of how the guarding protects the machine operators from having any part of their bodies in the danger zone during the operating cycle.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/20/2018
Proposed Penalty:	\$77602.00

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


29 CFR 1910.180(d)(6): Monthly, dated and signed inspection records and reports for truck crane(s) were not provided for critical items such as (but not limited to) brakes, crane hooks and ropes:

- (a) The Broderson carry deck crane; The employer did not ensure that monthly inspections were conducted for critical items such as but not limited to brakes, crane hooks, and wire ropes on the Broderson crane at the facility.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

10/12/2018  
\$0.00

  
for **Mark Hysell**  
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  
1310 W. Clairemont Avenue  
Eau Claire, WI 54701



## INVOICE / DEBT COLLECTION NOTICE

**Company Name:** Spooner Machine Inc  
**Inspection Site:** 1100 Roundhouse Road, Spooner, WI 54801  
**Issuance Date:** 08/22/2018

<b>Summary of Penalties for Inspection Number</b>	<b>1298689</b>
<b>Citation 1, Serious</b>	<b>\$65,964.00</b>
<b>Citation 2, Willful</b>	<b>\$155,204.00</b>
<b>Citation 3, Other-than-Serious</b>	<b>\$0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$221,168.00</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.



for Mark Hysell  
Area Director

8/22/2018

Date