Citation and Notification of Penalty

To:  
Buckeye Diamond Logistics, Inc., dba BDL Supply and its successors  
4300 Janitrol Road  
Columbus, OH 43228

Inspection Number: 1306348
Inspection Date(s): 04/03/2018 - 06/22/2018
Issuance Date: 09/10/2018

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 three 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 614-469-5582. 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 ten 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 09/10/2018. The conference will be held by telephone or at the OSHA office located at 200 N. High Street, Room 620, Columbus, OH 43215 on ___________ at ___________. Employees and/or representatives of employees have a right to attend an informal conference.
CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Company Name: Buckeye Diamond Logistics, Inc., dba BDL Supply
Inspection Site: 4338 Janitrol Road, Columbus, OH 43228
Issuance Date: 09/10/2018

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, 200 N. High Street, Room 620, Columbus, OH 43215

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: Buckeye Diamond Logistics, Inc., d/b/a BDI Supply
Inspection Site: 4338 Janitrol Road, Columbus, OH 43228

Citation 1 Item 1 Type of Violation: Serious

29 CFR 1910.212(a)(1): Types of guarding. One or more methods of machine guarding shall be provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks. Examples of guarding methods are-barrier guards, two-hand tripping devices, electronic safety devices, etc.

a. On or about April 10, 2018, in the reclaim wood area, the employer did not ensure that the unused portion of the saw blade on the right ingoing side of the PRS pallet dismantling saw was guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 10/15/2018
Proposed Penalty: $10,163.00
Citation and Notification of Penalty

Company Name: Buckeye Diamond Logistics, Inc., dba BDL Supply
Inspection Site: 4338 Janitrol Road, Columbus, OH 43228

Citation 1 Item 2 Type of Violation: Serious

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

a. On or about April 10, 2018, in the recycled wood area, the employer did not ensure that the point of operation on the Cram-A-Lot Baler was guarded, in that the safety interlock did not function for the right door.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 09/28/2018
Proposed Penalty: $10162.00
Citation and Notification of Penalty

Company Name: Duckeye Diamond Logistics, Inc., dba BDL Supply
Inspection Site: 4338 Janitrol Road, Columbus, OH 43228

Citation 1. Item 3  Type of Violation: Serious

29 CFR 1910.303(g)(2)(i): Except as elsewhere required or permitted by this standard, live parts of electric equipment operating at 50 volts or more shall be guarded against accidental contact by use of approved cabinets or other forms of approved enclosures or by any of the following means:

a. On or about April 3, 2018, at repair station 2 in the repair area, the left duplex receptacle in the outlet box was damaged, thereby exposing employees to energized electrical parts.

b. On or about April 3, 2018, at repair station 2 in the repair area, the right duplex receptacle in the outlet box was damaged, thereby exposing employees to energized electrical parts.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 09/20/2018
Proposed Penalty: $12934.00

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: Buckeye Diamond Logistics, Inc., dba BDL Supply
Inspection Site: 4338 Janitrol Road, Columbus, OH 43228

Citation 1 Item 4 Type of Violation: Serious


a. On or about April 3, 2018, at repair station 2 in the repair area, the outlet box containing two duplex receptacles had an opening in the right side due to a knockout that was missing, thereby exposing employees to an electrical hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 09/20/2018
Proposed Penalty: $10163.00
Citation and Notification of Penalty

Company Name: Buckeye Diamond Logistics, Inc., dba BDL Supply
Inspection Site: 4338 Janitrol Road, Columbus, OH 43228

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 1a Type of Violation: Repeat

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

Note: Exception: The employer need not document the required procedure for a particular machine or equipment, when all of the following elements exist:

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

a. On or before April 3, 2018, the employer did not document specific lockout/tagout procedures for the PRS AIC Tipper (model: A1-C; S/N: 3615) to protect employees while servicing and/or performing maintenance activities in which the unexpected energization or startup of the machine or equipment, or release of stored energy, could harm employees. On or about March 27, 2018, an employee sustained an amputation of the right index finger while troubleshooting the carriage on the energized PRS AIC Tipper.

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: 1306348
Inspection Date(s): 04/03/2018 - 06/22/2018
Issuance Date: 09/10/2018

Citation and Notification of Penalty

Company Name: Buckeye Diamond Logistics, Inc., dba BDL Supply
Inspection Site: 4338 Janitrol Road, Columbus, OH 43228

Buckeye Diamond Logistics, Inc. was previously cited for a violation of this occupational safety and health standard, 29 CFR 1910.147(e)(4)(i), which was contained in OSHA inspection number 1190848, citation number 1, item number 1a, and was affirmed as a final order on January 18, 2017, with respect to a workplace located at 3180 Fort Shawnee Industrial Drive, Lima, Ohio 45806.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 10/15/2018
Proposed Penalty: $71,137.00

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: Buckeye Diamond Logistics, Inc., dba BDL Supply
Inspection Site: 4338 JanaTrol Road, Columbus, OH 43228

Citation 2, Item 1 b Type of Violation: Repeat

29 CFR 1910.147(d): Application of control. The established procedures for the application of energy control (the lockout or tagout procedures) shall cover the following elements and actions and shall be done in the following sequence as required by 29 CFR 1910.147(d)(1) through (d)(6):

a. On or before March 27, 2018, the employer failed to ensure that employees who operated the PRS AIC Tipper (model: A1-C; S/N: 3615) and bypassed the barrier guard/chain to perform cleaning, inspecting, and/or troubleshooting had the knowledge of the type and magnitude of the energy, the hazards of the energy to be controlled, and the method or means to control the energy; perform an orderly shutdown by completely shutting down the tipper; isolate the tipper from the energy sources; affix lockout or tagout devices to each energy isolating device; relieve, disconnect, restrain, and otherwise render all potentially hazardous stored or residual energy for the tipper safe; and verify that isolation and deenergization of the tipper had been accomplished. On or about March 27, 2018, an employee sustained an amputation of the right index finger while troubleshooting the carriage on the energized PRS AIC Tipper.

Buckeye Diamond Logistics, Inc. was previously cited for a serious violation of this occupational safety and health standard, 29 CFR 1910.147(d), which was contained in OSHA inspection number 1106881, citation number 1, item number 1, and was affirmed as a final order on February 2, 2016, with respect to a workplace located at 9005 Columbus Cincinnati Road, South Charleston, Ohio 45368.

Buckeye Diamond Logistics, Inc. was previously cited for a serious violation of this occupational safety and health standard, 29 CFR 1910.147(d), which was contained in OSHA inspection number 1190848, citation number 1, item number 1b, and was affirmed as a final order on January 18, 2017, with respect to a workplace located at 3180 Fort Shawnee Industrial Drive, Lima, Ohio 45806.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 10/15/2018

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: Buckeye Diamond Logistics, Inc., dba DDL Supply
Inspection Site: 4338 Janitrol Road, Columbus, OH 43228

Citation 2, Item 2, Type of Violation: Repeat

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

a. On or before March 27, 2018, the employer failed to ensure that employees who operated the PRS AIC Tipper (model: A1-C; S/N: 3615) and bypassed the barrier guard/chains to perform cleaning, inspecting, and/or troubleshooting were trained in the purpose and function of the energy control procedure and in the knowledge and skills required for the safe application, usage, and removal of the energy controls. On or about March 27, 2018, an employee sustained an amputation of the right index finger while troubleshooting the carriage on the energized PRS AIC Tipper.

b. On or before April 3, 2018, the employer did not ensure that each employee whose work operations, such as pallet repair, in an area where energy control procedures might be utilized, was instructed about the procedure, and about the prohibition relating to attempts to restart or reenergize machines or equipment which were locked or tagged out.

Buckeye Diamond Logistics, Inc. was previously cited for a violation of this occupational safety and health standard, 29 CFR 1910.147(c)(7)(i), which was contained in OSHA inspection number 1190848, citation number 1, item number 2, and was affirmed as a final order on January 18, 2017, with respect to a workplace located at 3180 Fort Shawnee Industrial Drive, Lima, Ohio 45806.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 10/15/2018
Proposed Penalty: $71137.00

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: Buckeye Diamond Logistics, Inc., dba BDL Supply
Inspection Site: 4338 Janitrol Road, Columbus, OH 43228

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

29 CFR 1910.147(c)(5)(i)(D): Identifiable. Lockout devices and tagout devices shall indicate the identity of the employee applying the device(s).

a. On or about April 3, 2018, the lock used by maintenance on the disconnect for the PRS AIC Tipper (model: A1-C; S/N: 3615) in the sort area while performing servicing/maintenance activities with a PRS representative did not identify the employee applying the lock.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 09/20/2018
Proposed Penalty: $0.00
Citation and Notification of Penalty

Company Name: Buckeye Diamond Logistics, Inc., dba BDL Supply
Inspection Site: 4338 Janitrol Road, Columbus, OH 43228

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

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

a. On or before April 3, 2018, the employer did not conduct periodic lockout/tagout inspections to ensure that the energy control procedure and requirements of this standard were being followed by employees performing servicing and maintenance on machines and equipment throughout the facility.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 10/15/2018
Proposed Penalty: $6097.00

Larry M. Johnson, Area Director
Columbus Area Office

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.
Company Name: Buckeye Diamond Logistics, Inc., dba BDL Supply
Inspection Site: 4338 Janitrol Road, Columbus, OH 43228
Issuance Date: 09/10/2018

Summary of Penalties for Inspection Number 1306348
Citation 1, Serious $43423.00
Citation 2, Repeat $142274.00
Citation 3, Other-than-Serious $6097.00
TOTAL PROPOSED PENALTIES $191794.00

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 two times.

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

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

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

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

Sincerely,

[Signature]

Larry M. Johnson, Area Director
Columbus Area Office

9/11/2018

Date