

**U.S. Department of Labor** Occupational Safety and Health Administration  
2296 Henderson Mill Road  
Suite 200  
Atlanta, GA 30345



03/05/2019

U.S. BATTERY MFG. AUGUSTA, INC.  
1895 TOBACCO RD  
Augusta, GA 30906

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 a Federal OSHA Inspection", (OSHA 3000-04R) revised 2018, 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 770-493-6644.

You will note on page 2 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 3 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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,



**William C. Fulcher**  
Area Director

Enclosures

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
2296 Henderson Mill Road  
Suite 200  
Atlanta, GA 30345



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## Citation and Notification of Penalty

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**To:**  
U.S. BATTERY MFG. AUGUSTA, INC.  
and its successors  
1895 TOBACCO RD  
Augusta, GA 30906

**Inspection Number:** 1353891  
**Inspection Date(s):** 10/16/2018 - 12/04/2018  
**Issuance Date:** 03/05/2019

**Inspection Site:**  
1895 TOBACCO RD  
Augusta, GA 30906

*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.*

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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 770-493-6644. 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 03/05/2019. The conference will be held by telephone or at the OSHA office located at 2296 Henderson Mill Road, Suite 200, Atlanta, GA 30345 on \_\_\_\_\_ at

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1353891**

Company Name: U.S. BATTERY MFG. AUGUSTA, INC.  
Inspection Site: 1895 TOBACCO RD, Augusta, GA 30906  
Issuance Date: 03/05/2019

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, 2296 Henderson Mill Road, Suite 200, Atlanta, GA 30345**

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:** U.S. BATTERY MFG. AUGUSTA, INC.  
**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906

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

29 CFR 1910.219(f)(1): Gear(s) were not guarded by a complete enclosure or by one of the methods specified in 29 CFR 1910.219(f)(1)(ii) and (f)(1)(iii):

a) U.S. Battery Mfg. Augusta, Inc. - In the Pasting Department, in the hoper area of line #2, the guard for the chain and sprocket on the outside area, the bottom part of the equipment, was missing on or about 10/16/18.

No abatement certification or documentation is required for this item.

b) U.S. Battery Mfg. Augusta, Inc. - In the Pasting Department, in the hoper area of line #2, the guard for the chain and sprocket on the outside area, was missing on or about 10/16/18.

No abatement certification or documentation is required for this item.

c) U.S. Battery Mfg. Augusta, Inc. - In the Pasting Department, in the hoper area of line #2, the conveyor chain and sprocket at the lower portion of the equipment was not properly guarded. The exposed area was less than two feet from the floor, on or about 10/16/18.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/29/2019  
\$8856.00

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

Inspection Number: 1353891  
Inspection Date(s): 10/16/2018 - 12/04/2018  
Issuance Date: 03/05/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. BATTERY MFG. AUGUSTA, INC.  
**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906

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

29 CFR 1910.1018(n)(2)(ii)(A): For employees exposed above the action level for at least 30 days per year the medical exam did not include a standard posterior-anterior chest x-ray:

U.S. Battery Mfg. Augusta, Inc. - An employee burning on burn box #5 was exposed to inorganic arsenic levels of 6.2 micrograms per cubic meter (ug/m<sup>3</sup>), 1.2 times the action level (AL) of 5 ug/m<sup>3</sup>. The exposure was derived from a sample taken over 452 minutes. Zero exposure was assumed for the 28 minutes not sampled. The medical evaluation did not include a standard posterior-anterior x-ray, on or about 10/30/18.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/08/2019  
\$8856.00

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: 1353891  
Inspection Date(s): 10/16/2018 - 12/04/2018  
Issuance Date: 03/05/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. BATTERY MFG. AUGUSTA, INC.  
**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906

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

29 CFR 1910.1018(o)(1)(i): A training program was not instituted for each employee who is subject to inorganic arsenic exposure above the action level, without regard to respirator use, or for whom there is a possibility of skin or eye irritation from inorganic arsenic:

U.S. Battery Mfg. Augusta, Inc. - An employee burning on burn box #5 was exposed to inorganic arsenic levels of 6.2 micrograms per cubic meter (ug/m3), 1.2 times the action level (AL) of 5 ug/m3. A training program for inorganic program was not instituted, on or about 10/30/18.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/08/2019
Proposed Penalty:	\$8856.00

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:** U.S. BATTERY MFG. AUGUSTA, INC.

**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906

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

29 CFR 1910.1025(d)(6)(iii): Where the initial monitoring revealed that employee exposure to lead was above the permissible exposure limit, monitoring was not repeated at least quarterly and continued at the required frequency until at least two consecutive measurements taken at least 7 days apart were below the PEL and at or above the action level:

a) U.S. Battery Mfg. Augusta, Inc. - An employee burning on burn box #5 was exposed to lead levels of 113 micrograms per cubic meter (ug/m3), 2.3 times the permissible exposure limit (PEL) of 50 ug/m3. Exposures in excess of the PEL were found by the employer in February 2018. Monitoring was not repeated quarterly, on or about 10/30/18.

b) U.S. Battery Mfg. Augusta, Inc. - In the Stacking Department, an employee stacking plates was exposed to lead levels of 291 micrograms per cubic meter (ug/m3), 5.8 times the permissible exposure limit (PEL) of 50 ug/m3. Exposures in excess of the PEL were found by the employer in September 2017. Monitoring was not repeated quarterly, on or about 10/30/18.

c) U.S. Battery Mfg. Augusta, Inc. - In the Stacking Department, an employee stacking plates was exposed to lead levels of 142 micrograms per cubic meter (ug/m3), 2.8 times the permissible exposure limit (PEL) of 50 ug/m3. Exposures in excess of the PEL were found by the employer in September 2017. Monitoring was not repeated quarterly, on or about 10/30/18.

d) U.S. Battery Mfg. Augusta, Inc. - In the Stacking Department, an employee catching plates was exposed to lead levels of 99.5 micrograms per cubic meter (ug/m3), 1.9 times the permissible exposure limit (PEL) of 50 ug/m3. Exposures in excess of the PEL were found by the employer in September 2017. Monitoring was not repeated quarterly, on or about 10/30/18.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

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

**04/19/2019**

**Proposed Penalty:**

**\$8856.00**

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:** U.S. BATTERY MFG. AUGUSTA, INC.  
**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906

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

29 CFR 1910.1025(e)(1)(i): For any employees exposed to lead above the permissible exposure limit for more than 30 days per year the employer did not implement engineering and work practice controls (including administrative controls) to reduce and maintain employee exposure to lead:

a) U.S. Battery Mfg. Augusta, Inc. - In the Pasting Department, an employee operating the hopper was exposed to lead levels of 90.3 micrograms per cubic meter (ug/m<sup>3</sup>), 1.8 times the permissible exposure limit (PEL) of 50 ug/m<sup>3</sup>. The exposure was derived from a sample taken over 466 minutes. Zero exposure was assumed for the 14 minutes not sampled. The engineering and work practice controls were not effective to reduce employee exposure to lead, on or about 10/30/18.

b) U.S. Battery Mfg. Augusta, Inc. - In the Pasting Department, an employee stacking plates was exposed to lead levels of 183.3 micrograms per cubic meter (ug/m<sup>3</sup>), 3.7 times the permissible exposure limit (PEL) of 50 ug/m<sup>3</sup>. The exposure was derived from a sample taken over 463 minutes. Zero exposure was assumed for the 17 minutes not sampled. The engineering and work practice controls were not effective to reduce employee exposure to lead, on or about 10/30/18.

c) U.S. Battery Mfg. Augusta, Inc. - An employee boxing plates at the burning station #3 was exposed to lead levels of 64.7 micrograms per cubic meter (ug/m<sup>3</sup>), 1.3 times the permissible exposure limit (PEL) of 50 ug/m<sup>3</sup>. The exposure was derived from a sample taken over 431 minutes. Zero exposure was assumed for the 49 minutes not sampled. The engineering and work practice controls were not effective to reduce employee exposure to lead, on or about 10/30/18.

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

1. Increase the air flow at the local exhaust ventilation system..
2. Improve the maintenance of the ventilation system ducts and hoses connected to each table and stations.

However, other methods of abatement may be equally, or more appropriate. Ultimate responsibility for

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:** U.S. BATTERY MFG. AUGUSTA, INC.  
**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906

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determining the most appropriate abatement method rests with the employer given its superior knowledge of the specific conditions at its worksite.

#### Abatement Schedule

Step 1 - A written detailed plan of abatement shall be submitted to the Area Director outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to hazardous substances as referenced in this citation. This plan shall include, at a minimum, target dates for the following actions which must be consistent with the abatement dates required by this citation:

- (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;
- (4) Testing and acceptance or modification/redesign of controls.

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person. 90-day progress reports are required during the abatement period.

Step 2: Abatement shall have been completed by the implementation of feasible engineering and /or administrative controls upon verification of their effectiveness in achieving compliance.

**Engineering Controls**11/22/2019  
**Other**07/16/2019  
**Plan**11/22/2019

### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/12/2024
Proposed Penalty:	\$8856.00

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:** U.S. BATTERY MFG. AUGUSTA, INC.  
**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906

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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 6 a** Type of Violation: **Serious**

29 CFR 1910.1025(e)(3)(ii)(E): The written compliance program did not include a detailed schedule for implementation of the program:

U.S. Battery Mfg. Augusta, Inc. - Employees burning, stacking and catching plates in the Stacking Department, operating the hopper and stacking plates in the Pasting Department were exposed to lead levels in excess of the permissible exposure limit (PEL) of 50 ug/m<sup>3</sup>. The written compliance plan did not include a detailed schedule for the implementation of all the contents of the compliance program to reduce exposures through engineering and administrative controls, on or about 10/16/18.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:	04/19/2019
Proposed Penalty:	\$8856.00

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

**Inspection Number:** 1353891  
**Inspection Date(s):** 10/16/2018 - 12/04/2018  
**Issuance Date:** 03/05/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. BATTERY MFG. AUGUSTA, INC.  
**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906

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

29 CFR 1910.1025(e)(3)(iv): Written compliance programs for lead were not revised and updated annually to reflect the current status of the program:

U.S. Battery Mfg. Augusta, Inc. - Employees burning, stacking and catching plates in the Stacking Department, operating the hopper and stacking plates in the Pasting Department were exposed to lead levels in excess of the permissible exposure limit (PEL) of 50 ug/m<sup>3</sup>. The written compliance plan was not updated annually, on or about 10/16/18.

No abatement certification or documentation is required for this item.

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: 1353891  
Inspection Date(s): 10/16/2018 - 12/04/2018  
Issuance Date: 03/05/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. BATTERY MFG AUGUSTA, INC.  
**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906

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

29 CFR 1910.1025(e)(4)(i): When ventilation was used to control exposure to lead, measurements which demonstrate the effectiveness of they system in controlling exposure were not made at least every three months:

U.S. Battery Mfg. Augusta, Inc. - Employees burning, stacking and catching plates in the Stacking Department, operating the hopper and stacking plates in the Pasting Department were exposed to lead levels in excess of the permissible exposure limit (PEL) of 50 ug/m3. Measurements to verify the effectiveness of the engineering control were taken in May 2018 and not repeated every three months, on or about 10/16/18.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:

04/19/2019

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:** U.S. BATTERY MFG. AUGUSTA, INC.  
**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906

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

29 CFR 1910.1025(h)(1): All surfaces were not maintained as free as practicable of accumulations of lead:

a) U.S. Battery Mfg. Augusta, Inc. - The time clock located outside of the dirty section of the locker area was contaminated with lead. Lead contamination measured was 302.5 micrograms. Employees were returning back through the dirty side from the clean side after taking a shower to clock out, on or about 10/30/16.

b) U.S. Battery Mfg. Augusta, Inc. - The time clock located near the safety office was contaminated with lead. Lead contamination measured was 248.1 micrograms, on or about 10/30/16.

No abatement certification or documentation is required for this item.

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

**Corrected During Inspection**  
**\$8856.00**

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:** U.S. BATTERY MFG AUGUSTA, INC.  
**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906

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

29 CFR 1910.1025(e)(1)(i): For any employees exposed to lead above the permissible exposure limit for more than 30 days per year the employer did not implement engineering and work practice controls (including administrative controls) to reduce and maintain employee exposure to lead:

a) U.S. Battery Mfg. Augusta, Inc. - An employee burning on burn box #5 was exposed to lead levels of 113 micrograms per cubic meter (ug/m<sup>3</sup>), 2.3 times the permissible exposure limit (PEL) of 50 ug/m<sup>3</sup>. The exposure was derived from a sample taken over 452 minutes. Zero exposure was assumed for the 28 minutes not sampled. The engineering and work practice controls were not effective to reduce employee exposure to lead, on or about 10/30/18.

b) U.S. Battery Mfg. Augusta, Inc. - In the Stacking Department, an employee stacking plates was exposed to lead levels of 291 micrograms per cubic meter (ug/m<sup>3</sup>), 5.8 times the permissible exposure limit (PEL) of 50 ug/m<sup>3</sup>. The exposure was derived from a sample taken over 437 minutes. Zero exposure was assumed for the 43 minutes not sampled. The engineering and work practice controls were not effective to reduce employee exposure to lead, on or about 10/30/18.

c) U.S. Battery Mfg. Augusta, Inc. - In the Stacking Department, an employee stacking plates was exposed to lead levels of 142 micrograms per cubic meter (ug/m<sup>3</sup>), 2.8 times the permissible exposure limit (PEL) of 50 ug/m<sup>3</sup>. The exposure was derived from a sample taken over 426 minutes. Zero exposure was assumed for the 54 minutes not sampled. The engineering and work practice controls were not effective to reduce employee exposure to lead, on or about 10/30/18.

d) U.S. Battery Mfg. Augusta, Inc. - In the Stacking Department, an employee catching plates was exposed to lead levels of 99.5 micrograms per cubic meter (ug/m<sup>3</sup>), 1.9 times the permissible exposure limit (PEL) of 50 ug/m<sup>3</sup>. The exposure was derived from a sample taken over 434 minutes. Zero exposure was assumed for the 46 minutes not sampled. The engineering and work practice controls were not effective to reduce employee exposure to lead, on or about 10/30/18.

U.S. Battery Mfg. Augusta, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.1025(e)(1)(i), which was contained in OSHA inspection number 980813, citation number 1, item number 1b and was affirmed as a final order on

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:** U.S. BATTERY MFG. AUGUSTA, INC.  
**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906

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11/6/14, with respect to a workplace located at 1895 Tobacco Rd, Augusta, GA.

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

1. Increase the air flow at the local exhaust ventilation system..
2. Improve the maintenance of the ventilation system ducts and hoses connected to each table and stations.

However, other methods of abatement may be equally, or more appropriate. Ultimate responsibility for determining the most appropriate abatement method rests with the employer given its superior knowledge of the specific conditions at its worksite.

#### **Abatement Schedule**

Step 1 - A written detailed plan of abatement shall be submitted to the Area Director outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to hazardous substances as referenced in this citation. This plan shall include, at a minimum, target dates for the following actions which must be consistent with the abatement dates required by this citation:

- (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;
- (4) Testing and acceptance or modification/redesign of controls.

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person. 90-day progress reports are required during the abatement period.

Step 2: Abatement shall have been completed by the implementation of feasible engineering and /or administrative controls upon verification of their effectiveness in achieving compliance.

**Engineering Controls**06/03/2019

**Other**06/03/2019

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:** 1353891  
**Inspection Date(s):** 10/16/2018 - 12/04/2018  
**Issuance Date:** 03/05/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. BATTERY MFG. AUGUSTA, INC.  
**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906

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**Plan06/03/2019**

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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

**09/04/2019**  
**\$52096.00**

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:** 1353891  
**Inspection Date(s):** 10/16/2018 - 12/04/2018  
**Issuance Date:** 03/05/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. BATTERY MFG. AUGUSTA, INC.  
**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906

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

29 CFR 1904.9(a): Employees medically removed due to high lead blood levels, were not recorded in the OSHA 300 log:

U.S. BATTERY MFG. AUGUSTA, INC. - Three employees medically removed in October 2018, due to high blood levels, were not recorded in the OSHA 300 log for 2018, on or about 10/16/18.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Quick Fix Applied  
\$1506.00

A handwritten signature in blue ink, appearing to read "William C. Fulcher", is written over a horizontal line.

**William C. Fulcher**  
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  
2296 Henderson Mill Road  
Suite 200  
Atlanta, GA 30345



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** U.S. BATTERY MFG AUGUSTA, INC.  
**Inspection Site:** 1895 TOBACCO RD, Augusta, GA 30906  
**Issuance Date:** 03/05/2019

<b>Summary of Penalties for Inspection Number</b>	<b>1353891</b>
<b>Citation 1, Serious</b>	<b>\$61992.00</b>
<b>Citation 2, Repeat</b>	<b>\$52096.00</b>
<b>Citation 3, Other-than-Serious</b>	<b>\$1506.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$115594.00</b>

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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

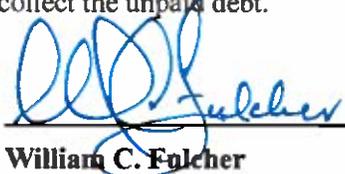
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.



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**William C. Fulcher**

Area Director

03/05/2019

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Date