

Este documento es muy importante. Si no habla inglés, busque un traductor o llame al (516) 334-3344.

**U.S. Department of Labor** Occupational Safety and Health Administration  
1400 Old Country Road Suite 208  
Westbury, NY 11590  
Phone: (516) 334-3344 Fax: (516) 334-3326

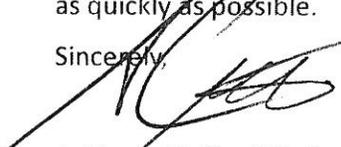


July 16, 2019

Dear Paul Angelico,

On 01/29/2019, an OSHA compliance officer met with you or your representative as part of an inspection at 85 Nicon Court Hauppauge, NY 11788. This letter includes the citations for the violations that were found (see summary below). Please choose one of the three options from the box to the right and complete the associated steps found on the following page **within 15 working days**. Please call us if you have any questions about the enclosed citation and/or penalties; we are here to help you choose the best option to resolve your citation as quickly as possible.

Sincerely,

  
Anthony Ciuffo, CSP, Area Director

**Your Citation Summary**  
U.S. Nonwovens Corp.  
Inspection Number: 1374748

**Total Amount Due: \$287212.00**  
**Payment Due Date: 15 working days**  
**after receipt of**  
**this letter**

*You must correct each violation by the date listed in the Citation and Notification of Penalty. Please see the violations and the correction deadline for each violation starting on page 6.*

**Total Number of Violations : 17**  
**Your First Correction Deadline is: 7/24/19**

**Step 1 – Choose a Response  
Option and  
Act within 15 working days**

Respond now before you lose the ability to discuss potential adjustments to penalty amounts and/or due dates. Please choose one option below and complete the steps on the next page.

**Option #1 – Discuss with OSHA**

I would like to discuss the citation with an OSHA representative. This may lead to changes in the penalty amount, due date or correction deadlines (if appropriate).

**Option #2 – Correct and Pay**

I agree with the citation, penalties, and correction deadlines, and do not contest.

**Option #3 – Contest the Citation**

I do not agree with the citation, penalties, and/or correction deadlines, and would like to contest.

**Questions or Concerns?**

If you have any questions or concerns regarding the citation, penalties, and/or correction deadlines, please call us at (516) 334-3344.

**Step 2 – Complete One Option Checklist**

Please post a copy of the citation and near the place where each violation occurred, even if you plan to contest. You can use the checklist to the right to help plan your next steps. Please do not add anything to your checklist.

### Option #1 – Discuss with OSHA

I will complete by:



1. Call: Matt DelPezzo, Assistant Area Director, at (516) 334-3344 as soon as possible to schedule a meeting with an OSHA representative that must occur **within 15 working days** of receiving this citation. Bring supporting documentation of existing conditions and corrections done thus far. If necessary, you can still contest the citation after this meeting. **\*\*This meeting does NOT extend your 15 working day deadline to contest the citation.\*\***

\_\_\_\_ / \_\_\_\_



2. Fill in and post the attached "Notice to Employees OSHA Informal Conference" after scheduling meeting.

\_\_\_\_ / \_\_\_\_

### Option #2 – Correct Violations and Pay Penalty

I will complete by:



1. Correct violations, then complete and mail the attached "Certification of Corrective Action Worksheet" along with the appropriate evidence of repair (e.g. photos, purchase orders, etc.) to the OSHA office listed on the first page, **postmarked within 10 calendar days after each violation's correction deadline and include any required evidence. If these documents are transmitted by means other than mailing, the date the Agency received the documents is the date of submission.**

\_\_\_\_ / \_\_\_\_



2. Pay the **Total Penalty** by using one of the following methods:  
**\*\*Include your Inspection Number (see first page) on the payment.\*\***

\_\_\_\_ / \_\_\_\_

*Pay Online:* Search "OSHA" on [www.pay.gov](http://www.pay.gov) and complete the "OSHA Penalty Payment Form." Pay by debit, credit or Automated Clearing House (ACH) **within 15 working days**. Penalties over \$25,000 must be paid by ACH and require a Transaction ID (Call 202-693-2170 to obtain one).

*Pay by Check:* Mail check or money order payable to "DOL-OSHA" for the Total Penalty to the OSHA office listed on the first page **within 15 working days**.

### Option #3 – Contest the Citation

I will complete by:



Mail a letter of intent to legally contest to the OSHA office listed on the first page, postmarked within **15 working days**.

\_\_\_\_ / \_\_\_\_

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1400 Old Country Road  
Suite 208  
Westbury, NY 11590



## Citation and Notification of Penalty

**To:**  
Mr. Paul Angelico  
U.S. Nonwovens Corp.  
100 Emjay Blvd.  
Brentwood, NY 11717

**Inspection Number:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019

**Inspection Site:**  
85 Nikon Court  
Hauppauge, NY 11788

*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 516-334-3344. 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 07/16/2019. The conference will be held by telephone or at the OSHA office located at 1400 Old Country Road, Suite 208, Westbury, NY 11590 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1374748**

Company Name: U.S. Nonwovens Corp.  
Inspection Site: 85 Nicon Court, Hauppauge, NY 11788  
Issuance Date: 07/16/2019

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, 1400 Old Country Road, Suite 208, Westbury, NY 11590**

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

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

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

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

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Title

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

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

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

**Inspection Number:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

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

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

- a) Workplace, 105 Emjay Blvd, Brentwood, NY, Northwest corner emergency exit - The designated emergency exit route was obstructed by pallets of chemicals and restricted to approximately 11"; on or about 2/27/2019.
- b) Workplace, 105 Emjay Blvd, Brentwood, NY, East side emergency exit - The designated emergency exit route was blocked by a pallet of material and restricted to approximately 14"; on or about 2/27/2019.

Note: Because abatement of this violation is already documented in the case file, the employer need not submit certification or documentation of abatement for this violation as normally required by CFR 1903.19.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$8335.00

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:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

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

29 CFR 1910.37(b)(4): Signs were not posted along the exit access indicating the direction of travel to the nearest exit and exit discharge when the direction of travel to the exit or exit discharge was not immediately apparent:

a) Workplace, 85 Nikon Ct. - Signs were not posted along the exit access between storage rack aisles 24 and 25. From the corridor identified on the employer provided schematic as "Tunnel," there was no visible exit direction sign indicating the direction of travel to the nearest exit; on or about 1/29/19.

Note: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/08/2019  
\$8335.00

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:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

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

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) Workplace, 85 Nikon Ct., Hauppauge, NY- The employer did not provide documented procedures to control hazardous energy for employees performing maintenance functions on machines such as, but not limited to the Tiel 3 Machine; on or about 1/29/19.
- b) Workplace, 105 Emjay Blvd., Brentwood, NY- The employer did not provide documented procedures to control hazardous energy for employees performing maintenance functions on machines such as, but not limited to the Pack Line Filling and Sealing "Autotubber" Machine; on or about 2/27/19.

Note: In addition to abatement certification the employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

Date By Which Violation Must be Abated:	08/08/2019
Proposed Penalty:	\$10419.00

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. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

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

29 CFR 1910.147(c)(7)(i): The employer did not provide adequate training to ensure that the purpose and function of the energy control program was understood by employees:

- a) Workplace, 85 Nikon Ct., Hauppauge, NY- The employer did not provide instruction on the purpose and use of the energy control procedure for employees authorized clearing jams of nonwoven material from moving parts of the Tiel 3 machine; on or about 1/25/19.
- b) Workplace, 105 Emjay Blvd., Hauppauge, NY- The employer did not provide instruction on the purpose and use of the energy control procedure for affected employees working in proximity to the Pack Line "Autotubber" Machine; on or about 2/27/19.

Note: In addition to abatement certification the employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/08/2019
Proposed Penalty:	\$13260.00

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

**Inspection Number:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nicon Court, Hauppauge, NY 11788

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

29 CFR 1910.178(l)(1)(i): The employer did not ensure that each powered industrial truck operator was competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (l)

a) Worksite, 85 Nicon Ct. Hauppauge, NY- Employees authorized to operate powered industrial trucks such as, but not limited to, a YALE Lift Truck, a CATERPILLAR Lift Truck and a Mitsubishi Lift Truck to load and unload merchandise from trucks were not trained to operate powered industrial trucks; on or about 04/25/2019.

b) Worksite, 105 Emjay, Brentwood, NY - An employee authorized to operate a powered industrial truck such as, but not limited to a, YALE Lift Truck to load a dumpster with waste material was not trained to operate a powered industrial truck; on or about 02/27/2019.

Note: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/08/2019  
\$10419.00

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:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

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

29 CFR 1910.178(l)(4)(iii): An evaluation of each powered industrial truck operator's performance shall be conducted at least once every three years.

a) Worksite, 105 Emjay Blvd, Brentwood, NY - An employee operating forklifts including but not limited to a TOYOTA Electric Forklift Truck and YALE Lift Truck, was not evaluated in the last three years, on or about 02/27/2019.

b) Workplace, 85 Nikon Ct., Hauppauge, NY - An employee operating forklifts including but not limited to YALE Lift Truck, YALE Lift Truck, Mitsubishi Lift Truck and a YALE Lift Truck, was not evaluated in the last three years, on or about 04/25/2019.

Note: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 07/26/2019  
Proposed Penalty: \$8335.00

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:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

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

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

a) Worksite, 85 Nikon Ct., Hauppauge, NY - Employees were operating a CATERPILLAR Lift Truck with a broken propane tank bracket latch, the propane tank was not secure; on or about 4/25/2019.

Note: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/26/2019  
\$10419.00

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:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

**Citation 1 Item 8** 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) Workplace, 105 Emjay Blvd. Brentwood, NY, Production Area - A metal electrical junction box used to plug in components of the Pack Line Filling and Sealing "Autotubber" Machine was not installed and used in accordance with instructions included in the listing and labeling; on or about 2/27/19.
- b) Workplace, 105 Emjay Blvd. Brentwood, NY, Production Area - A metal electrical junction box used to plug in a conveyor belt, a fan and a box taping machine beside the Pack Line Filling and Sealing "Autotubber" Machine was not installed and used in accordance with instructions included in the listing and labeling; on or about 2/27/19.

Note: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/24/2019  
\$10419.00

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. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees.

a) Workplace, 85 Nikon Ct. Hauppauge, NY- Employees were exposed to crush-by hazards from damaged and bent storage racks; on or about 1/29/19.

b) Workplace, 105 Emjay Blvd., Brentwood, NY- Employees were exposed to crush-by hazards from damaged and bent storage racks; on or about 2/27/19.

Note: In addition to abatement certification the employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

**THERE WAS A FEASIBLE AND USEFUL METHOD TO CORRECT THE HAZARD**

1. Remove materials from any damaged rack. Have all the damaged racks removed and replaced with a racking system adequate for the material weight being placed and having base plates and proper guards to resist forklift impact.
2. Follow guidelines set forth in ANSI MH16.1:2012 which addresses the Specification for the Design, Testing and utilization of Industrial Steel Storage Racks:
  - 1.1.4- Owner Maintenance
  - 1.4.2- Plaques on racks to show maximum permissible load for racks.
  - 1.4.7- Install proper baseplates and anchors.
3. Ensure all forklift drivers are properly trained before being authorized to operate forklifts.
4. Create a system where if a forklift makes impact with a rack it is reported to management and immediately inspected to make notes of any damage, decide if the area is unsafe for employees and repair immediately if warranted.
5. Prior to each workshift the employer should inspect the racks to check for damage as well as proper placement of pallets and materials on the racks.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

Date By Which Violation Must be Abated: 08/30/2019  
Proposed Penalty: \$13260.00

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:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

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

29 CFR 1910.36(d)(1): Employee(s) were not able to open an exit route door from the inside at all times without keys, tools, or special knowledge:

a) Workplace, 85 Nikon Ct., Hauppauge, NY - The door for a designated fire exit was jammed and could not be opened; on or about 1/29/19.

Note: Because abatement of this violation is already documented in the case file, the employer need not submit certification or documentation of abatement for this violation as normally required by CFR 1903.19.

U.S. Nonwovens, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection number 1046314 citation number 1, item number 1 and was affirmed as a final order on 10/30/2015 with respect to their workplace located at 105 Emjay Blvd., Brentwood, NY.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$47360.00

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. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

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

29 CFR 1910.176(b): Material stored in tiers was not stacked, blocked, interlocked or limited in height so that it was stable and secure against sliding and collapse:

- a) Workplace, 85 Nikon Ct., Hauppauge, NY - Pallets of folded corrugated boxes were stacked unevenly in Aisle 2, Bulk Section 19; on or about 4/25/19.
- b) Workplace, 85 Nikon Ct., Hauppauge, NY - Pallets of stock were stacked unevenly throughout the southeast corner of the warehouse; on or about 4/25/19.
- c) Workplace, 85 Nikon Ct., Hauppauge, NY - Pallets of stock were stacked unevenly in Row 16; on or about 4/25/19.
- d) Workplace, 85 Nikon Ct., Hauppauge, NY - Pallets of fabric softeners were stacked unevenly in Bulk Aisle 1; on or about 4/25/19.
- e) Workplace, 85 Nikon Ct., Hauppauge, NY - Pallets of fabric softeners were stacked unevenly on Bulk Aisle 1; on or about 4/25/19.
- f) Workplace, 85 Nikon Ct., Hauppauge, NY - Pallet of material was not placed securely on the third level of storage rack in Row 8; on or about 1/29/19.
- g) Workplace, 85 Nikon Ct., Hauppauge, NY - Pallet of materials, such as but not limited to fabric softeners was stacked unevenly alongside Bulk Area 33; on or about 1/29/19.

Note: In addition to abatement certification the employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

U.S. Nonwovens Corp. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection number 1293103, citation number 1, item number 1 and was affirmed as a final order on 8/24/2018 with respect to a workplace

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:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

located at 85 Nikon Ct., Hauppauge, NY.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/08/2019
Proposed Penalty:	\$66300.00

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. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

**Citation 2 Item 3** Type of Violation: **Repeat**

29 CFR 1910.178(l)(6): The employer did not certify that each operator has been trained and evaluated as required by this paragraph (l):

a) Workplace, 85 Nikon Ct. Hauppauge, NY - The employer was unable to produce certification for all employees operating forklifts including, but no limited to a YALE forklift truck, Yale forklift truck, YALE forklift Truck and a MITSUBISHI forklift truck; on or about 04/25/2019.

b) Workplace, 105 Emjay Blvd., Brentwood, NY - The employer was unable to produce certification for all employees operating forklifts including, but no limited to a YALE forklift truck, TOYOTA forklift truck, Yale lift truck and a HYSTER forklift truck; on or about 02/27/2019.

U.S. Nonwovens Corp. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.178(l)(6), which was contained in OSHA Inspection No. 1293103, Citation No. 1, Item No. 2 final order began on 08/24/2018, with respect to the worksite located at 85 Nikon Ct. in Hauppauge, NY.

Note: In addition to abatement certification the employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/08/2019
Proposed Penalty:	\$378.00

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. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

**Citation 2 Item 4** Type of Violation: **Repeat**

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not 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:

- a) Workplace, 105 Emjay Blvd., production floor- Employees working at the Pack Line Filling and Sealing "Autotubber" Machine, Model PXG-4, Serial #PL700456, were exposed to amputation hazards from moving parts; on or about 1/30/2019.
- b) Workplace, 85 Nikon Ct., Production Floor- The employer did not ensure the horizontal shafting on Tiel 3 machine was protected by stationary casing thus exposing employee to the hazard of being caught in the rotating shaft; on or about 1/25/19.

U.S. Nonwovens, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection number 1119301 citation number 1, item number 2 and was affirmed as a final order on 5/26/2016 with respect to their workplace located at 100 Emjay Blvd., Brentwood, NY.

Note: In addition to abatement certification the employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/08/2019
Proposed Penalty:	\$66300.00

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:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

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

29 CFR 1904.39(a)(2): The employer did not report within 24-hours a work-related incident resulting in in-patient hospitalization, amputation or the loss of an eye.

a) Workplace, 105 Emjay Blvd. Brentwood, NY: An employee working at the facility at 105 Emjay Blvd. in Brentwood was hospitalized after suffering an amputation of a finger. The employer did not report the amputation and in-hospitalization to OSHA within the following 24 hours; on or about 1/31/19.

Note: No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$10419.00

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:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

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

29 CFR 1904.40(a): The employer did not provide an authorized government representative the records within the four business hours.

a) Workplace, 85 Nikon Ct.: The employer failed to provide copies of the injury and illness records to an authorized representative within four hours. OSHA 300 logs requested on 1/29/19, were not received until 2/21/19.

Note: No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$2085.00

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:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

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

29 CFR 1910.176(e): Clearance signs to warn of clearance limits were not provided where mechanical handling equipment was used:

a) Workplace, 85 Nikon Ct., Hauppauge, NY, Main aisle - Horizontal beams of steel storage racks crossing over an aisle were damaged from a forklift impact. The beam did not have clearance limit signs; on or about 1/29/19.

Note: In addition to abatement certification the employer is required to submit abatement documentation for this item in accordance with 29 CFR 1903.19.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/19/2019
Proposed Penalty:	\$1169.00

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. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

**Citation 3 Item 4** Type of Violation: **Other-than-Serious**

29 CFR 1910.178(a)(6): The user shall see that all nameplates and markings are in place and are maintained in a legible condition.

29 CFR 1910.178(a)(6): The user shall see that all nameplates and markings are in place and are maintained in a legible condition.

29 CFR 1910.178(a)(6): The employer did not ensure that all nameplates or markings were maintained in a legible condition:(a)(LOCATION)(IDENTIFY SPECIFIC OPERATIONS AND/OR CONDITIONS)(DESCRIBE HAZARDS WHERE NECESSARY)

29 CFR 1910.178(a)(6): The employer did not ensure that all nameplates or markings were maintained in a legible condition:

a) Worksite, 105 Emjay Blvd, Brentwood, NY - Employees were operating forklifts including, but not limited to a YALE Lift Truck Model No. GLC070LGNSAE085/ Serial No. L818D01585S and a YALE Lift Truck Model No. MPE080LFN24T2748/ Serial No. B890N02756H with nameplates that were damaged, faded, or not legible; on or about 2/27/2019.

b) Worksite, 85 Nikon Ct., Hauppauge, NY - Employees were operating forklifts including, but not limited to a YALE Lift Truck Model No. Unreadable/ Serial No. E187V13698X and a CATERPILLAR Lift Truck Model No. Unreadable/ Serial No. Unreadable with nameplates that were damaged, faded, or not legible; on or about 4/25/2019.

Note: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/09/2019  
\$0.00

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

**Inspection Number:** 1374748  
**Inspection Date(s):** 01/29/2019 - 02/15/2019  
**Issuance Date:** 07/16/2019



**Citation and Notification of Penalty**

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788

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

**Anthony Ciuffo, CSP**  
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  
1400 Old Country Road  
Suite 208  
Westbury, NY 11590



## INVOICE / DEBT COLLECTION NOTICE

**Company Name:** U.S. Nonwovens Corp.  
**Inspection Site:** 85 Nikon Court, Hauppauge, NY 11788  
**Issuance Date:** 07/16/2019

<b>Summary of Penalties for Inspection Number</b>	<b>1374748</b>
<b>Citation 1, Serious</b>	<b>\$93201.00</b>
<b>Citation 2, Repeat</b>	<b>\$180338.00</b>
<b>Citation 3, Other-than-Serious</b>	<b>\$13673.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$287212.00</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

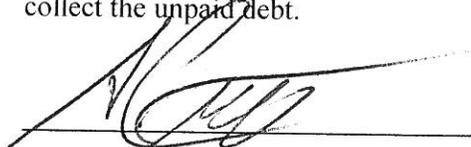
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.

  
\_\_\_\_\_  
**Anthony Ciuffo, CSP**  
Area Director

7/16/19  
\_\_\_\_\_  
Date