

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
36 Triangle Park Drive  
Cincinnati, OH 45246



## Citation and Notification of Penalty

**To:**  
Fuyao Glass America Inc.  
and its successors  
800 Fuyao Avenue  
Moraine, OH 45439

**Inspection Number:** 1375485  
**Inspection Date(s):** 02/04/2019 - 06/26/2019  
**Issuance Date:** 07/24/2019

**Inspection Site:**  
800 Fuyao Avenue  
Moraine, OH 45439

*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 513-841-4132. 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).

7018 0040 0000 4888 5818

**U.S. Postal Service™  
CERTIFIED MAIL® RECEIPT  
Domestic Mail Only**

For delivery information, visit our website at [www.usps.com](http://www.usps.com)®

**OFFICIAL USE**

Certified Mail Fee		\$
Extra Services & Fees (check box, add fee as appropriate)		
<input type="checkbox"/>	Return Receipt (hardcopy)	\$
<input type="checkbox"/>	Return Receipt (electronic)	\$
<input type="checkbox"/>	Certified Mail Restricted Delivery	\$
<input type="checkbox"/>	Adult Signature Required	\$
<input type="checkbox"/>	Adult Signature Restricted Delivery	\$
Postage		\$
Total Postage and Fees		\$
Sent To		\$

Postmark  
Here

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

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 07/24/2019. The conference will be held by telephone or at the OSHA office located at 36 Triangle Park Drive, Cincinnati, OH 45246 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1375485**

Company Name: Fuyao Glass America Inc.  
Inspection Site: 800 Fuyao Avenue, Moraine, OH 45439  
Issuance Date: 07/24/2019

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, 36 Triangle Park Drive, Cincinnati, OH 45246**

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:** Fuyao Glass America Inc.  
**Inspection Site:** 800 Fuyao Avenue, Moraine, OH 45439

---

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

29 CFR 1910.95(g)(6): "Annual audiogram." At least annually after obtaining the baseline audiogram, the employer shall obtain a new audiogram for each employee exposed at or above an 8-hour time-weighted average of 85 decibels.

- a) On or about February 12, 2019 the employer had not obtained annual audiograms for employees exposed above an 8-hour time-weighted average of 85 decibels and who work as FBT furnace operators, FBT inspectors/off loaders and semi-tempering lamination loaders.
- b) On or about March 20, 2019 the employer had not obtained annual audiograms for employees exposed above an 8-hour time-weighted average of 85 decibels and who work as the EPBL Operator on line 3.
- c) On or about March 21, 2019 the employer had not obtained annual audiograms for employees exposed above an 8-hour time-weighted average of 85 decibels and who work as the EPBT Bystronics Operator on line 2.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/10/2019
Proposed Penalty:	\$13260.00

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

Inspection Number: 1375485  
Inspection Date(s): 02/04/2019 - 06/26/2019  
Issuance Date: 07/24/2019



**Citation and Notification of Penalty**

**Company Name:** Fuyao Glass America Inc.  
**Inspection Site:** 800 Fuyao Avenue, Moraine, OH 45439

---

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

29 CFR 1910.95(i)(2)(i): Employers shall ensure that hearing protectors are worn by an employee who is required by 29 CFR 1910.95(b)(1) to wear personal protective equipment:

a) On or about February 12, 2019 the employer did not ensure that hearing protectors were worn by employees working as FBT furnace operators and/or FBT furnace inspectors/off loaders who were exposed above an 8-hour time-weighted average of 90 dBA.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/10/2019
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.



**Citation and Notification of Penalty**

**Company Name:** Fuyao Glass America Inc.  
**Inspection Site:** 800 Fuyao Avenue, Moraine, OH 45439

---

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

29 CFR 1910.95(k)(1): The employer shall train each employee who is exposed to noise at or above an 8-hour time weighted average of 85 decibels in accordance with the requirements of this section. The employer shall institute a training program and ensure employee participation in the program.

a) On or about February 14, 2019 the employer did not institute a hearing conservation training program for employees exposed above an 8-hour time weighted average of 85 dBA.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/10/2019
Proposed Penalty:	\$13260.00

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

**Inspection Number:** 1375485  
**Inspection Date(s):** 02/04/2019 - 06/26/2019  
**Issuance Date:** 07/24/2019



**Citation and Notification of Penalty**

**Company Name:** Fuyao Glass America Inc.  
**Inspection Site:** 800 Fuyao Avenue, Moraine, OH 45439

---

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

29 CFR 1910.146(c)(2): If the workplace contains permit spaces, the employer shall inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces.

a) On or about February 6, 2019 when the employer had identified the ARG Bending Pits as permit required confined spaces they did not post a danger sign or inform employees by any other equally effective means of the danger posed by the Permit Space.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/10/2019
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:** 1375485  
**Inspection Date(s):** 02/04/2019 - 06/26/2019  
**Issuance Date:** 07/24/2019



**Citation and Notification of Penalty**

**Company Name:** Fuyao Glass America Inc.  
**Inspection Site:** 800 Fuyao Avenue, Moraine, OH 45439

---

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

29 CFR 1910.146(e)(1): Before entry is authorized, the employer shall document the completion of measures required by paragraph (d)(3) of this section by preparing an entry permit.

1) On or about March 16, 2019 the employer did not prepare an entry permit prior to allowing employees enter and perform work in the ARG bending pits to clean glass and perform other maintenance as necessary.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/10/2019
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.



**Citation and Notification of Penalty**

**Company Name:** Fuyao Glass America Inc.  
**Inspection Site:** 800 Fuyao Avenue, Moraine, OH 45439

---

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

29 CFR 1910.146(c)(1): The employer shall evaluate the workplace to determine if any spaces are permit-required confined spaces.

a) On or about February 4, 2019 the employer failed to determine that the following spaces were permit-required confined spaces: GT furnaces, EPBL washer and ARG washers.

Fuyao Glass America, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.146(c)(1), which was contained in OSHA inspection number 1213350, citation number 1, item number 2a and was affirmed as a final order on November 29, 2017, with respect to a workplace located at 2801 West Stroop Road, Moraine, Ohio 45439.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/10/2019
Proposed Penalty:	\$72930.00

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

**Inspection Number:** 1375485  
**Inspection Date(s):** 02/04/2019 - 06/26/2019  
**Issuance Date:** 07/24/2019



**Citation and Notification of Penalty**

**Company Name:** Fuyao Glass America Inc.  
**Inspection Site:** 800 Fuyao Avenue, Moraine, OH 45439

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

29 CFR 1910.146(g)(1): The employer shall provide training so that all employees whose work is regulated by this section acquire the understanding, knowledge, and skills necessary for the safe performance of the duties assigned under this section.

a) On or about February 4, 2019 the employer did not ensure that employees entering spaces, such as but not limited to, furnaces (GT and ARG Bender) and Washers (EPBL) to perform work had received training on permit-required confined spaces.

Fuyao Glass America, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.146(g)(1), which was contained in OSHA inspection number 1213350, citation number 1, item number 2b and was affirmed as a final order on November 29, 2017, with respect to a workplace located at 2801 West Stroop Road, Moraine, Ohio 45439.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/10/2019
Proposed Penalty:	\$72930.00

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:** Fuyao Glass America Inc.  
**Inspection Site:** 800 Fuyao Avenue, Moraine, OH 45439

---

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

29 CFR 1910.1200(f)(6)(ii): Workplace labeling. Except as provided in paragraphs (f)(7) and (f)(8) of this section, the employer shall ensure that each container of hazardous chemicals in the workplace is labeled, tagged or marked with either: Product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical.

- a) On or about 2/4/19, located in the OEM Maintenance department was a "Pepsi" bottle on a drill press containing an unknown chemical that did not have a product identifier along with words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemical contained therein.
- b) On or about 2/4/19, located in the paint area of the Mold shop was three unlabeled spray bottles containing 3M degreaser (irritant) that did not have a product identifier along with words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemical contained therein.
- c) On or about 2/5/19, a 2.5 gallon container of Glue 888B located in the plate making room did not have words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemical contained therein.

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:** 1375485  
**Inspection Date(s):** 02/04/2019 - 06/26/2019  
**Issuance Date:** 07/24/2019



**Citation and Notification of Penalty**

**Company Name:** Fuyao Glass America Inc.  
**Inspection Site:** 800 Fuyao Avenue, Moraine, OH 45439

---

Fuyao Glass America, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.1200(f)(6)(ii), which was contained in OSHA inspection number 1141378, citation number 1, item number 1 and was affirmed as a final order on May 10, 2017, with respect to a workplace located at 2801 West Stroop Road, Moraine, Ohio 45439.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/10/2019
Proposed Penalty:	\$41674.00

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:** Fuyao Glass America Inc.  
**Inspection Site:** 800 Fuyao Avenue, Moraine, OH 45439

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

29 CFR 1910.1200(e)(1)(i): Employers shall develop, implement, and maintain at each workplace, a written hazard communication program which at least describes how the criteria specified in paragraphs (f), (g), and (h) of this section for labels and other forms of warning, safety data sheets, and employee information and training will be met, and which also includes the following: A list of the hazardous chemicals known to be present using a product identifier that is referenced on the appropriate safety data sheet (the list may be compiled for the workplace as a whole or for individual work areas); and,

a) On or about May 5, 2019 the list of hazardous chemicals maintained by the employer was not all inclusive of all chemicals in the workplace.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/10/2019  
\$0.00

  
\_\_\_\_\_  
Ken E. Montgomery  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
36 Triangle Park Drive  
Cincinnati, OH 45246



## INVOICE / DEBT COLLECTION NOTICE

---

**Company Name:** Fuyao Glass America Inc.  
**Inspection Site:** 800 Fuyao Avenue, Moraine, OH 45439  
**Issuance Date:** 07/24/2019

<b>Summary of Penalties for Inspection Number</b>	<b>1375485</b>
<b>Citation 1, Serious</b>	<b>\$66300.00</b>
<b>Citation 2, Repeat</b>	<b>\$187534.00</b>
<b>Citation 3, Other-than-Serious</b>	<b>\$0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$253834.00</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

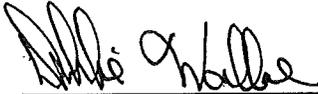
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.



Ken E. Montgomery  
Area Director

7-24-19

Date