

U.S. Department of Labor
Occupational Safety and Health Administration
4802 E. Broadway
Madison, WI 53716
Phone: 608-441-5388 Fax: 608-441-5400



Citation and Notification of Penalty

To:
G. D. Roberts & Co., Inc.
and its successors
100 Continental Dr.
Columbus, WI 53925

Inspection Number: 1158693
Inspection Date(s): 06/28/2016 - 12/16/2016
Issuance Date: 12/22/2016

Inspection Site:
100 Continental Dr.
Columbus, WI 53925

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. 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. 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. 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 12/22/2016. The conference will be held by telephone or at the OSHA office located at 4802 E. Broadway, Madison, WI 53716 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1158693

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925
Issuance Date: 12/22/2016

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, 4802 E. Broadway, Madison, WI 53716**

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: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

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

29 CFR 1910.95(d)(1): When information indicated that any employee's exposure equaled or exceed the 8-hour time-weighted average of 85 decibels, the employer did not develop and implement a monitoring program:

On or about June 28, 2016, and at times prior to and thereafter, the employer did not develop and implement a noise monitoring program for employees whose exposure exceeded the 8-hour time-weighted average of 85 decibels.

a) On September 23, 2016, a blast booth operator was exposed to an 8-hour time-weighted average sound level of 100.7 dBA.

ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)

Date By Which Violation Must be Abated:	01/17/2017
Proposed Penalty:	\$6236.00

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

Inspection Number: 1158693
Inspection Date(s): 06/28/2016 - 12/16/2016
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Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

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

29 CFR 1910.95(g)(1): The employer did not establish and maintain an audiometric testing program as provided by 29 CFR 1910.95(g) by making audiometric testing available to all employees whose exposures equal or exceed an 8-hour time-weighted average of 85 decibels:

On or about June 28, 2016, the employer did not establish an audiometric testing program for employees whose exposures exceeded an 8-hour time-weighted of 85 decibels.

On September 23, 2016, a blast booth operator was exposed to an 8-hour time-weighted average sound level of 100.7 dBA.

ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)

Date By Which Violation Must be Abated:	01/17/2017
Proposed Penalty:	\$6236.00

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: 1158693
Inspection Date(s): 06/28/2016 - 12/16/2016
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Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

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

29 CFR 1910.95(k)(1): The employer did not 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 29 CFR 1910.95(k):

On or about June 28, 2016, and at times prior to and thereafter, the employer did not train each employee in accordance with the requirements of 29 CFR 1910.95(k) who was exposed to noise at or above an 8-hour time-weighted average of 85 decibels.

On September 23, 2016, a blast booth operator was exposed to an 8-hour time-weighted average sound level of 100.7 dBA.

ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)

Date By Which Violation Must be Abated:	01/17/2017
Proposed Penalty:	\$6236.00

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Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

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 4a Type of Violation: **Serious**

29 CFR 1910.134(c)(1)(iii): The written program did not contain fit test procedures for tight-fitting respirators:

On or about June 28, 2016, and at times prior to and thereafter, the employer did not establish a written respiratory protection program that contained worksite specific procedures for fit testing for tight-fitting respirators for employees required to wear respirators, including, but not limited, the following employees:

- a) Paint booth operators for the Wagner powder paint system.
 - b) Paint booth operator assigned to the individual paint booth.
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ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)

Date By Which Violation Must be Abated:	01/17/2017
Proposed Penalty:	\$6236.00

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Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

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

29 CFR 1910.134(c)(1)(vi): The written program did not contain procedures to ensure adequate air quality, quantity, and flow of breathing air for atmosphere-supplying respirators:

On or about June 28, 2016, and at times prior to and thereafter, the employer did not establish a written respiratory protection program that contained worksite specific procedures to ensure adequate air quality, quantity and flow of breathing air for atmosphere-supplying respirator used by the Blast Booth operator.

ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)

Date By Which Violation Must be Abated:

01/17/2017

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: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

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 5a Type of Violation: **Serious**

29 CFR 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace; including a reasonable estimate of employee exposures to respiratory hazards and identification of the contaminant's chemical state and physical form:

The employer did not evaluate employee exposures to respiratory hazards in the workplace, including but not limited to, the following:

a) On September 23, 2016, the paint booth operator was exposed to 19.15 milligrams per cubic meter of particulates not otherwise regulated- total dust, which is 1.28 times the permissible exposure limit of 15 milligrams per cubic meter.

b) On September 23, 2016, the blast booth operator was exposed to 597.5 milligrams per cubic meter of particulates not otherwise regulated-total dust, which is 39.8 times the permissible exposure limit of 15 milligrams per cubic meter.

ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)

Date By Which Violation Must be Abated:	01/09/2017
Proposed Penalty:	\$6236.00



Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

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

29 CFR 1910.1000(a)(2): Employee(s) were exposed to an airborne concentration of particulates not otherwise regulated - total dust listed in Table Z-1 in excess of the 8 hour Time Weighted Average concentration of 15 milligrams per cubic meter:

- a) On September 23, 2016, the paint booth operator was exposed to 19.15 milligrams per cubic meter of particulates not otherwise regulated- total dust, which is 1.28 times the permissible exposure limit of 15 milligrams per cubic meter.

- b) On September 23, 2016, the blast booth operator was exposed to 597.5 milligrams per cubic meter of particulates not otherwise regulated-total dust, which is 39.8 times the permissible exposure limit of 15 milligrams per cubic meter.

ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)

Date By Which Violation Must be Abated:

01/09/2017



Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

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

29 CFR 1910.1000(e): Feasible administrative or engineering controls were not determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000(a) through (d):

The employer did not implement feasible engineering controls to achieve compliance with limits prescribed in 29 CFR 1910.1000(a) through (d).

On September 23, 2016, the paint booth operator and blast booth operator were overexposed to particulates not otherwise regulated- total dust. General methods of control applicable in these circumstances include, but are not limited to the following:

1. Reevaluate the efficacy of the ventilation provided for the blast booth and paint booth. Ensure that the ventilation meets or exceeds the most current recommendations outlined in the American National Standard Fundamentals Governing the Design and Operation of Local Exhaust System - ANSI Z9.2, and NFPA 91 Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists and Noncombustible Particulate Solids.

2. Verify that the blast booth and paint booth are operated and maintained per the manufacturer's instructions.

3. Review work practices and placement of parts in relation to distance from capture ventilation, determining if placing parts closer to ventilation would reduce exposure levels.

Disclaimers:

1. The employer is not limited to the abatement methods suggested by OSHA;
2. The methods explained are general and may not be effective in all cases; and
3. The employer is responsible for selecting and carrying out an effective abatement.

ABATEMENT SCHEDULE:

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: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

STEP 1: Effective respiratory protection shall be provided and used by exposed employees as an interim protective measure until feasible engineering controls can be implemented or whenever such controls fail to reduce employee exposures to within permissible exposure limits.

STEP 2: A written detailed plan of abatement shall be submitted to the Area Director outlining a schedule for the implementation of engineering 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 abatement dates required by this citation:

1. Evaluation of engineering control options;
2. Selection of optimum control methods and completion of design;
3. Procurement, installation, and operation of selected control measures; and
4. Testing and acceptance or modification/redesign of controls.

NOTE: All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person.

STEP 3: Abatement shall have been completed by the implementation of feasible engineering controls upon verification of their effectiveness in achieving compliance.

Date by Which Violation Must be Abated: STEP-1 12/28/2016 1 day from issuance

Date by Which Violation Must be Abated: STEP-2 01/27/2017 30 days from issuance

Date by Which Violation Must be Abated: STEP-3 02/28/2017 60 days from issuance

ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)

Date By Which Violation Must be Abated: 02/28/2017



Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

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

29 CFR 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator, before the employee was fit tested or required to use the respirator in the workplace:

On or about June 28, 2016, and at times prior to and thereafter, the employer did not provide a medical evaluation to employees required to wear respiratory protection, including but not limited to, the following employees:

- a) Paint booth operators for the Wagner powder paint system.
- b) Paint booth operator assigned to the individual paint booth.
- c) Blast booth operator.

ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)

Date By Which Violation Must be Abated:
Proposed Penalty:

01/17/2017
\$4988.00



Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

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

29 CFR 1910.134(f)(1): The employer did not ensure that employee(s) required to use a tight-fitting facepiece respirator passed the appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT):

On or about June 28, 2016, and at times prior to and thereafter, the employer did to ensure that the employee required to wear respirators passed a fit test, including the following:

- a) Employees wearing tight-fitting respirators on the Wagner paint line.
- b) Employees wearing tight-fitting respirators in the individual powder paint booth.

ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)

Date By Which Violation Must be Abated:	01/17/2017
Proposed Penalty:	\$4988.00



Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

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

29 CFR 1910.134(k)(3): Training was not provided prior to requiring employees to use a respirator in the workplace:

On or about June 28, 2016, and at times prior to and thereafter, the employer did not provide a training to employees required to wear respirator in the workplace:

- a) Paint booth operators for the Wagner powder paint system.
- b) Paint booth operator assigned to the individual paint booth.
- d) Blast booth operator.

ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)

Date By Which Violation Must be Abated:	01/17/2017
Proposed Penalty:	\$6236.00

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

Inspection Number: 1158693
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Issuance Date: 12/22/2016



Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

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

29 CFR 1910.147(c)(1): The employer did not establish a program consisting of an energy control procedure, employee training and periodic inspections to ensure that before any employee performed any servicing or maintenance on a machine or equipment where the unexpected energizing, startup or release of stored energy could occur and cause injury, the machine or equipment shall be isolated from the energy source and rendered inoperative:

On or about June 27, 2016, and at times prior to and thereafter, the employer's written program did not consist of employee training and periodic inspections to ensure that before servicing or maintenance was performed on machinery or equipment, such as but not limited to, the Amada laser cutting system, the equipment was isolated from the energy source and rendered inoperative.

ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)

Date By Which Violation Must be Abated:	01/17/2017
Proposed Penalty:	\$12471.00

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: 1158693
Inspection Date(s): 06/28/2016 - 12/16/2016
Issuance Date: 12/22/2016



Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

Citation 1 Item 10 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:

On or about June 27, 2016, and at times prior to and thereafter, procedures were not developed, documented or utilized to control the potential hazardous energy when employees are performing maintenance and cleaning on the Amada laser cutting system.

ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)

Date By Which Violation Must be Abated:	01/17/2017
Proposed Penalty:	\$12471.00

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: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.147(c)(7)(i): The employer did not provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage, and removal of the energy controls are acquired by employees:

On or about June 27, 2016, and at times prior to and thereafter, the employer did not provide training to employees, including but not limited to the Amada Laser Cutter operator, to ensure that the knowledge and skills required for safe application and usage of the energy controls were acquired.

ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)

Date By Which Violation Must be Abated:
Proposed Penalty:

01/17/2017
\$12471.00

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

Inspection Number: 1158693
Inspection Date(s): 06/28/2016 - 12/16/2016
Issuance Date: 12/22/2016



Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

Citation 1 Item 12 Type of Violation: **Serious**

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

On or about June 27, 2016, and at times prior to and thereafter, lockout or tagout devices were not affixed to each energy isolating device on the Amada laser cutting system when employees performed cleaning procedures.

ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)

Date By Which Violation Must be Abated:	01/17/2017
Proposed Penalty:	\$12471.00

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: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

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 13a Type of Violation: **Serious**

29 CFR 1910.178(a)(4): Modifications or additions which affect capacity and safe operation of powered industrial truck were performed by the employer without the manufacturer's prior written approval:

On September 23, 2016, and at times prior to and thereafter, the employer was using a Daewoo sit down rider, propane forklift modified with a hole drilled through one the tines, without obtaining the manufacturer's written approval prior to use.

ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)

Date By Which Violation Must be Abated:	01/17/2017
Proposed Penalty:	\$3741.00

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

Inspection Number: 1158693
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Issuance Date: 12/22/2016



Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

Citation 1 Item 13b Type of Violation: **Serious**

29 CFR 1910.178(a)(5): The powered industrial truck was equipped with front-end attachments other than factory installed attachments, however the employer did not request that the truck be marked to identify the attachments and show the approximate weight of the truck and attachment combination at maximum elevation with load laterally centered:

On or about September 23, 2016, and at times prior to and thereafter, the employer was using a Daewoo sit down rider, propane forklift modified with a hole drilled through one the tines, and a trailer ball hitch attached without the truck being marked to identify the attachment.

ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)

Date By Which Violation Must be Abated:

01/17/2017

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Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

Citation 1 Item 14 Type of Violation: **Serious**

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

On or about July 28, 2016, and at times prior to and thereafter, the employer did not ensure that each powered industrial truck operator had successfully completed the training specified in paragraph (l).

ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)

Date By Which Violation Must be Abated:
Proposed Penalty:

01/17/2017
\$6236.00

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

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Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

Citation 1 Item 15 Type of Violation: **Serious**

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

On or about June 28, 2016, and at times prior to and thereafter, the employer did not compile a list of hazardous chemicals known to be present in the workplace, including but not limited to: TCI Powder Coatings - FC SD RAL 6018 Yellow Green 25; Hentzen Ford White Powder Coating; Tiger Drylac RAL 6021; Radnor ER70S-6; Prismatic Powders P-series.

ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)

Date By Which Violation Must be Abated:
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\$6236.00

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Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

Citation 1 Item 16 Type of Violation: **Serious**

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

On or about June 28, 2016, and at times prior to and thereafter, the employer did not train employees in the hazardous chemicals in their work areas, including but not limited to, the combustible dust explosion hazards created by the powder paints and the skin sensitization and genetic defects cause by the powder paints.

ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)

Date By Which Violation Must be Abated:	01/17/2017
Proposed Penalty:	\$6236.00

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

Inspection Number: 1158693
Inspection Date(s): 06/28/2016 - 12/16/2016
Issuance Date: 12/22/2016



Citation and Notification of Penalty

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1903.3(a): Compliance Safety and Health Officers of the Department of Labor was not permitted to enter without delay and at reasonable times any factory, plant, establishment, construction site, or other area, workplace or environment where work is performed by an employee of an employer; to inspect and investigate during regular working hours and at other reasonable times, and within reasonable limits and in a reasonable manner, any such place of employment, and all pertinent conditions, structures, machines, apparatus, devices, equipment and materials therein; to question privately any employer, owner, operator, agent or employee; and to review records required by the Act and regulations published in this chapter, and other records which are directly related to the purpose of the inspection. Representatives of the Secretary of Health, Education, and Welfare are authorized to make inspections and to question employers and employees in order to carry out the functions of the Secretary of Health, Education, and Welfare under the Act. Inspections conducted by Department of Labor Compliance Safety and Health Officers and representatives of the Secretary of Health, Education, and Welfare under section 8 of the Act and pursuant to this Part 1903 shall not affect the authority of any State to conduct inspections in accordance with agreements and plans under section 18 of the Act.

On or about July 13, 2016, the Compliance Safety and Health Officer was not permitted without delay and at reasonable times to review records required by the Act, such as but not limited to, the written Hazard Communication program, the written Respiratory Protection program, the written Control of Hazardous Energy program, and all associated employee training records.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

A handwritten signature in black ink, appearing to read "Ann Grevenkamp".

For Ann Grevenkamp
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
4802 E. Broadway
Madison, WI 53716
Phone: 608-441-5388 Fax: 608-441-5400



INVOICE / DEBT COLLECTION NOTICE

Company Name: G. D. Roberts & Co., Inc.
Inspection Site: 100 Continental Dr., Columbus, WI 53925
Issuance Date: 12/22/2016

Summary of Penalties for Inspection Number	1158693
Citation 1, Serious	\$119725.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$119725.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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

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

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

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



For Ann Grevenkamp
Area Director

12/22/16

Date