

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1222 Spruce Street  
Room 9.104  
St. Louis, MO 63103  
Phone: (314)425-4249 FAX: (314)222-3333



## Citation and Notification of Penalty

**To:**  
NVP HOSPITALITY DESIGN LLC  
and its successors  
801 Moreau Street  
Ste. Genevieve, MO 63670

**Inspection Number:** 316275999  
**Inspection Date(s):** 01/10/2012-01/10/2012  
**Issuance Date:** 06/20/2012

**Inspection Site:**  
801 Moreau Street  
Ste. Genevieve, MO 63670

*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 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 page 5 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.

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

**Notification of Corrective Action** - For each violation which you do not contest, you are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the OSHA office issuing the citation and identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

**All abatement verification documents must contain the following information:** 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

**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.

ABATEMENT CERTIFICATION

William D. McDonald, Area Director  
U.S. Department of Labor - OSHA  
1222 Spruce Street  
Room 9.104  
St. Louis, MO 63103  
Phone: (314)425-4249

NVP HOSPITALITY DESIGN LLC  
801 Moreau Street  
Ste. Genevieve, MO 63670

The hazard referenced in Inspection Number \_\_\_\_\_ for the violation identified as  
Citation \_\_\_\_\_ and Item \_\_\_\_\_ was corrected on \_\_\_\_\_  
by \_\_\_\_\_

The hazard referenced in Inspection Number \_\_\_\_\_ for the violation identified as  
Citation \_\_\_\_\_ and Item \_\_\_\_\_ was corrected on \_\_\_\_\_  
by \_\_\_\_\_

The hazard referenced in Inspection Number \_\_\_\_\_ for the violation identified as  
Citation \_\_\_\_\_ and Item \_\_\_\_\_ was corrected on \_\_\_\_\_  
by \_\_\_\_\_

The hazard referenced in Inspection Number \_\_\_\_\_ for the violation identified as  
Citation \_\_\_\_\_ and Item \_\_\_\_\_ was corrected on \_\_\_\_\_  
by \_\_\_\_\_

The hazard referenced in Inspection Number \_\_\_\_\_ for the violation identified as  
Citation \_\_\_\_\_ and Item \_\_\_\_\_ was corrected on \_\_\_\_\_  
by \_\_\_\_\_

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

\_\_\_\_\_  
Signature

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 06/20/2012. The conference will be held at the OSHA office located at 1222 Spruce Street, Room 9.104, St. Louis, MO, 63103 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.



**Citation and Notification of Penalty**

Company Name: NVP HOSPITALITY DESIGN LLC  
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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

29 CFR 1910.23(c)(1): Every open-sided floor or platform 4 feet or more above adjacent floor or ground level shall be guarded by a standard railing (or the equivalent as specified in paragraph (e)(3) of this section) on all open sides except where there is entrance to a ramp, stairway, or fixed ladder. The railing was not provided with a toeboard wherever, beneath the open sides, persons could pass:

- a) In the production area, above the spray booth, there was an intermediate (mid) rail missing from the standard railings surrounding the work platform. Employees were exposed to a ten (10) feet fall to the concrete floor below.
- b) In the production area, above the spray booth, the standard rail system did not have a toeboard. Employees passing under the area were exposed to falling object hazards.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos, which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 4500.00



## Citation and Notification of Penalty

**Company Name:** NVP HOSPITALITY DESIGN LLC  
**Inspection Site:** 801 Moreau Street, Ste. Genevieve, MO 63670

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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury resulting from an accident.

### Citation 1 Item 2a 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:

Inside of the stamping department, specific procedures were not developed in writing for the following machines:

- a/ Kensol Stamping Press, m/n K60, s/n T-734-EA.
- b/ Kensol Stamping Press, m/n K-46-T, s/n IED-29-PA.
- c/ Kensol Stamping Press, m/n K-65, s/n A-69-PAX.
- d/ Kensol Stamping Press, m/n K25T, s/n T/TC1857JAX.
- e/ Thermatron RF Sealing Press, m/n Type KA41, s/n 441S71.
- f/ Thermatron RF Sealing Press, m/n Type KA41, s/n 424J71.
- g/ Faratron RF Sealing Press, m/n 6FPS-FF-2, s/n 283-104.
- h/ Transfer Print Foil Cutter, m/n TPL24, s/n 8R.
- i/ Thermatron RF Sealing Press, m/n Type KA41, s/n 609L74.

**ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.**

Date By Which Violation Must be Abated:	08/06/2012
Proposed Penalty:	\$ 4500.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

**Company Name:** NVP HOSPITALITY DESIGN LLC  
**Inspection Site:** 801 Moreau Street, Ste. Genevieve, MO 63670

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

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed:

The employer did not conduct a periodic inspection of the energy control procedures for the following machines with multiple energy sources:

- a) Lawson Pacemaker Hydraulic Clamp Cutter 69", Machine #58.
- b) Kabar RF Sealing Press, Machine #31.
- c) Kabar RF Sealing Press, Machine #33.
- d) Thermatron RF Sealing Press, Machine #12.
- e) Thermatron RF Sealing Press, Machine #36.
- f) Thermatron RF Sealing Press, Machine #37.
- g) Faratron Sealing Press, Machine #21
- h) Faratron RF Sealing Press, Machine #13.
- i) Faratron RF Sealing Press, Machine #36.
- j) Faratron RF Sealing Press, Machine #34.
- k) Faratron RF Sealing Press, Machine #20.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos, which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

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

**08/06/2012**



## Citation and Notification of Penalty

**Company Name:** NVP HOSPITALITY DESIGN LLC  
**Inspection Site:** 801 Moreau Street, Ste. Genevieve, MO 63670

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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury resulting from an accident.

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

29 CFR 1910.147(c)(5)(i): Locks, tags, chains, wedges, key blocks, adapter pins, self-locking fasteners, or other hardware were not provided by the employer for isolating, securing, or blocking of machines or equipment from energy sources:

- a) Protective materials or hardware were not provided to lock out the pneumatic energy sources on machines including but not limited to the following:
    - a) Lawson Pacemaker Hydraulic Clamp Cutter 69" (Serial#1074) Machine #58.
    - b) Faratron RF Sealing Press With Turn Table. Model#10-FPS-FF-1. (Serial#284-55) Machine #35.
    - c) Thermatron Sealing Press. Type K41SA. (Serial#696) Machine #20.
    - d) Thermatron RF Sealing Press With Turn Table. Model#F10. (No Serial# Available) Type#F10-26. Machine #36.
    - e) Kabar RF Sealing Press With Turn Table. Model#DH100000. (Serial#10K293) Machine #31.
    - f) Thermatron RF Sealing Press. Type KF41. (Serial#718L25) Machine #12.
    - g) Faratron RF Sealing Press With Turn Table. Model#6FPS-FF-2. (Serial#283-103) Machine #13.
    - h) Thermatron RF Sealing Press. Type K41SA. (Serial#696) Machine #20.
    - i) Kabar RF Sealing Press With Turn Table. Model#DH100000. (No Serial# Available) Machine #33.
    - j) Thermatron RF Sealing Press With Turn Table. Model#F10. Type#F10-26. (No Serial# Available) Machine #36.
    - k) Thermatron RF Sealing Press. Type#K64SA. (Serial#25664) Machine #37.
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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



### Citation and Notification of Penalty

**Company Name:** NVP HOSPITALITY DESIGN LLC  
**Inspection Site:** 801 Moreau Street, Ste. Genevieve, MO 63670

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Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos, which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 08/06/2012  
Proposed Penalty: \$ 4500.00

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

29 CFR 1910.147(c)(7)(i)(A): Authorized employee(s) did not receive training in the recognition of on applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control:

The employer did not provide training to ensure that the purpose and function of the energy control program were understood by employee(s) and that the knowledge and skills required for the safe application, use, and removal of energy controls were acquired by employee(s) as follows:

- a) Authorized employee(s) were not aware of the requirement to lock out the pneumatic energy sources on machines containing both electrical and pneumatic energy sources.
- b) Authorized employee(s) were unaware of the requirement to de-energize machinery prior to changing out dies.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos, which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 08/06/2012

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: NVP HOSPITALITY DESIGN LLC  
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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

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

Lock out devices were not affixed to energy isolating devices including but not limited to the following machines:

- a) A lock out device was not applied to isolate the pneumatic energy of the Lawson Pacemaker Hydraulic Clamp Cutter 69" (Machine #58) while it was being repaired.
- b) A lock out device was not applied to isolate the pneumatic energy source on the Faratron RF Sealing Press #34 while an employee was in it to clean it out and replace a bad seal on the head.
- c) Lock out devices were not applied to isolate the electric and pneumatic energy sources on the Faratron RF Sealing Press #34 while an employee was changing dies.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos, which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 08/06/2012

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

**Company Name:** NVP HOSPITALITY DESIGN LLC  
**Inspection Site:** 801 Moreau Street, Ste. Genevieve, MO 63670

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

29 CFR 1910.178(l)(4)(iii): An evaluation of each powered industrial truck operator's performance was not conducted at least once every three years:

a/ Witin the warehouse, employee(s) were exposed to struck by hazards due to three powered industrial truck operators having not had evaluations conducted of their performance at least once every three years.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos, which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

<b>Date By Which Violation Must be Abated:</b>	<b>08/06/2012</b>
<b>Proposed Penalty:</b>	<b>\$ 2700.00</b>

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

**Company Name:** NVP HOSPITALITY DESIGN LLC  
**Inspection Site:** 801 Moreau Street, Ste. Genevieve, MO 63670

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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury resulting from an accident.

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

29 CFR 1910.184(e)(1): Alloy steel sling(s) did not have permanently affixed durable identification stating size, grade, rated capacity, and reach:

- a) In the cutting department, employees were using a one quarter (1/4) ton monorail underslung crane, m/n CM Series 627, s/n L-305 FF to move materials. The alloy steel chains attached to the lifting beams did not have a placard attached to the slings identifying its maximum load capacity.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 3600.00

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

29 CFR 1910.184(e)(3)(i): Thorough periodic inspections of alloy steel chain slings in use were not made on a regular basis:

In the cutting department, employees were using a one quarter (1/4) ton monorail underhung crane, model CM Series 627 and serial number L-305 FF to move materials. The alloy steel chains attached to the lifting beams had never undergone a thorough periodic inspection.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos, which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated:	08/06/2012
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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

**Company Name:** NVP HOSPITALITY DESIGN LLC  
**Inspection Site:** 801 Moreau Street, Ste. Genevieve, MO 63670

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

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from the hazards created by in-going nip points and rotating parts:

- a) In the Maintenance Department, there was a Ridgid Drill Press being used with no arbor (chuck) guard in place over the drill bit.
- b) In the Silk Screen Department, the rotating chuck on the Foil Cutter (#27) was not guarded.
- c) In the Binding Department, the end caps on three (3) bidery conveyor belts were not guarded.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos, which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 08/06/2012  
Proposed Penalty: \$ 4500.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

**Company Name:** NVP HOSPITALITY DESIGN LLC  
**Inspection Site:** 801 Moreau Street, Ste. Genevieve, MO 63670

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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury resulting from an accident.

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

29 CFR 1910.212(b): Machine(s) designed for fixed location(s) were not anchored to prevent walking or moving:

- a) In the maintenance shop, a Ridgid Drill Press, m/n DP 15501, s/n AM 034919535, was not anchored to the floor to prevent movement.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

Date By Which Violation Must be Abated: 08/06/2012  
Proposed Penalty: \$ 4500.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: NVP HOSPITALITY DESIGN LLC  
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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

29 CFR 1910.219(b)(1): Flywheels located so that any part was seven (7) feet or less above floor or platform were not guarded in accordance with the requirements of this subparagraph:

- a) Inside of the die cutting department, employees were using die cutters #24, 25, and 26 with unguarded flywheels.
- c) Inside of the die cutting department, employees were using a Berry Machine Company hole puncher with unguarded flywheels.
- c) Inside of the riveting department, employees were using a Dual Riveter Machine (Model #81 and Serial #7688) with an unguarded flywheel.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos, which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated:

08/06/2012

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

**Company Name:** NVP HOSPITALITY DESIGN LLC  
**Inspection Site:** 801 Moreau Street, Ste. Genevieve, MO 63670

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

29 CFR 1910.305(b)(1)(i): Unused openings in boxes, cabinets, or fittings were not effectively closed:

Inside of the compressor room, the following cabinets possessed openings:

- a) A 120/240 volt panel box (SP 2) with an unused opening located inside. Employees were exposed to contact with live parts.
- b) A 120/240 volt panel box (SP 3) with an unused opening located inside. Employees were exposed to contact with live parts.
- c) A 120/240 volt panel box (SP 4) with three (3) unused openings located inside. Employees were exposed to contact with live parts.
- d) A 240 volt panel box with four (4) large unused openings located inside. Employees were exposed to contact with live parts.
- e) A 480 volt panel box with a large opening located inside. Employees were exposed to contact with live parts.
- f) In the cutting area, on the west wall, there was a knockout missing on the right side of the metal fourplex outlet box.
- g) There was a missing knockout under the switch box located on the east wall of the cutting department.
- h) In the cutting area, in the rear of the facility, there was a knockout missing from the right side of a fourplex outlet.

**ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.**

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

**08/06/2012**  
**\$ 4500.00**

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

**Company Name:** NVP HOSPITALITY DESIGN LLC  
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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury resulting from an accident.

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

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and cables may not be used as a substitute for the fixed wiring of a structure:

- a) In the the silkscreen department, on the west wall, there was an orange electrical (extension) cord being used in lieu of permanent wiring to energize a Foil Cutter (#27) Machine. This extension cord was used as a substitute for permanent wiring.
- b) In the riveting department, near the east wall, there was a green electrical (extension) cord being used as a substitute for permanent wiring to energize a Dayton pedestal fan. The extension cord was being used as a substitute for permanent wiring.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos, which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 08/06/2012  
Proposed Penalty: \$ 4500.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: NVP HOSPITALITY DESIGN LLC  
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**Citation 1 Item 9b** Type of Violation: **Serious**

29 CFR 1910.334(a)(2)(i): Portable cord and plug-connected electric equipment and flexible cord sets (extension cords) were not visually inspected before use on any shift for external defects (such as loose parts, deformed and missing pins, or damage to outer jacket or insulation) and for evidence of possible internal damage (such as pinched or crushed outer jacket):

- a) Inside of the decorating department, near the southwest wall, the orange extension (flexible) cord that the Foil Cutter was plugged into was missing the grounding pin from the plug.
- b) Inside of the riveting department, Near the southwest wall, the green extension (flexible) cord that the Dayton pedestal fan was plugged into missing the ground pin from the plug on each end of the cord.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION

Date By Which Violation Must be Abated: 08/06/2012

**Citation 1 Item 10** Type of Violation: **Serious**

29 CFR 1910.335(a)(1)(i): Employees working in areas where there were potential electrical hazards were not provided with, and/or did not use, electrical protective equipment that was appropriate for the specific parts of the body to be protected and for the work to be performed:

- a/ Inside of the Compressor Room, employee(s) were servicing five, energized circuit breaker panel boxes without the use of suitable personal protective equipment to protect against the potential of arc blast.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

Date By Which Violation Must be Abated: 08/06/2012  
Proposed Penalty: \$ 6300.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: NVP HOSPITALITY DESIGN LLC  
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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

29 CFR 1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

Inside of the decorating department on the southeast end, the point-of-operation belonging to the following machines was unguarded:

- a) The Thermatron Radio Frequency (RF) Machine, Serial Number 424J71 and no model number was available. This is a hand feed press.
- b) The Thermatron Radio Frequency (RF) Machine, Serial Number 441S71 and no model number was available. This is a hand feed press.
- c) The Thermatron Radio Frequency (RF) Machine, Serial Number 718L75 and no model number was available. This is a hand feed press.
- d) The Faratron Radio Frequency (RF) Machine, Serial Number Z83-104 and no model number was available. This is a hand feed press.

Inside of the decorating department near the north wall, the point-of-operation belonging to the following machines was unguarded:

- a) The Thermatron Radio Frequency (RF) Machine, Serial Number 609L74 and no model number was available. This is a hand feed press.
- b) The Thermatron Radio Frequency (RF) Machine, Serial Number 696 and no model number was available. This is a hand feed press.

Inside of the decorating department, the point-of-operation belonging to the following machines was unguarded:

- a/ Latham Machine Company Hole Puncher, m/n and s/n unknown.

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



### Citation and Notification of Penalty

Company Name: NVP HOSPITALITY DESIGN LLC  
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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- b/ Berry Machine Company Hole Puncher, m/n and s/n unknown.
- c/ Challenger Multi-Drill Press, m/n and s/n unknown.
- d/ Townsend Dual Riveter, m/n and s/n unknown.
- e/ Lawson 69-Inch Cutter, unknown m/n or s/n.

Inside of the sealing department near the north wall, the point-of-operation belonging to the following machines was unguarded:

- a) The Kabar Radio Frequency (RF) Machine, Serial Number 14R39 and no model number was available. This was a turn table.
- b) The Faratron Radio Frequency (RF) Machine, Serial Number 103-46 and no model number was available. This was a hand feed press.
- c) The Kabar Radio Frequency (RF) Machine, Serial Number was not legible and no model number was available. This was a turn table.

Inside of the sealing department parallel to the north wall and more central, the point-of-operation belonging to the following machines was unguarded:

- a) The Faratron Radio Frequency (RF) Machine, Serial Number 283-83 and no model number was available. This was a turn table.
- b) The Faratron Radio Frequency (RF) Machine, Serial Number 284-55 and no model number was available. This was a turn table.
- c) The Thermatron Radio Frequency (RF) Machine, Serial Number 1614-80 and no model number was available. This is a turn table.
- d) The Thermatron Radio Frequency (RF) Machine, Serial Number 25664 and no model number was available. This is a hand feed press.

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: NVP HOSPITALITY DESIGN LLC  
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National Vinyl Products Inc. dba NVP Hospitality Design LLC was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard 29 CFR 1910.212(a)(3)(ii) which was contained in the OSHA Inspection 314387515, citation 1, item 3, that was issued on 05/20/10 and became a final order on 06/17/10.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

Date By Which Violation Must be Abated: 08/06/2012  
Proposed Penalty: \$ 12600.00

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

29 CFR 1910.304(g)(5): The path to ground from circuits, equipment, and enclosures was not permanent, continuous and effective:

- a) Inside of the decorating department, near the southwest wall, the Foil Cutter (#27) was not grounded.
- b) Inside of the riveting department, near the southwest wall, the Dayton pedestal fan was not grounded.

National Vinyl Products Inc. dba NVP Hospitality LLC was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard 29 CFR 1910.305(g)(2)(iii) which was contained in the OSHA Inspection 313242158, citation 1, item 2, which was issued on 05/29/09, and closed on 08/05/09.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

Date By Which Violation Must be Abated: 08/06/2012  
Proposed Penalty: \$ 9000.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: NVP HOSPITALITY DESIGN LLC  
Inspection Site: 801 Moreau Street, Ste. Genevieve, MO 63670

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

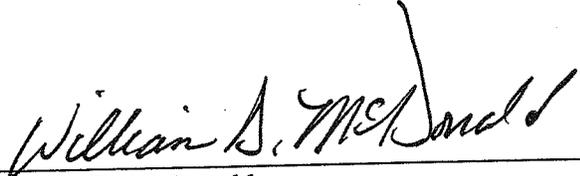
29 CFR 1904.2(b)(2): A copy of the log and summary of occupational injuries and illnesses (OSHA Form 300 or equivalent) was not available and current to within 45 calendar days at the establishment:

- a) At the time of the inspection, this company did not have OSHA 300 logs available at this establishment for the years 2009, 2010, 2011 and year to date 2012.

ABATEMENT CERTIFICATION AND ABATEMENT VERIFICATION ARE REQUIRED FOR THIS VIOLATION.

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/06/2012  
\$ 0.00

  
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William D. McDonald  
Area Director

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## INVOICE/ DEBT COLLECTION NOTICE

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### Summary of Penalties for Inspection Number 316275999

Citation 1, Serious	= \$	44100.00
Citation 2, Repeat	= \$	21600.00
Citation 3, Other	= \$	0.00
<b>TOTAL PROPOSED PENALTIES</b>	<b>= \$</b>	<b>65700.00</b>

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To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to:  
"DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

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

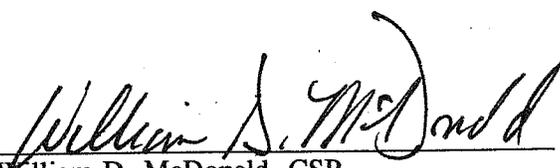
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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. 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 3%. 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.

  
\_\_\_\_\_  
William D. McDonald, CSP  
Area Director

6-20-12  
Date

Corrective action taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Citation and Notification of Penalty.

If the hazards itemized on this citation(s) are not abated/corrected and a follow-up inspection is conducted, your establishment may receive a Failure to Abate Citation for the uncorrected hazards with subsequent additional monetary penalties of up to thirty (30) times the original penalty amount of the uncorrected hazards.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the Citation(s).

