

U.S. Department of Labor
Occupational Safety and Health Administration
Houston South Area Office
17625 El Camino Real, Suite 400
Houston, TX 77058
Phone: (281)286-0583 FAX: (281)286-6352



Citation and Notification of Penalty

To:
Piping Technology & Products, Inc.
and its successors
P.O. Box 34506
Houston, TX 77234

Inspection Number: 315722579
Inspection Date(s): 09/13/2011 - 02/21/2012
Issuance Date: 03/12/2012

Inspection Site:
3701 Holmes Rd
Houston, TX 77501

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. The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.

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 4 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 violations which you do not contest, you should notify the U.S. Department of Labor Area Office promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation. Please inform the Area Office in writing of the abatement steps you have taken and of their dates, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc. (Please see attached "Corrective Action Verification.")

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.

Corrective Action Verification

Dear Sir:

OSHA's inspections are intended to result in the abatement/correction of violations of the OSHA Act. To verify that this has been accomplished, Section 1903.19 requires that an employer certify to OSHA, within ten (10) days of the final abatement date that each item cited has been corrected.

This abatement certification letter must include the following:

Name of Employer

OSHA Inspection Number

Citation and Item Numbers to which the submission relates

The date each item was abated, specific action taken to abate each violation and appropriate documentation for the action taken. Where appropriate, this documentation should include photographs, work orders, purchase orders, personal protective equipment provided, standard operation procedures, copies of written programs, engineering controls, monitoring data, etc. Adequate supporting documentation may allow us to close the case file. The lack of adequate documentation could result in a follow-up inspection.

A statement that affected employees and their representatives have been informed of the abatement actions.

A statement that the information submitted is accurate.

The signature of the employer or the employer's authorized representative.

Following is a sample format that may be used for this submittal:

Name of Employer _____

Citation Number	Item No. Instance No.	Date Item Abated	Corrective Action Taken
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Date this letter of submission posted _____

I certify that the information submitted is correct.

Employer or Authorized Representative

NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 03/12/2012. The conference will be held at the OSHA office located at Houston South Area Office, 17625 El Camino Real, Suite 400, Houston, TX, 77058 on _____ at _____.

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

U.S. Department of Labor

Occupational Safety and Health Administration
17625 El Camino Real; Suite 400
Houston, TX 77058
Phone: (281)286-0583, Fax: (281)286-6352

Reply to the Attention of: HSAO

Dear Employer:

Under a law passed by Congress in 1996, the Small Business Administration (SBA) has established the SBA Ombudsman and SBA Regional Fairness Boards to investigate small business complaints pertaining to federal agency enforcement actions.

If you are a small business and believe you have been treated unfairly by the Occupational Safety and Health Administration (OSHA), you may file a written, signed complaint with the SBA Ombudsman at:

Small Business Administration
Office of the National Ombudsman
409 Third Street, S.W., MC2120
Washington, DC 20024-0005
Phone: (202)205-2417
Fax: (202)418-5719

You can also access and download the Complaint/Comment form by visiting their website at:

<http://www.sba.gov/aboutsba/sbaprograms/ombudsman/index.html>

Or, call Toll Free: 1-888-REGFAIR

NOTE: Filing a complaint with the SBA Ombudsman does not affect any obligation you may have to comply with an OSHA citation or other enforcement action. Nor does it mean you need not take other available legal steps to protect your interest.

Your support in worker occupational health and safety is appreciated.

Sincerely,



Mark R. Briggs
Area Director



Citation and Notification of Penalty

Company Name: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

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

29 CFR 1910.95(i)(2)(i): The wearing of hearing protectors was not ensured for employees exposed to sound levels exceeding those listed in Table G16 of 29 CFR 1910.95 as required by 29 CFR 1910.95(b)(1):

At the facility, in the Bellows Department: the employer does not ensure that hearing protectors are worn by employees exposed to sound levels exceeding those listed in 29 CFR 1910.95, Table G-16. This violation occurred on September 15, 2011, where an employee performing grinding was exposed to continuous noise levels at 179.4 % of the allowable 8-hour time weighted average sound level (90 dBA). The equivalent dBA level of 179.4 % is approximately 94.2 dBA. The sampling was performed for 496 minutes during one shift on September 15, 2011.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation showing that all employees exposed to noise in excess of 29 CFR 1910.95 Table G-16 are provided and required to wear hearing protection that results in exposure at or below 90 dBA as an 8-hour time weighted average, or institute engineering and administrative controls to otherwise ensure employee exposure does not exceed that prescribed in Table G-16.

Date By Which Violation Must be Abated: 04/05/2012
Proposed Penalty: \$ 7000.00

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: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

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

29 CFR 1910.106(d)(7)(iv): The employer did not ensure materials which will react with water were not stored in the same room with flammable or combustible liquids.

At the facility, in the foam department shoe assembly area: the employer stores water reactive materials in the same room with flammable or combustible liquids. This violation occurred on September 13, 2011 and at times thereafter when palletized flammable and combustible stock was stored adjacent to 55 gallon drums of acid.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation that all water reactive chemicals are no longer stored in the same room with flammable or combustible liquids.

Date By Which Violation Must be Abated: 04/05/2012
Proposed Penalty: \$ 5000.00



Citation and Notification of Penalty

Company Name: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

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

29 CFR 1910.132(d)(1): The employer did not assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE):

At the facility in the foam department, foam manufacturing and shoe assembly areas: the employer does not assess the workplace and determine hazards present or likely to be present which necessitate the use of personal protective equipment (PPE). This violation occurred on September 13, 2011 and at times thereafter when employees used Xiameter OFS-0772 Silicone, a corrosive chemical with pH 13 in the shoe assembly area and sprayed and handled liquid methylene diisocyanate in the foam manufacturing and shoe assembly areas without PPE assessment and selection by the employer to protect against exposure from these hazardous chemicals.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation demonstrating that a Hazard Assessment including PPE selection based on hazards and communications of the decisions to employees has been done in accordance with 29 CFR 1910.132(d).

Date By Which Violation Must be Abated: 04/05/2012
Proposed Penalty: \$ 4000.00



Citation and Notification of Penalty

Company Name: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

Citation 1 Item 4 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 hazard(s) and an identification of the contaminant's chemical state and physical form:

At the facility, in the paint, foam, galvanized welding and field services departments: the employer does not identify and evaluate respiratory hazards in the workplace including making a reasonable assessment of employee exposures to respiratory hazards. This violation occurred on September 13, 2011 and at times thereafter when employees in the paint, foam, galvanized welding and field services departments were exposed to air contaminants in the workplace including but not limited to:

a) Paint Shop:

Carbozinc 11 FG Base: 2-Butoxyethanol

Acrolon 218 HS Acrylic Polyurethane (Part B): Hexamethylene Diisocyanate

b) Foam Shop:

Elastopor P1001U: methylene diisocyanate, polymethylene polyphenylisocyanate

Foster 6039: trimethylbenzene, cumene.

Foster 8184 Part B: polymethylene polyphenyl isocyanate, methylene diisocyanate, methylenediphenyl diisocyanate.

Thermo-12 Gold: Calcium Silicate, trace amounts of crystalline silica.

c) WAG Shop: zinc oxide, respirable Particles Not Otherwise Classified

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation demonstrating that reasonable assessment of exposure has been made in these areas to support respiratory protection determinations.

Date By Which Violation Must be Abated:

04/05/2012

Proposed Penalty:

\$ 4000.00

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: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

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

29 CFR 1910.134(k)(5): Retraining was not administered annually:

At the Facility in the paint and field services department: the employer does not provide annual retraining for employees required to use respiratory protection. This violation occurred on September 13, 2011 and times theretofore and thereafter when employees in the paint and field services departments were required to wear respiratory protection without receiving annual retraining.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation demonstrating that annual retraining of employees required to wear respiratory protection has been completed.

Date By Which Violation Must be Abated: 04/05/2012
Proposed Penalty: \$ 3000.00

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: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

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

29 CFR 1910.138(a): The employer did not select and require employees to use the appropriate hand protection when employee's hands are exposed to hazards such as those from skin absorption of harmful substances; severe abrasions; punctures; chemical burns; thermal burns; and harmful temperature extremes:

At the facility in the foam department foam manufacturing and shoe assembly areas: the employer does not select and require employees to use appropriate chemical resistant hand protection when employee's hands are exposed to hazards from skin absorption and chemical burns. This violation occurred on September 13, 2011 and times thereafter when employees used Xiameter OPS-0772 Siliconate, a corrosive chemical with pH 13 in the shoe assembly area and sprayed and handled liquid methylene diisocyanate in the foam manufacturing and shoe assembly areas while not wearing chemical resistant gloves to protect against exposure from these hazardous chemicals.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation demonstrating that gloves selected to provide protection from absorption or chemical burn have been provided and required to be worn by employees working with these chemicals.

Date By Which Violation Must be Abated: 04/05/2012
Proposed Penalty: \$ 7000.00



Citation and Notification of Penalty

Company Name: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

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

29 CFR 1910.1052(h)(1): Where needed to prevent methylene chloride induced skin or eye irritation, the employer did not provide clean protective clothing and equipment resistant to methylene chloride, at no cost to the employee, and/or did not ensure that each affected employee used it:

At the facility in the foam department shoe assembly area: the employer does not provide clean protective clothing and equipment which is resistant to methylene chloride or ensure that employees use to protect against the adhesive used in pipe shoe manufacturing. This violation occurred on September 13, 2011 and at times thereafter when employees brushed 70-100% methylene chloride adhesive from open containers containing Fosters 85-75 adhesive without chemical resistant gloves and with holed gloves.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation that clean protective clothing resistant to methylene chloride has been provided and put in place training and surveillance to ensure its use.

Date By Which Violation Must be Abated:

04/05/2012

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: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

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

29 CFR 1910.151(e): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use:

At the facility in the foam department shoe assembly area: the employer does not provide suitable facilities for quick drenching or flushing of the eyes and body in the shoe assembly area for immediate emergency use. This violation occurred on September 13, 2011 and at times thereafter when employees used Xiameter OPS-0772 Siliconate, a corrosive chemical with pH 13 without an emergency eyewash or shower station in the immediate work area.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation demonstrating that that suitable facilities for quick drenching and flushing of the eyes and body have been made available in the immediate work area of the hazard.

Date By Which Violation Must be Abated: 04/05/2012
Proposed Penalty: \$ 5000.00



Citation and Notification of Penalty

Company Name: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

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

29 CFR 1910.1052(i)(2): Where reasonably foreseeable an employee's eyes may contact solutions containing 0.1 percent or greater methylene chloride (for example through splashes, spills, or improper work practices), the employer did not provide appropriate eyewash facilities within the immediate work area for emergency use.

At the facility in the foam department shoe assembly area; the employer does not provide eyewash facilities for emergency use in the immediate work area where methylene chloride adhesive is used in pipe shoe manufacturing. This violation occurred on September 13, 2011 and at times thereafter when employees brushed 70-100% methylene chloride adhesive from open unlabeled containers containing Fosters 85-75 adhesive without chemical resistant gloves and with holed gloves, and no eyewash station was in the immediate work area.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation that eyewash facilities are available in the immediate work area for emergency use.

Date By Which Violation Must be Abated:

04/05/2012



Citation and Notification of Penalty

Company Name: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

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

29 CFR 1910.1052(d)(1)(i): Where methylene chloride was present in the workplace, the employer did not determine each employee's exposure by either taking a personal breathing zone air sample of each employee's exposure, or taking personal breathing zone air samples that are representative of each employee's exposure:

At the facility in the foam department shoe assembly area, the employer does not determine each employee's exposure to methylene chloride in adhesive used in pipe shoe manufacturing. This violation occurred on September 13, 2011 and times theretofore and thereafter when employees brushed 70-100% methylene chloride adhesive from open containers containing Fosters 85-75 adhesive.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation employee exposure to methylene chloride has been monitored as required by 29 CFR 1910.1052(d).

Date By Which Violation Must be Abated: 04/05/2012
Proposed Penalty: \$ 4000.00

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: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

Citation I Item 8b Type of Violation: **Serious**

29 CFR 1910.1052(d)(2): The employer did not perform initial exposure monitoring to determine each affected employee's exposure:

At the facility in the foam department shoe assembly area: the employer does not conduct initial monitoring to determine each employee's exposure to methylene chloride in adhesive used in pipe shoe manufacturing. This violation occurred on September 13, 2011 and times theretofore and thereafter when employees brushed 70-100% methylene chloride adhesive from open containers containing Posters 85-75 adhesive.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation employee exposure to methylene chloride has been monitored as required by 29 CFR 1910.1052(d).

Date By Which Violation Must be Abated:

04/05/2012

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: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

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

29 CFR 1910.1200(h): Employees were not provided information and training as specified in 29 CFR 1910.1200(h)(2) and (3) on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard was introduced into their work area:

At the facility in the foam department: the employer does not provide employees with effective information and training on hazardous chemicals in their work area including but not limited to isocyanates, methylene chloride and corrosives.

- a) This violation occurred on September 13, 2011 and times thereafter when employees in the shoe assembly work area were provided Xiamcter OPS-0772 Siliconate, a corrosive chemical with pH 13 and Fosters 8184 Part B hardener containing methylene diisocyanate for use in the shoe assembly area without effective information and training on the hazards.
- b) This violation occurred on September 13, 2011 and times thereafter when employees were exposed to Elastopour P100U Isocyanate, a liquid containing methylene diisocyanate provided by the employer for use in the foam manufacturing area without effective information and training on the hazards.
- c) This violation occurred on September 13, 2011 and times thereafter when employees in the shoe assembly work area were provided Fosters 7585 containing methylene chloride for use in the shoe assembly area without effective information and training on the hazards.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation demonstrating that effective information and training has been provided to all exposed employees on the hazards of the chemicals being used.

Date By Which Violation Must be Abated: 04/05/2012
Proposed Penalty: \$ 7000.00



Citation and Notification of Penalty

Company Name: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

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

29 CFR 1910.95(c)(1): A continuing, effective hearing conservation program as described in 29 CFR 1910.95(c) through (o) was not instituted when employee noise exposures equaled or exceeded an 8-hour time weighted average sound level (TWA) of 85 dBA:

At the facility in the Bellows and FAB Shops: The employer does not administer a continuing effective hearing conservation program for employees exposed to an 8 hour time-weighted average sound level of 85 decibels measured on the A scale, slow response. The program should include but not be limited to monitoring, employee notification, audiometric testing, hearing protection and training. This violation occurred on September 15, 2011 and times thereafter, including but not limited to:

- a) In the FAB Department, an employee performing grinding was exposed to continuous noise levels at 83.69 % of the allowable 8-hour time weighted average sound level (85 dBA). The equivalent dBA level of 83.69 % is approximately 88.7 dBA. The sampling was performed for 409 minutes during one shift on September 15, 2011. Zero exposure was assumed for the unsampled period of time, 71 minutes.
 - b) In the Bellows Department, an employee performing grinding was exposed to continuous noise levels at 50.16 % of the allowable 8-hour time weighted average sound level (85 dBA). The equivalent dBA level of 50.16 % is approximately 85 dBA. The sampling was performed for 298 minutes during one shift on September 15, 2011. Zero exposure was assumed for the unsampled period of time, 182 minutes.
 - c) In the Bellows Department, an employee performing grinding was exposed to continuous noise levels at 97.53 % of the allowable 8-hour time weighted average sound level (85 dBA). The equivalent dBA level of 97.53 % is approximately 89.8 dBA. The sampling was performed for 504 minutes during one shift on September 15, 2011.
 - d) In the Bellows Department, an employee performing grinding was exposed to continuous noise levels at 190.6 % of the allowable 8-hour time weighted average sound level (85 dBA). The equivalent dBA level of 190.6 % is approximately 94.6 dBA. The sampling was performed for 496 minutes during one shift on September 15, 2011.
 - e) In the FAB Department, an employee performing scarfing with a torch and grinding was exposed to continuous noise levels at 111.3 % of the allowable 8-hour time weighted average sound level (85 dBA). The equivalent dBA level of 111 % is approximately 90.8 dBA. The sampling was performed for 397 minutes during one shift on September 15, 2011. Zero exposure was assumed for the unsampled period of time, 83 minutes.
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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: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

- f) In the FAB Department, an employee performing welding, pneumatic chipping and grinding was exposed to continuous noise levels at 71.99 % of the allowable 8-hour time weighted average sound level (85 dBA). The equivalent dBA level of 71.99 % is approximately 87.6 dBA. The sampling was performed for 468 minutes during one shift on October 20, 2011. Zero exposure was assumed for the unsampled period of time, 12 minutes.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation showing that a continuing, effective hearing conservation program has been developed and implemented as described in 29 CFR 1910.95 (c) through (o) for all employees exposed to 8 hour time weighted average sound levels of 85 decibels measured on the A scale, slow response mode.

Date By Which Violation Must be Abated: 04/05/2012
Proposed Penalty: \$ 70000.00



Citation and Notification of Penalty

Company Name: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

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

29 CFR 1910.134(k)(6): The basic advisory information on respirators, as presented in Appendix D of this section, was not provided by the employer to employees who wear respirators when such use is not required by this section or by the employer:

At the facility in the foam, galvanized welding, fabrication and SWECO work areas the employer does not provide basic advisory information on respirators, as presented in Appendix D to 29 CFR 1910.134 to employees wearing respirators when such use is not required by the employer. This violation occurred on September 13, 2011 and times theretofore and thereafter when employees in the foam, galvanized welding, FAB and SWECO work areas wore voluntary use respirators provided by the employer and were exposed to air contaminants in the workplace including but not limited to isocyanates, welding fume, hexavalent chromium, zinc oxide from galvanized welding, and calcium silica and were not provided Appendix D information.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation demonstrating that Appendix D information has been provided to employees wearing respirators when not required to do so by the respiratory protection standard or the employer.

Date By Which Violation Must be Abated: 04/05/2012
Proposed Penalty: \$ 1000.00



Citation and Notification of Penalty

Company Name: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501

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

29 CFR 1910.1052(i)(3)(i): The employer did not inform each affected employee of the requirements of 29 CFR 1910.1052 and information available in its appendices, as well as how to access or obtain a copy of it in the workplace:

At the facility in the foam department shoe assembly area: the employer does not inform each affected employee of the requirements of methylene chloride regulations and information available in its appendices as well as how to access or obtain a copy of them in the workplace. This violation occurred on September 13, 2011 and times theretofore and thereafter when employees brushed 70-100% methylene chloride adhesive from open unlabeled containers containing Fosters 85-75 adhesive without chemical resistant gloves and with holed gloves.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days from the abatement date of this citation, the employer must submit documentation that each affected employee has been made aware of the requirements of methylene chloride regulations and information available in its appendices as well as how to access or obtain a copy of them in the workplace in accordance with 29 CFR 1910.1052(i)(3)(i).

Date By Which Violation Must be Abated: 04/05/2012
Proposed Penalty: \$ 1000.00


Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
Houston South Area Office
17625 El Camino Real, Suite 400
Houston, TX 77058
Phone: (281)286-0583 FAX: (281)286-6352



INVOICE/ DEBT COLLECTION NOTICE

Company Name: Piping Technology & Products, Inc.
Inspection Site: 3701 Holmes Rd, Houston, TX 77501
Issuance Date: 03/12/2012

Summary of Penalties for Inspection Number 315722579

Citation 1, Serious	= \$	46000.00
Citation 2, Willful	= \$	70000.00
Citation 3, Other	= \$	2000.00
TOTAL PROPOSED PENALTIES	= \$	118000.00

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.

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.

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 4%. 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.



Mark R. Briggs
Area Director



Date