

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
420 Madison Ave  
Suite 600  
Toledo, OH 43604  
Phone: 419-259-7542 Fax: 419-259-6355



## Citation and Notification of Penalty

**To:**  
Napoleon Spring Works, Inc.  
and its successors  
111 Weires Dr.  
Archbold, OH 43502

**Inspection Number:** 1188362  
**Inspection Date(s):** 11/01/2016 - 03/27/2017  
**Issuance Date:** 04/24/2017

**Inspection Site:**  
111 Weires Dr.  
Archbold, OH 43502

*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](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

**Notification of Corrective Action** – For each violation which you do not contest, you must provide *abatement certification* to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that *abatement documentation* is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

**Employer Discrimination Unlawful** – The law prohibits discrimination by an employer against an

employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

**Employer Rights and Responsibilities** – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

**Notice to Employees** – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

**Inspection Activity Data** – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at [www.osha.gov](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 04/24/2017. The conference will be held by telephone or at the OSHA office located at 420 Madison Ave, Suite 600, Toledo, OH 43604 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1188362**

Company Name: Napoleon Spring Works, Inc.  
Inspection Site: 111 Weires Dr., Archbold, OH 43502  
Issuance Date: 04/24/2017

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, 420 Madison Ave, Suite 600, Toledo, OH 43604**

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

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

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

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

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Title

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

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

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

Inspection Number: 1188362  
Inspection Date(s): 11/01/2016 - 03/27/2017  
Issuance Date: 04/24/2017



**Citation and Notification of Penalty**

**Company Name:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

---

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

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

a. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about November 2, 2016, employees operating the track bending machine, Bender #21, were exposed to crushing and amputation injuries in that pinch points created by the machine's clamping mechanism and swing arm were not guarded.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	05/01/2017
Proposed Penalty:	\$12,548.00

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

**Inspection Number:** 1188362  
**Inspection Date(s):** 11/01/2016 - 03/27/2017  
**Issuance Date:** 04/24/2017



**Citation and Notification of Penalty**

**Company Name:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

---

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

29 CFR 1910.217(c)(3)(i)(f): Point of operation devices did not protect the operator by enclosing the point of operation before a press stroke can be initiated, and maintain this closed condition until the motion of the slide had ceased.

a. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about November 2, 2016, the employer did not ensure that the point of operation guarding device located on the #301 Stamtec power press (G1-80-S; s/n 0153) prevented employees from accessing the hazard area prior to initiation of, and during, continuous mode operation.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	05/05/2017
Proposed Penalty:	\$8,963.00

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:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

---

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

29 CFR 1910.217(c)(3)(vii)(d): Two hand controls used with mechanical power press(es) were not fixed in position so that only a supervisor or safety engineer was capable of relocating the controls:

a. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about November 2, 2016, the employer failed to ensure the two hand controls for the gray Warco press were located in a fixed position so that only a supervisor or safety engineer could relocate the controls. Employees operating the press were exposed to amputation hazards in that the two hand controls were able to be easily relocated.

b. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about November 2, 2016, the employer failed to ensure the two hand controls used for single stroke operation of the #301 Stamtec power press (G1-80-S; s/n 0153) were located in a fixed position so that only a supervisor or safety engineer could relocate the controls. Employees operating the press in a single stroke mode were exposed to amputation hazards in that the two hand controls were able to be easily relocated.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	05/05/2017
Proposed Penalty:	\$8,963.00



**Citation and Notification of Penalty**

**Company Name:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

---

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

29 CFR 1910.217(c)(5)(i): Mechanical power press(es) where the operator feeds or removes parts by placing one or both hands in the point of operation, and a two hand control, presence sensing device, or type B gate or movable barrier guard is used for safeguarding, the employer did not use a control system and a brake monitor which comply with paragraphs (b)(13) and (14) of this section.

- a. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about October 26, 2016, the employer did not ensure that a control system with brake monitor was used when employees used a hands-in-die operation to load and unload parts in the Chicago (model 1416R; s/n L20002) mechanical power press.
- b. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about November 2, the employer did not ensure that a control system with brake monitor was used when employees used a hands-in-die operation to load and unload parts in the grey Warco mechanical power press that is located in the Roll-Form Dept.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	05/01/2017
Proposed Penalty:	\$12,548.00

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

**Inspection Number:** 1188362  
**Inspection Date(s):** 11/01/2016 - 03/27/2017  
**Issuance Date:** 04/24/2017



**Citation and Notification of Penalty**

**Company Name:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

---

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

29 CFR 1910.217(c)(1)(i): The employer did not provide and ensure the usage of point of operation guards or properly applied point of operation devices on every operation performed on mechanical power press(es).

a. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about October 26, 2016, the employer failed to ensure that point of operation devices located on the Chicago press (model 1416R; s/n L20002) were used during press operation. Employees who loaded/unloaded parts in the machine were exposed to amputation injury in that each two hand control device was not utilized to protect all employees who assisted in press operation.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	05/01/2017
Proposed Penalty:	\$125,482.00

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:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

---

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

29 CFR 1910.147(c)(5)(ii)(D): Lockout devices and tagout devices did not indicate the identity of the employee applying the device(s):

a. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about October 26, 2016, the employer did not ensure that lockout devices were marked to identify the employee applying the lock. One lock without identifying information was used during a time three workers set-up the Chicago press (model 1416R; s/n L20002).

b. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about October 26, 2016, the employer did not ensure that lockout devices were marked to identify the employee applying the lock. An employee setting up the Niagara #5 power press was provided with and used a supervisor's lockout devices; the lockout devices did not identify the employee applying the lock.

Napoleon Spring Works, Inc. was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.147(c)(5)(ii)(D), which was contained in OSHA inspection number 905594, citation number 1, item number 3 and was affirmed as a final order on November 7, 2013, with respect to a workplace located at 111 Weires Dr. Archbold, Ohio 43502.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	05/05/2017
Proposed Penalty:	\$17,927.00



**Citation and Notification of Penalty**

**Company Name:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

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

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:

- a. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about October 26, 2016, a periodic inspection of the energy control procedures was not performed to assure that lockout/tagout procedure and requirements of 29 CFR 1910.147 were being followed. The employer did not assure that energy control procedures for equipment such as, but not limited to, mechanical power presses located in the Roll Form Dept. and Press Room, were audited.
- b. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about November 7, 2016, a periodic inspection of the energy control procedures was not performed to ensure that lockout/tagout procedure and requirements of 29 CFR 1910.147 were being followed. The employer did not assure that energy control procedures for the ARB Hinge Machine (Press #20) were audited at least annually.

Napoleon Spring Works, Inc. was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.147(c)(6)(i), which was contained in OSHA inspection number 905594, citation number 1, item number 4, and was affirmed as a final order on November 7, 2013, with respect to a workplace located at 111 Weires Dr. Archbold, Ohio 43502.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	05/05/2017
Proposed Penalty:	\$25,097.00

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

Inspection Number: 1188362  
Inspection Date(s): 11/01/2016 - 03/27/2017  
Issuance Date: 04/24/2017



**Citation and Notification of Penalty**

**Company Name:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

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

29 CFR 1910.147(c)(7)(i): The employer did not provide adequate training to ensure that employees acquired the knowledge and skills required for the safe application, usage and removal of energy control devices:

Napoleon Spring Works, Inc. - Archbold, Ohio: On or about October 26, 2016, the employer did not ensure employees who setup and/or maintain the equipment such as, but not limited to, mechanical power presses were adequately trained in the skills required for the safe application, usage, and removal of energy controls. Employees that set-up the presses were not trained to isolate and render energy sources safe.

Napoleon Spring Works, Inc. was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.147(c)(7)(i), which was contained in OSHA inspection number 905594, citation number 1, item number 5 and was affirmed as a final order on November 7, 2013, with respect to a workplace located at 111 Weires Dr. Archbold, Ohio 43502.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	05/01/2017
Proposed Penalty:	\$25,097.00



### Citation and Notification of Penalty

**Company Name:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

---

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

#### Citation 3 Item 4 a Type of Violation: **Repeat**

29 CFR 1910.147(d): The established procedure for the application of energy control (the lockout or tagout procedures) did not cover the actions listed in and was not done in sequence as required by 29 CFR 1910.147(d)(1)-(6):

a. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about November 1, 2016, maintenance employees were exposed to amputation injury in that the Bradbury track cut-off machine, was not locked out prior to troubleshooting and replacing a proximity switch. The employer did not ensure that energy control application steps to control the electrical and hydraulic energy sources were implemented prior to the maintenance tasks; the employer did not:

- Turn off or shut down the equipment.
- Physically operate energy isolating devices to control energy sources and affix lockout device(s).
- Ensure that all potentially hazardous stored or residual energy was relieved, disconnected, and rendered safe.
- Verify that isolation and deenergization of the machine or equipment had been accomplished.

b. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about October 26, 2016, employees were exposed to crushing injury in that the Chicago press (model 1416R; s/n L20002) was not locked out prior to set-up activities. The employer did not ensure that energy control application steps to control the gravitational energy were implemented prior to the service activity; the employer did not:

- Ensure that all potentially hazardous stored or residual energy was relieved, disconnected, restrained and rendered safe.
- Verify that isolation and deenergization of the machine or equipment had been accomplished.

Napoleon Spring Works, Inc. was previously cited for a violation of an equivalent occupational safety and health standard 29 CFR 1910.147(d)(4)(i), which was contained in OSHA inspection number 905594, citation number 1, item number 2a and was affirmed as a final order on November 7, 2013, with respect to a workplace located at 111 Weires Dr. Archbold, Ohio 43502.

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

**Inspection Number:** 1188362  
**Inspection Date(s):** 11/01/2016 - 03/27/2017  
**Issuance Date:** 04/24/2017



**Citation and Notification of Penalty**

**Company Name:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

---

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	05/01/2017
Proposed Penalty:	\$25,097.00

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:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

---

**Citation 3 Item 4 b Type of Violation: **Repeat****

29 CFR 1910.147(f)(3)(ii)(D): Each authorized employee did not affix a personal lockout or tagout device to the group lockout device prior to working on the machine or equipment.

a. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about October 26, 2016, the employer failed to ensure that each employee in the group who performed set-up activities to the Chicago press (model 1416R; s/n L20002) controlled the machine's hazardous energy. A personal lockout device was not affixed by each employee in the group who was exposed to the unexpected energization, or release of stored energy, while setting-up the press.

Napoleon Spring Works, Inc. was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.147(f)(3)(ii)(D), which was contained in OSHA inspection number 905594, citation number 1, item number 2b and was affirmed as a final order on November 7, 2013, with respect to a workplace located at 111 Weires Dr. Archbold, Ohio 43502.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

05/05/2017



**Citation and Notification of Penalty**

**Company Name:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

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

**Citation 3 Item 5 a Type of Violation: Repeat**

29 CFR 1910.217(e)(1)(i): A program of periodic and regular inspections of mechanical power press(es) was not established and followed to ensure that all parts, auxiliary equipment and safeguards were in a safe operating condition and adjustment:

a. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about October 26, 2016, the employer did not ensure that periodic and regular inspections, which would identify deficiencies in the unsafe operation of the Chicago press (model 1416R; s/n L20002), were performed and documented.

Napoleon Spring Works, Inc. was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.217(e)(1)(i) which was contained in OSHA inspection number 905594, citation number 1, item number 11, and was affirmed as a final order on November 7, 2013, with respect to a workplace located at 111 Weires Dr. Archbold, Ohio 43502.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	05/01/2017
Proposed Penalty:	\$25,097.00



**Citation and Notification of Penalty**

**Company Name:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

---

**Citation 3 Item 5 b Type of Violation: **Repeat****

29 CFR 1910.217(e)(3): Original and continuing competence of personnel maintaining mechanical power press(es) was not insured:

a. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about October 26, 2016, the employer did not ensure that employees who serviced mechanical power presses were trained to inspect and maintain mechanical power presses. The original and continuing competence of personnel servicing power presses was not maintained in that:

- Regular inspections of equipment and safeguards, including safeguards that prevent operators from inadvertently reaching into the hazard area of presses were not conducted and/or documented.
- Employees operated presses which were not guarded properly.
- Employees changed dies without locking out the machine.

Napoleon Spring Works, Inc. was previously cited for a violation of an equivalent occupational safety and health standard 29 CFR 1910.217(e)(1)(i), which was contained in OSHA inspection number 905594, citation number 1, item number 11 and was affirmed as a final order on November 7, 2013, with respect to a workplace located at 111 Weires Dr. Archbold, Ohio 43502.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

05/01/2017



### Citation and Notification of Penalty

**Company Name:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

---

#### Citation 3 Item 6 Type of Violation: **Repeat**

29 CFR 1910.217(f)(2): Supervision to ensure that correct operating procedures were being followed on mechanical power press(es) was inadequate:

a. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about November 2, 2016, the employer did not assure that the operator(s) of the #301 Stamtec power press (G1-80-S; s/n 0153) was instructed in the safe operation of the press in that the key selector switch for the press run mode was not supervised. The key, used to change press modes, was kept in the selector switch and not supervised to assure that the press mode was not changed without the operator's knowledge.

b. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about October 26, 2016, the employer did not assure that operators of the Chicago press (model 1416R; s/n L20002) were instructed in the safe operation of the press in that the key selector switch for the press run mode was not supervised. The key, used to change press modes, was kept in the selector switch and not supervised to assure that the press mode was not changed without the operator's knowledge.

c. Napoleon Spring Works, Inc. - Archbold, Ohio: On or about November 2, 2016, the employer did not assure that the operator(s) of the gray Warco press was instructed in the safe operation of the press in that the key selector switch for the press run mode was not supervised. The key, used to change press modes, was kept in the selector switch and not supervised to assure that the press mode was not changed without the operator's knowledge.

Napoleon Spring Works, Inc. was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.217(f)(2), which was contained in OSHA inspection number 905594, citation number 1, item number 12 and was affirmed as a final order on November 7, 2013, with respect to a workplace located at 111 Weires Dr. Archbold, Ohio 43502.

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

**Inspection Number:** 1188362  
**Inspection Date(s):** 11/01/2016 - 03/27/2017  
**Issuance Date:** 04/24/2017



**Citation and Notification of Penalty**

**Company Name:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502

---

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 05/05/2017  
Proposed Penalty: \$17,927.00

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

**Kimberly Nelson**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
420 Madison Ave  
Suite 600  
Toledo, OH 43604  
Phone: 419-259-7542 Fax: 419-259-6355



## INVOICE / DEBT COLLECTION NOTICE

---

**Company Name:** Napoleon Spring Works, Inc.  
**Inspection Site:** 111 Weires Dr., Archbold, OH 43502  
**Issuance Date:** 04/24/2017

<b>Summary of Penalties for Inspection Number</b>	<b>1188362</b>
<b>Citation 1, Serious</b>	<b>\$43,022.00</b>
<b>Citation 2, Willful</b>	<b>\$125,482.00</b>
<b>Citation 3, Repeat</b>	<b>\$136,242.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$304,746.00</b>

---

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

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

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

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

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

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

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

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



\_\_\_\_\_  
**Kimberly Nelson**  
Area Director

April 24, 2017

Date