

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee Street
Suite 950
Des Plaines, IL 60016
Phone: 847-803-4800 Fax: 847-390-8220



Citation and Notification of Penalty

To:
A. Finkl & Sons Co.
and its successors
2011 N Southport
Chicago, IL 60643

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012

Inspection Site:
2011 N Southport
Chicago, IL 60614

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 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 must provide **abatement certification** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that **abatement documentation** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

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

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

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days

(excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/27/2012. The conference will be held at the OSHA office located at 701 Lee Street, Suite 950, Des Plaines, IL 60016 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 191122

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614
Issuance Date: 07/27/2012

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, 701 Lee Street, Suite 950, Des Plaines, IL 60016**

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
701 Lee St., Suite 950
Des Plaines, IL 60016

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Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.26(c)(3)(iii): The base section of ladder(s) were not placed with a secure footing.

a) Annex- The employer failed to ensure that ladder(s), such as the 12 Foot Metal Ladder used to access the inside of the Ladle, were placed in a manner to provide secure footing to employees that accessed the ladder(s). The ladder was inserted into the Ladle upside down with the safety feet at the top and not making contact with the surface on which the ladder was placed.

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 of abatement, or other written records.

Date by which Violation must be Abated: 08/17/2012
Proposed Penalty: \$7,000.00

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

U.S. Department of Labor
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Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.110(f)(2)(ii): Containers of liquid petroleum gas were stored near exits, stairways, or in areas normally used or intended for the safe exit of people.

a) Annex & Forge Shop 1- The employer failed to ensure that liquefied petroleum gas containers were stored in an area away from stairways or areas normally used or intended for the safe exit of employees.

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 of abatement, or other written records.

Date by which Violation must be Abated:

08/17/2012

Proposed Penalty:

\$3,300.00

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Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.147(c)(4)(ii): The lockout tagout procedures created by the employer did not clearly and specifically outline the rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including (a) through (d) of this paragraph.

- a) The employer failed to ensure that the lockout tagout procedures adequately outlined the rules, restart procedures, and techniques to be utilized for the control of each hazardous energy source on equipment including the Overhead Cranes.
- b) The employer failed to ensure that the lockout tagout procedures adequately outlined the rules, restart procedures, and techniques to be utilized for the control of each hazardous energy source on equipment including the Manipulators and Huma Cutter Trucks.
- c) The employer failed to ensure that the lockout tagout procedures adequately outlined the rules, restart procedures, and techniques to be utilized for the control of each hazardous energy source on equipment including the Compressors and Boilers.
- d) The employer failed to ensure that the lockout tagout procedures adequately outlined the rules, restart procedures, and techniques to be utilized for the control of each hazardous energy source on equipment including the Heat Treat Furnaces.

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 of abatement, or other written records.

Date by which Violation must be Abated:
Proposed Penalty:

08/17/2012
\$7,000.00

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Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.147(c)(5)(i): Locks or other hardware were not provided by the employer for isolating, securing or blocking of machines or equipment from energy sources during the application of lockout tagout.

a) Facility Wide- The employer failed to provide persons with sufficient protective materials and hardware, such as locking mechanisms to secure the pneumatic and gas on machines and equipment, an adequate number of locks to use while performing lockout tagout operations on machines such as the Hydraulic Presses, Furnaces, Cranes and Manipulators.

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 of abatement, or other written records.

Date by which Violation must be Abated: 08/17/2012
Proposed Penalty: \$7,000.00

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Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
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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 or illness.

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

29 CFR 1910.178(a)(5): Powered industrial trucks, equipped with front-end attachments other than factory installed attachments, were not marked to identify the attachments and show the approximate weight of the truck and attachment combination at maximum elevation with load laterally centered.

a) Forge Shop 2- The employer failed to ensure that powered industrial trucks, such as the Ingot Forklift, that were equipped with front end attachments other than the factory installed attachments, such as the fork caps which was used to move hot pieces of steel, were marked to identify the attachments and show the approximate weight of the truck and the attachment combination at the maximum elevation with the load laterally centered.

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 of abatement, or other written records.

Date by which Violation must be Abated: 08/17/2012
Proposed Penalty: \$5,500.00

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Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.178(a)(6): Powered industrial trucks did not have all nameplates and markings in place and also have them maintained in a legible condition.

a) Facility Wide- The employer failed to ensure that all powered industrial trucks, such as the Ingot Forklift and the Clark Forklift #3822, were provided with nameplates and that when provided with nameplates that those nameplates were maintained in a legible condition.

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 of abatement, or other written records.

Date by which Violation must be Abated:

08/17/2012

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Company Name: A. Finkl & Sons Co.
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Citation 1 Item 6 Type of Violation: **Serious**

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

a) Facility Wide- The employer failed to ensure that all persons who operated powered industrial trucks, such as the Sitdown Forklifts, Manipulators, Cutter Trucks, Huma Trucks, and Manlifts, were competent to operate trucks safely as demonstrated through the completion of an evaluation and training.

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 of abatement, or other written records.

Date by which Violation must be Abated:
Proposed Penalty:

08/17/2012
\$7,000.00

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Company Name: A. Finkl & Sons Co.
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Citation 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.179(b)(5): The rated load of the crane was not plainly marked on each side of the crane, and if the crane has more than one hoisting unit, each hoist did not have its rated load marked on it or its load block and these markings were not clearly legible from the ground or floor.

a) Forge Shop 1, Forge Shop 2, Cameron, Machine Shop 2, Machine Shop 2 Annex, and Heat Treat- The employer failed to ensure that all cranes and all hoists on cranes with more than one hoisting unit, such as Cranes #T2482, #T2480, #T865, #T2108, #T3454, #T852, #T2313, #T3310, #T3654, #T3479, #T677, were plainly marked on each side of the crane and hoisting unit with the capacity those areas of the crane.

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 of abatement, or other written records.

Date by which Violation must be Abated: 08/17/2012
Proposed Penalty: \$5,500.00

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Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.179(e)(5)(i): When crane hoisting ropes ran near enough to other parts to make chafing possible, guards were not installed to prevent this condition.

a) Forge Shop 1, Machine Shop 2 Annex, Cameron- The employer failed to ensure that guards were installed on hoists to prevent chaffing from coming into contact with nearby parts on cranes such as Cranes #T677, #T2108, and #T3654.

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 of abatement, or other written records.

Date by which Violation must be Abated: 08/17/2012
Proposed Penalty: \$7,000.00

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Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.179(f)(2)(vi): Each independent hoisting unit of a crane handling hot metal and having power control braking means was not equipped with at least two holding brakes.

a) Forge Shops- The employer failed to ensure that each independent hoisting unit on all cranes that handle hot metal and had power control braking means, such as Cranes #T2482, #T2480, and #T677, were provided with at least two holding brakes.

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 of abatement, or other written records.

Date by which Violation must be Abated:
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Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

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

29 CFR 1910.179(f)(4)(iv): The wearing surface of all brake drums or discs on cranes were not smooth.

a) Forge Shop 2- The employer failed to ensure that all brake drums and brake shoes had a smooth wearing surface on cranes such as Crane #T2480.

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 of abatement, or other written records.

Date by which Violation must be Abated: 08/17/2012
Proposed Penalty: \$7,000.00

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Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.179(f)(4)(ix): Brakes on the trolleys and bridges of cranes did not have ample thermal capacity for the frequency of operation required by the service to prevent impairment of functions from overheating.

a) Forge Shop 2- The employer failed to ensure that all trolleys and bridges for cranes at the facility, such as Crane #T2480, were equipped with brakes that had an ample thermal capacity for the frequency of operation that was required by the service to prevent impairment of functions from overheating.

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 of abatement, or other written records.

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Company Name: A. Finkl & Sons Co.
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Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.179(h)(1)(i): Sheave grooves were not smooth and free from surface defects which could cause damage to crane hoisting ropes.

a) Cameron, Forge Shop 1, Machine Shop 2- The employer failed to ensure that all sheave grooves were smooth and free from surface defects that could cause damage to hoisting ropes on cranes such as Cranes #T3654, #T677, and #T2313.

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 of abatement, or other written records.

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Company Name: A. Finkl & Sons Co.
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Citation 1 Item 12 Type of Violation: **Serious**

29 CFR 1910.179(h)(2)(viii): Crane replacement rope was not the same size as the original rope furnished by the crane manufacturer.

a) Forge Shop 1- The employer failed to ensure that crane ropes were replaced with the same size rope as originally provided by the manufacturer on cranes such as Crane #T677.

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 of abatement, or other written records.

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Company Name: A. Finkl & Sons Co.
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Citation 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.179(h)(3): Crane loads that were supported by more than one part of rope, were not provided with equal tension for all of the parts.

a) Machine Shop 2 Annex- The employer failed to ensure that on cranes, where the load was supported by more than one part of rope, that equal tension was placed on all parts of the crane, on cranes such as Crane #T2313.

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 of abatement, or other written records.

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Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.179(l)(2)(i): Cranes in need of adjustments and repairs did not have precautions taken as required by (a) through (e) of this standard.

a) Machine Shop 2- The employer failed to ensure that precautions were taken on any and all cranes in need of adjustments and repairs, such as Crane #T2313. When cranes were in need of repair, and during the time of repair, the employer did not ensure that precautions were taken as required by (a) through (e) of this standard.

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 of abatement, or other written records.

Date by which Violation must be Abated: 08/17/2012
Proposed Penalty: \$7,000.00

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

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

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

29 CFR 1910.179(m)(1)(ii): The employer did not ensure that all deterioration on crane ropes, that would result in appreciable loss of original strength, from a number of broken outside wires and the degree of distribution or concentration of such broken wires, was carefully observed and a determination made as to whether further use constituted a safety hazard during monthly rope inspections.

a) Machine Shop 2- The employer failed to ensure that a thorough inspection of all ropes was completed and that a number of broken outside wires and the degree of distribution or concentration of such broken wires were carefully observed and a determination made as to whether further use of the rope would constitute a safety hazard on cranes such as the rope used on Crane #T3310.

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 of abatement, or other written records.

Date by which Violation must be Abated: 08/17/2012
Proposed Penalty: \$7,000.00

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

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.179(m)(1)(iii): The employer did not ensure that all deterioration on crane ropes, that would result in appreciable loss of original strength, from worn outside wires, was carefully observed and a determination made as to whether further use constituted a safety hazard during monthly rope inspections.

a) Forge Shop 2- The employer failed to ensure that a thorough inspection of all ropes was completed and that worn outside wires were carefully observed and a determination made as to whether further use of the rope would constitute a safety hazard on cranes such as the rope used on Cranes #T2480 and #T2482, which had worn outside wires that were separating from each other and the core of the rope.

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 of abatement, or other written records.

Date by which Violation must be Abated: 08/17/2012

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U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.179(m)(1)(vi): The employer did not ensure that all deterioration on crane ropes, that would result in appreciable loss of original strength, from severe kinking or crushing, was carefully observed and a determination made as to whether further use constituted a safety hazard during monthly rope inspections.

a) Machine Shop 2, Machine Shop 2 Annex- The employer failed to ensure that a thorough inspection of all ropes was completed and kinks in running ropes were carefully observed and a determination made as to whether further use of the rope would constitute a safety hazard on cranes such as the rope used on Cranes #T2313, #T852 and #T2108.

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 of abatement, or other written records.

Date by which Violation must be Abated: 08/17/2012

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U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

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

29 CFR 1910.179(n)(3)(ii)(c): The hoisting hook of the crane was not brought over loads in such a manner as to prevent swinging.

a) Forge Shop 2- The employer failed to ensure that hoisting hooks were brought over loads to be lifted in such a manner as to prevent swinging on cranes such as Cranes #T2482 and #T2480.

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 of abatement, or other written records.

Date by which Violation must be Abated: 08/17/2012
Proposed Penalty: \$7,000.00

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

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.179(n)(3)(iv): Cranes were used for side pulls without being specifically authorized by a responsible person who has determined that the stability of the crane would not thereby endangered and that various parts of the crane would not be overstressed.

a) Forge Shop 2- The employer failed to ensure that side pulls were not performed unless specifically authorized by a responsible person who has made a determination that the side pull would not affect the stability of the crane or overstress various parts, such as the sheaves and ropes, on cranes such as Cranes #T2480 and #T2482.

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 of abatement, or other written records.

Date by which Violation must be Abated:

08/17/2012

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

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

Citation 1 Item 17 Type of Violation: **Serious**

29 CFR 1910.179(n)(4)(i): At the beginning of each operator's shift, the upper limit switch of each hoist was not tested out under no load.

a) Facility Wide- The employer failed to ensure that all operators checked the upper limit switch of each hoist, under no load, at the start of the operators shift on cranes such as Cranes #T2482, #T2480, #T3654, #T3479, #T3310, #T2313, #T852, #T3454, #T865, #T2108 and #T677.

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 of abatement, or other written records.

Date by which Violation must be Abated:

08/17/2012

Proposed Penalty:

\$4,400.00

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U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.303(g)(2)(i): Live parts of electric equipment operating at 50 volts or more were not guarded against accidental contact by use of approved cabinets or other forms of approved enclosures.

a) Forge Shop 2- The employer failed to ensure that live parts, such as the bus bar within the lighting panel that was operating at or above 220 volts, were guarded against accidental contact by use of a cabinet or other forms of approved enclosures.

No abatement certification or documentation is required for this item.

Date by which Violation must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7,000.00

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

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

Citation 1 Item 19 Type of Violation: **Serious**

29 CFR 1910.305(b)(1)(i): Conductors entering cutout boxes, cabinets, or fittings were not protected from abrasion, and openings through which conductors enter were not effectively closed.

a) Annex- The employer failed to ensure that conductors entering boxes, such as the 220 Volt Gilson Mixer cord entering the disconnect box, were protected from abrasion and that all boxes were kept closed.

No abatement certification or documentation is required for this item.

Date by which Violation must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7,000.00

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U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

Citation 1 Item 20 Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables were not connected to devices and fittings so that strain relief was provided that would prevent pull from being directly transmitted to joints or terminal screws.

a) Annex- The employer failed to ensure that flexible cords and cables, such as the cord running into the 220 Volt Gilson Mixer, were provided with strain relief to prevent pull from being transferred to joints.

No abatement certification or documentation is required for this item.

Date by which Violation must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4,400.00

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

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

Citation 1 Item 21 Type of Violation: **Serious**

29 CFR 1910.334(a)(2)(i): Portable cord and plug connected equipment was 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) Heat Treat Area- The employer failed to ensure that portable plug and cord connected equipment, such as the 220 Volt Industrial Fans next to the Heat Treat water tank, were visually inspected before use for external defects such as damage to the outer jacket or insulation.

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 of abatement, or other written records.

Date by which Violation must be Abated: 08/17/2012
Proposed Penalty: \$7,000.00

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

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

Citation 1 Item 22 a Type of Violation: **Serious**

29 CFR 1910.334(a)(2)(ii): When there was a defect or evidence of damage to portable plug and cord connected equipment that may have exposed an employee to injury, the defective or damaged item was not removed from service, and it was not ensured that no employee may use it until repairs and tests necessary to render the equipment safe had been made.

a) Annex- The employer failed to ensure that portable plug and cord connected equipment, such as the Milwaukee Drill that was used to mix mortar, was free from defect or evidence of damage, such as taped over splices in the cord, which may expose employees to injury.

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 of abatement, or other written records.

Date by which Violation must be Abated: 08/17/2012
Proposed Penalty: \$6,600.00

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

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

Citation 1 Item 22 b Type of Violation: **Serious**

29 CFR 1910.334(a)(3)(ii): Attachment plugs for portable plug and cord connected equipment were altered in a manner which would prevent proper continuity of the equipment grounding conductor at the point where plugs are attached to receptacles.

a) Annex- The employer failed to ensure that attachment plugs on portable plug and cord connected equipment, such as the Milwaukee Drill that was used to mix mortar, were not altered in a manner which would prevent the proper continuity of the equipment grounding conductor, such as the removal of the grounding pin, for where the plug attached to receptacles.

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 of abatement, or other written records.

Date by which Violation must be Abated:

08/17/2012

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.22(c): Covers and/or guardrails were not provided to protect personnel from the hazards of open pits, tanks, vats, ditches, etc.

a) Annex- The employer failed to ensure that open pits, in areas such as the ladle rebricking area, were guarded by standard railings and/or covers to protect employees from the hazards of the pit opening.

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 of abatement, or other written records.

Date by which Violation must be Abated:	08/17/2012
Proposed Penalty:	\$70,000.00

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U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

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

29 CFR 1910.179(j)(2): All deficiencies identified during the frequent inspections of cranes were not carefully examined.

a) Forge Shop 2, Machine Shop 2 Annex, Cameron, Service Center- On or about February 1, 2012, the employer failed to ensure that all deficiencies found during frequent inspections, such as the daily inspections performed for each crane by the operator, were carefully examined. Deficiencies identified in frequent inspections included malfunctioning bridge brakes, trolley brakes, main hoist brakes, radio controls, and missing bolt(s), on cranes such as the Middle Bay North Crane in the Service Center, Crane #T3654, Crane #T2108, and Crane #T2480.

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 of abatement, or other written records.

Date by which Violation must be Abated: 08/17/2012
Proposed Penalty: \$70,000.00

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.179(l)(3)(i): Unsafe conditions disclosed by the inspection requirements of paragraph (j) of this section were not corrected before operation of the crane was resumed.

a) Forge Shop 2- The employer failed to ensure that all unsafe conditions found during inspections of the cranes, such as the worn bridge brake drum on Crane #T2480, were corrected before operation of the cranes were resumed.

b) Machine Shop 2- The employer failed to ensure that all unsafe conditions found during inspections of the cranes, such as the damaged sheaves and a malfunctioning 20 Ton hook hoist brake on Crane #T2313, were corrected before operation of the cranes were resumed.

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 of abatement, or other written records.

Date by which Violation must be Abated:

08/17/2012

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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 1 a Type of Violation: **Repeat**

29 CFR 1910.178(q)(7): Industrial trucks were not examined before being placed in service, and were placed in service after examinations showed conditions that adversely affected the safety of the vehicle. Such examinations were not made at least daily. And where industrial trucks were used on a round-the-clock basis, they were not examined prior to or after each shift. Defects, when found, were not immediately reported and corrected.

a) Facility Wide- The employer failed to ensure that an examination was performed of all powered industrial trucks, such as forklifts Clark #3823, Toyota #70623, Clark #3824 and Genie Manlift #3801, prior to being placed into service and where the trucks were used on a round-the-clock basis they were not examined at the start or end of each of the shifts.

b) Facility Wide- The employer failed to ensure that powered industrial trucks, such as the Gurlinger Straddle Carrier #T3563 and Manipulator #3430, were removed from service after examinations showed conditions that would adversely affect the safety of the vehicles, such as leaking tires, leaking fluids, bad shocks, and damaged or missing wheel guards.

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 of abatement, or other written records.

A. Finkl & Sons Company was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard, 29 CFR 1910.178(q)(7) which was contained in OSHA Inspection Number 311353866, Citation 1, Item 2(a), issued on February 22, 2008, with respect to the workplace at 2011 North Southport, Chicago, Illinois.

A. Finkl & Sons Company was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard, 29 CFR 1910.178(q)(7) which was contained in

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

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

OSHA Inspection Number 309882108, Citation 2, Item 2(a), issued on September 12, 2006, with respect to the workplace at 2011 North Southport, Chicago, Illinois.

A. Finkl & Sons Company was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard, 29 CFR 1910.178(q)(7) which was contained in OSHA Inspection Number 308528215, Citation 1, Item 1, issued on March 7, 2005, with respect to the workplace at 2011 North Southport, Chicago, Illinois.

A. Finkl & Sons Company was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard, 29 CFR 1910.178(q)(7) which was contained in OSHA Inspection Number 306718644, Citation 1, Item 5, issued on August 14, 2003, with respect to the workplace at 2011 North Southport, Chicago, Illinois.

Date by which Violation must be Abated:
Proposed Penalty:

08/17/2012
\$70,000.00

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

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

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

29 CFR 1910.178(q)(10): Industrial trucks were not kept in a clean condition, free of lint, excess oil, and grease.

a) Facility Wide- The employer failed to ensure that all powered industrial trucks, such as Huma Cutter Trucks #T3238 and #T3025, Gurlinger Straddle Truck #T3563, and Manipulators #T3415, #T3456, #T926, #T2754, and #T3430, were kept in a clean condition and free from lint, excess oil, and grease.

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 of abatement, or other written records.

A. Finkl & Sons Company was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard, 29 CFR 1910.178(q)(10) which was contained in OSHA Inspection Number 311353866, Citation 1, Item 2(b), issued on February 22, 2008, with respect to the workplace at 2011 North Southport, Chicago, Illinois.

A. Finkl & Sons Company was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard, 29 CFR 1910.178(q)(10) which was contained in OSHA Inspection Number 309882108, Citation 2, Item 2(b), issued on September 12, 2006, with respect to the workplace at 2011 North Southport, Chicago, Illinois.

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

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

A. Finkl & Sons Company was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard, 29 CFR 1910.178(q)(10) which was contained in OSHA Inspection Number 308528215, Citation 1, Item 1, issued on March 7, 2005, with respect to the workplace at 2011 North Southport, Chicago, Illinois.

A. Finkl & Sons Company was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard, 29 CFR 1910.178(q)(10) which was contained in OSHA Inspection Number 306718644, Citation 1, Item 5, issued on August 14, 2003, with respect to the workplace at 2011 North Southport, Chicago, Illinois.

Date by which Violation must be Abated:

08/17/2012

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

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee St., Suite 950
Des Plaines, IL 60016

Inspection Number: 191122
Inspection Date(s): 02/01/2012 - 03/01/2012
Issuance Date: 07/27/2012



Citation and Notification of Penalty

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614

Citation 4 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.32(a): At the end of each calendar year, the OSHA 300 Log was not reviewed to verify that all entries were complete and accurate, an annual summary of injuries and illnesses was not recorded based upon the OSHA 300 Log, the summary was not certified and was not posted.

a) The employer failed to ensure that all the of the OSHA 300 Log entries were complete and accurate and correct, the OSHA 300A Summary Form or its equivalent was completed to create a summary of those injuries, that the summary was certified by a company executive, and that the summary was posted by no later than February 1st of the following year, for years such as the year 2011s OSHA 300A Summary Form.

No abatement certification or documentation is required for this item.

Date by which Violation must be Abated:
Proposed Penalty:

Corrected During Inspection
\$1,000.00



Fon **Diane M. Turek**
Area Director

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

U.S. Department of Labor
Occupational Safety and Health Administration
701 Lee Street
Suite 950
Des Plaines, IL 60016
Phone: 847-803-4800 Fax: 847-390-8220



INVOICE / DEBT COLLECTION NOTICE

Company Name: A. Finkl & Sons Co.
Inspection Site: 2011 N Southport, Chicago, IL 60614
Issuance Date: 07/27/2012

Summary of Penalties for Inspection Number	191122
Citation 1, Serious	\$141,700.00
Citation 2, Willful	\$140,000.00
Citation 3, Repeat	\$70,000.00
Citation 4, Other-than-Serious	\$1,000.00
TOTAL PROPOSED PENALTIES	\$352,700.00

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 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 or conditions do not exist.

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

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest,

delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

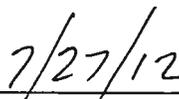
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent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

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

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



For Diane M. Turek
Area Director



Date

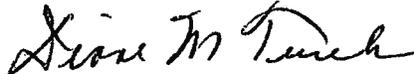
U.S. Department of Labor

Occupational Safety and Health Administration
Chicago North Area Office
701 Lee Street, Suite 950
Des Plaines, Illinois 60016
(847) 803-4800 Fax: (847) 390-8220



June 11, 2012

MEMORANDUM FOR: *Bill Donovan*
Assistant Regional Administrator
Enforcement Programs

FROM: *Diane M. Turek*
Area Director 

SUBJECT: *Significant Enforcement Case*
A. Finkl & Sons Co.
Inspection Number 191122

Enclosed are two (2) copies of the subject file for you and the Solicitor. I will e-mail you the briefing memo and the violation summary today.

If you have any questions, please feel free to contact Elia Zabaneh or Tricia Railton.

Enclosures