

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.M. Castle & Co.
and its successors
3400 N. Wolf Road
Franklin Park, IL 60131

Inspection Number: 107725
Inspection Date(s): 10/14/2011 - 12/06/2011
Issuance Date: 03/28/2012

Inspection Site:
3400 N. Wolf Road
Franklin Park, IL 60131

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment

to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the 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, 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, but not sooner than 30 calendar days after the citation issuance date. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 03/28/2012. The conference will be held at the OSHA office located at 701 Lee Street,, 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: 107725

Company Name: A.M. Castle Co.
Inspection Site: 3400 N. Wolf Road, Franklin Park, IL 60131
Issuance Date: 03/28/2012

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

Inspection Number: 107725
Inspection Date(s): 10/14/2011 - 12/06/2011
Issuance Date: 03/28/2012



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1910.1001(j)(2)(i): The building owner or facility owner did not determine the presence, location, and quantity of presumed asbestos-containing material (PACM) and/or other asbestos-containing material (ACM) at the work site:

a) A.M. Castle & Company, Franklin Park, IL - The employer did not determine the presence, location and quantity of presumed asbestos-containing material (PACM) and/or other asbestos-containing material (ACM) at the work site.

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:

04/18/2012
\$5500.00



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1910.1001(j)(4)(i): Warning labels were not affixed to all raw materials, mixtures, scrap, waste, debris, and other products containing asbestos fibers, or to their containers. The employer did not identify previously installed ACM and/or PACM by affixing or posting labels or signs so that employees were notified of what materials contain ACM and/or PACM:

a) A.M. Castle & Company, Franklin Park, IL-The employer did not identify previously installed ACM and/or PACM by affixing or posting labels or signs so that employees were notified of what materials contain ACM and/or PACM , such as the thermal system insulation(TSI) surrounding the hot water pipes, so that employees were notified of the locations of ACM/PACM.

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:

04/18/2012
\$5500.00



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1910.1001(j)(7)(iv): The employer did not provide on at least an annual basis to those employees who perform housekeeping operations in an area which contains ACM (asbestos containing material) or PACM (presumed asbestos containing material), an asbestos awareness training course, at no cost to employees, which shall at a minimum contain the following elements:

- health effects of asbestos
- locations of ACM and PACM in the building/facility,
- recognition of ACM and PACM damage and deterioration,
- requirements in this standard relating to housekeeping,
- and proper response to fiber release episodes.

a) A.M. Castle & Company, Franklin Park, IL - The employer did not provide on at least an annual basis to those employees who perform housekeeping operations in an area which contains ACM (asbestos containing material) or PACM (presumed asbestos containing material), an asbestos awareness training course, at no cost to employees, which shall at a minimum contain the following elements:

- health effects of asbestos
- locations of ACM and PACM in the building/facility,
- recognition of ACM and PACM damage and deterioration,
- requirements in this standard relating to housekeeping,
- and proper response to fiber release episodes.

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:

04/18/2012
\$5500.00

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

Inspection Number: 107725
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Issuance Date: 03/28/2012



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.

Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(e)(1): All Class I, II, and III asbestos work was not conducted within regulated areas:

a) A.M. Castle & Company, Franklin Park, IL - On or about September 30, 2011, the employer did not ensure that Class III asbestos work was conducted within regulated area(s) in accordance with OSHA Asbestos Standard 29 CFR 1926.1101, when presumed asbestos containing material (PACM), i.e., thermal system insulation (TSI), was removed during repair work on a hot water pipe.

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:

03/29/2012
\$5500.00



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.

Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(f)(1)(i): Each employer who has a workplace or work operation where exposure monitoring is required under this section did not perform monitoring to determine accurately the airborne concentrations of asbestos to which employees may have been exposed:

a) AM Castle & Company, Franklin Park, IL - On or about September 30, 2011, the employer did not perform air monitoring to determine employee exposure to asbestos, as required by this section of the OSHA asbestos regulation. On or about September 30, 2011, maintenance personnel removed approximately two feet of asbestos-containing thermal system insulation (TSI) from an overhead hot water pipe in Bay 2 South to repair a leak.

b) AM Castle & Company, Franklin Park, IL -The employer did not perform air monitoring to determine airborne concentrations of asbestos to which employees working in the Bay 2 South area, travelling through the area, accessing the area from the parking lot or accessing the administrative offices, may be exposed either during the Class III maintenance work was performed on September 30, 2011 (when the TSI with PACM was removed from the hot water pipe while repairing a leak); nor was air monitoring or exposure assessment performed subsequently, in the two week period following September 30, 2011, when remaining insulation was left damaged, with its integrity compromised, and areas of the pipe had exposed PACM/ACM after approximately two feet were cut and removed by maintenance personnel, until October 14, 2011, when asbestos remediation contractors performed temporary sealing and encapsulation of the affected pipe for the interim. No exposure monitoring was performed by the employer during this time frame.

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:

03/29/2012

Proposed Penalty:

\$5500.00

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

Inspection Number: 107725
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Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(f)(2)(i): Each employer who has a workplace or work operation covered by this standard did not ensure that a "competent person" conducted an exposure assessment immediately before or at the initiation of the operation to ascertain expected exposures during that operation or workplace:

a) A. M. Castle & Company, Franklin Park, IL - On or about September 30, 2011, the employer failed to ensure that a "competent person" conducted an exposure assessment immediately before or at the initiation of the Class III asbestos removal of the asbestos-containing insulation (TSI) while repairing a leaking hot water pipe in Bay 2 South.

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:

03/29/2012
\$5500.00



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(g)(1)(i): The employer did not use engineering controls and work practices in all operations covered by 29 CFR 1926.1101, regardless of the levels of exposure, in the form of vacuum cleaners equipped with high efficiency particulate air (HEPA) filters to collect all debris and dust containing asbestos containing material and presumed asbestos containing material:

a) A.M. Castle & Company, Franklin Park, IL - On or about September 30, 2011, the employer did not use engineering controls and work practices covered by OSHA Asbestos Standard 29 CFR 1926.1101, regardless of the levels of exposure, in the form of vacuum cleaners equipped with high efficiency particulate air (HEPA) filters to collect all waste and debris and dust containing asbestos during Class III removal, when the pipe insulation (TSI) was removed from hot water pipe to repair a leak in Bay 2 South.

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: 03/29/2012
Proposed Penalty: \$5500.00

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

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Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(g)(9)(ii): Class III asbestos work was not performed using local exhaust ventilation to the extent feasible:

a) A.M. Castle & Company, Franklin Park, IL- On or about September 30, 2011, Class III asbestos work was not performed using local exhaust ventilation when removing TSI from hot water piping to repair a leak in Bay 2 South.

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:

03/29/2012
\$5500.00



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(g)(9)(iii): Where the disturbance involved drilling, cutting, abrading, sanding, chipping, breaking, or sawing of thermal system insulation or surfacing material, the employer did not use impermeable dropcloths, and did not isolate the operation using mini-enclosures or glovebag systems pursuant to paragraph (g)(5) of this section or another isolation method:

a) A.M. Castle & Company, Franklin Park, IL-The employer did not isolate the operation using mini-enclosures or glovebag systems pursuant to paragraph (g)(5) of this standard or another isolation method when Class III asbestos work was done on TSI when maintenance personnel repaired a leak in a hot water pipe on or about September 30, 2011 at Bay 2 South.

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: 03/29/2012
Proposed Penalty: \$5500.00

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

Inspection Number: 107725
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Issuance Date: 03/28/2012



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(g)(9)(iv): Where the employer did not produce a "negative exposure assessment" for a job, or where monitoring results show the permissible exposure limit had been exceeded, the employer did not contain the area using impermeable drop cloths and plastic barriers or their equivalent and/or the operation was not isolated using a control system which complied with 29 CFR 1926.1101(g)(5):

a) A.M. Castle & Company, Franklin Park, IL- On or about September 30, 2011, the employer did not perform a negative exposure assessment, for Class III asbestos work performed without containing the area using impermeable drop cloths and plastic barriers or their equivalent and/or the operation was not isolated using a control system which complied with 29 CFR 1926.1101 (g)(5) during the removal of TSI on piping in Bay 2 South.

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: 03/29/2012
Proposed Penalty: \$5500.00

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

Inspection Number: 107725
Inspection Date(s): 10/14/2011 - 12/06/2011
Issuance Date: 03/28/2012



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(g)(9)(v): Employees performing Class III jobs, which involve the disturbance of thermal system insulation or surfacing material, or where the employer does not produce a "negative exposure assessment" or where monitoring results show a PEL has been exceeded, shall wear respirators which are selected, used and fitted pursuant to provisions of paragraph (h) of this section.

a) A. M Castle & Company, Franklin Park, IL- On or about September 30, 2011, the employer did not provide, ensure or enforce the use of respiratory protection for maintenance personnel involved in removing thermal system insulation (TSI) from hot water piping in Bay 2 South to repair a leak, a Class III asbestos removal 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 of abatement, or other written records.

Date by which Violation must be Abated: 03/29/2012
Proposed Penalty: \$5500.00



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(g)(10): Class IV asbestos jobs were not conducted by employees trained pursuant to the asbestos awareness training program set out in 29 CFR 1926.1101(k)(9) of this section. In addition all Class IV jobs were not conducted in conformity with the requirements set out in paragraph (g)(1) of this section, mandating wet methods, HEPA vacuums and prompt cleanup of debris containing ACM or PACM.

a) A.M. Castle & Company, Franklin Park, IL - On or about September 30, 2011, asbestos awareness training was not provided to employees who performed Class IV asbestos work, which included the clean-up of dust, waste and debris resulting from Class III asbestos work.

b) A.M. Castle & Company, Franklin Park, IL - On or about September 30, 2011, Class IV asbestos work performed by maintenance personnel was not conducted in conformity with the requirements set out in paragraph (g)(1) of this section, mandating wet methods, HEPA vacuums and prompt cleanup of debris containing ACM or PACM.

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: 03/29/2012
Proposed Penalty: \$5500.00



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.

Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(i)(1): The employer did not provide and require the use of protective clothing, such as coveralls or similar whole-body clothing, head coverings, gloves, and foot coverings for each employee exposed to airborne concentrations of asbestos that exceed the time weighted average and/or excursion limit in 29 CFR 1926.1101(c) or for which a required negative exposure assessment was not produced:

a) A.M. Castle & Company, Franklin Park, IL - On or about September 30, 2011, the employer did not provide and require the use of protective clothing, such as coveralls or similar whole-body clothing, head coverings, gloves, and foot coverings for each employee exposed to airborne concentrations of asbestos for which a required negative exposure assessment was not performed, during Class III asbestos removal, i.e., removal of PACM as thermal system insulation (TSI) from hot water piping while repairing a leak in Bay 2 South.

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.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(j)(2)(i): The employer did not establish a decontamination room or area for employees and equipment, adjacent to the regulated area, consisting of an impermeable drop cloth on the floor or horizontal working surface, for employees engaged in Class I work involving less than 25 linear or 10 square feet of thermal system insulation or surfacing asbestos containing material and for Class II and Class III asbestos work operations where exposures exceed a permissible exposure limit or where there was no negative exposure assessment produced before the operation:

a) A.M. Castle & Company, Franklin Park, IL - On or about September 30, 2011, the employer did not establish a decontamination room or area for employees and equipment, adjacent to the regulated area, consisting of an impermeable drop cloth on the floor or horizontal working surface, for employees engaged in Class III asbestos removal work when removing TSI from a hot water pipe while repairing a leak in Bay 2 South.

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. THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

03/29/2012
\$5500.00

U.S. Department of Labor
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Inspection Number: 107725
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Issuance Date: 03/28/2012



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(j)(2)(iii): For employees engaged in Class I work involving less than 25 linear or 10 square feet of thermal system insulation or surfacing asbestos containing material and for Class II and Class III asbestos work operations where exposures exceed a permissible exposure limit or where there was no negative exposure assessment produced before the operation, work clothing was not cleaned with a HEPA vacuum before it was removed:

a) A.M. Castle & Company, Franklin Park, IL - For employee(s) engaged in Class III asbestos work involving removal of thermal system insulation (TSI) from a hot water pipe in Bay 2 South on September 30, 2011, and there was no negative exposure assessment performed before the operation(s) by the employer, the employer did not ensure that the employee(s)' work clothing was cleaned with a HEPA vacuum before being removed.

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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Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(k)(3)(i): Before the employer permitted its own employees to perform work subject to this standard in areas containing asbestos-containing material (ACM) and presumed asbestos-containing material (PACM), the employer did not identify the presence, location and quantity of asbestos containing material and/or presumed asbestos containing material therein pursuant to 29 CFR 1926.1101(k)(1):

a) A.M. Castle & Company, Franklin Park, IL- On or about September 30, 2011, the employer did not identify the presence, location and quantity of ACM and/or PACM in accordance with the OSHA asbestos standard before Class III asbestos work in areas containing ACM and/or PACM began. Employee(s) removed thermal system insulation (TSI) from a hot water pipe in Bay 2 South to repair a leak.

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: 03/29/2012
Proposed Penalty: \$5500.00

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

Inspection Number: 107725
Inspection Date(s): 10/14/2011 - 12/06/2011
Issuance Date: 03/28/2012



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(k)(3)(ii)(B): The employer did not inform employees who performed work under 29 CFR 1926.1101 of the location and quantity of asbestos containing material and/or presumed asbestos containing material present in the area:

a) A.M. Castle & Company, Franklin Park, IL - On or about September 30, 2011, the employer did not inform employees of the location and quantity of ACM and/or PACM present in the work area(s), including the thermal system insulation (TSI) in Bay 2 South, prior to the employees performing Class III asbestos work covered under OSHA asbestos standard 29 CFR 1926.1101.

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:

03/29/2012
\$5500.00



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(k)(9)(i): The employer did not, at no cost to the employee(s), institute a training program for all employees who are likely to be exposed in excess of a PEL and for all employees who perform Class I through Class IV asbestos operations, and did not ensure employee participation in the program.

a) A.M. Castle & Company, Franklin Park, IL - On or about September 30, 2011, the employer did not institute an asbestos training program for maintenance employee(s) involved in Class III work, cutting and removing of thermal system insulation (TSI) from hot water piping while repairing a leak in Bay 2 South.

b) A.M. Castle & Company, Franklin Park, IL - On or about September 30, 2011, the employer did not institute an asbestos training program for maintenance employee(s) involved in Class IV work including clean-up of debris resulting from Class III asbestos work.

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: 03/29/2012
Proposed Penalty: \$5500.00



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(k)(9)(v): Training for Class III employees was not consistent with EPA requirements for training of local education agency maintenance and custodial staff as set forth in 40 CFR 763.92(a)(2). Such a course did not include also "hands on" training and did not take at least 16 hours.

a) A. M. Castle & Company, Franklin Park, IL- On or about September 30, 2011, the employer did not ensure that maintenance employee(s) who performed Class III asbestos work when cutting and removing thermal system insulation (TSI) from a hot water pipe to repair a leak received appropriate training as set forth in EPA 40 CFR 763.92(a)(2).

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:

03/29/2012
\$5500.00

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

Inspection Number: 107725
Inspection Date(s): 10/14/2011 - 12/06/2011
Issuance Date: 03/28/2012



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(l)(2): Asbestos waste, scrap, debris, bags, containers, equipment, and contaminated clothing consigned for disposal was not collected and disposed of in sealed, labeled, impermeable bags or other closed, labeled, impermeable containers:

a) A.M. Castle & Company, Franklin Park, IL - On or about September 30, 2011, the employer did not ensure that the impermeable bag(s) or container(s) used to collect and dispose of the waste, scrap and debris related to the removal of the presumed asbestos-containing thermal system insulation (TSI) from the water pipe in Bay 2 South was labeled with the identity of its contents and warning labels, and consigned for proper disposal.

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:

03/29/2012
\$5500.00



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(l)(4)(i): Waste and debris and accompanying dust in an area containing accessible thermal system, surfacing asbestos containing material (ACM) or presumed asbestos containing material, or visibly deteriorated ACM was dusted or swept dry, or vacuumed without using a HEPA filter:

a) A.M. Castle & Company, Franklin Park, IL -From about September 30, 2011, and continuing until October 14, 2011, the employer did not prohibit dry sweeping, dusting or vacuuming, without use of a HEPA filter, by employees cleaning area(s) containing thermal system insulation (TSI) or where thermal system insulation on piping was visibly deteriorated, disturbed or damaged, or where TSI or ACM/PACM (asbestos containing material/presumed asbestos containing material) was recently removed, or recently worked on by employees in Bay 2 South.

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: 03/29/2012
Proposed Penalty: \$5500.00

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

Inspection Number: 107725
Inspection Date(s): 10/14/2011 - 12/06/2011
Issuance Date: 03/28/2012



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1926.1101(o)(1): The employer did not designate a competent person, who had the qualifications and authorities for ensuring worker safety and health required by Subpart C, General Safety and Health Provisions for Construction (29 CFR 1926.20 through 1926.32):

a) A. M. Castle & Company, Franklin Park, IL-On or about September 30, 2011, the employer did not designate a competent person who had the qualifications and authorities for ensuring worker safety and health for the Class III asbestos work done at the work site.

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:

03/29/2012
\$5500.00



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1904.7(b)(4): When an injury or illness involved restricted work or job transfer, the OSHA 300 Log of recordable work-related injuries and illnesses did not have an entry of the total number of restricted or transferred days in the job transfer or restricted work days column.

On or about October 14, 2011, A.M. Castle & Company, Franklin Park, IL, did not enter the correct number of restricted days for the following work-related injuries on the OSHA 300 Log or equivalent for the calendar year 2011.

- a) On or about April 18, 2011, an employee sustained a back strain. The injury resulted in restricted work activity for more than 180 days. The entry was not made in column L.
- b) On or about July 13, 2011, an employee sustained a bruised left hand and forearm. The injury resulted in restricted work activity for 5 days. The entry was not made in column L.
- c) On or about September 6, 2011, an employee sustained a pinched middle finger. The injury resulted in restricted work activity for 5 days. The entry was not made in column L.

No abatement certification or documentation is required for this item.

Date by which Violation must be Abated:
Proposed Penalty:

Corrected During Inspection
\$1100.00



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

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

29 CFR 1904.29(b)(1): A log of all recordable work-related injuries and illness (OSHA Form 300 or equivalent) was not completed in the detail required by the regulation.

- a) On or about October 14, 2011, A.M Castle & Company, Franklin Park, IL- The establishment's name and location were not entered in the required fields at the top of the OSHA Form 300 Log of Work-Related Injuries and Illnesses for calendar year 2011.
- b) On May 23, 2011, a recordable injury occurred when an employee incurred a fractured leg. The 2011 300 Log entry did not describe the part of the body injured, such as whether it was the right or left leg that incurred a fracture.
- c) On September 6, 2011, a recordable injury occurred when an employee incurred a pinched middle finger. The 2011 300 Log entry did not specify whether the injured finger was on the left or right hand.

No abatement certification or documentation is required for this item.

Date by which Violation must be Abated:
Proposed Penalty:

Corrected During Inspection
\$1100.00



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

Citation 2 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1904.29(b)(1): A log of all recordable work-related injuries and illness (OSHA Form 300 or equivalent) was not completed in the detail required by the regulation.

On or about October 14, 2011, A.M Castle & Company, Franklin Park, IL, did not complete the OSHA 300 Log for calendar year 2010 with the required injury or illness description(s).

- a) On April 9, 2010, a recordable injury occurred when an employee sustained a fracture of the "pinky" finger. The 2010 300 Log entry did not specify whether it was the right or left "pinky" finger that incurred a fracture.
- b) On June 21, 2010, a recordable injury occurred when an employee sustained a shoulder strain. The 2010 300 Log entry did not specify whether the injury was to the left or right shoulder.
- c) On July 15, 2010, a recordable injury occurred when an employee "sliced" a wrist. The 2010 OSHA 300 Log entry did not adequately describe the injury (such as whether the laceration required sutures) nor specify whether the injury was to the right or left wrist.
- d) On August 19, 2010, a recordable injury occurred when an employee struck a finger on floor during a fall. The 2010 OSHA 300 Log did not adequately describe the injury (such as whether it was a fracture, sprain, dislocation, etc.), did not specify which finger (such as middle finger, index finger, etc.) nor specify whether it was located on right or left hand.
- e) On September 14, 2010, a recordable injury occurred when an employee sustained injury to the achilles. The 2010 OSHA 300 Log did not adequately describe the injury and part of body affected (such as whether it was a strain to achilles tendon) nor specify whether injury was located on the right or left foot.
- f) On October 11, 2010, a recordable injury occurred when an employee sustained a fracture to a lower leg. The 2010 OSHA 300 Log did not specify whether the injury was located on the right or left leg.



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date by which Violation must be Abated: 05/09/2012
Proposed Penalty: \$1100.00

Citation 2 Item 4 Type of Violation: **Other-than-Serious**

29 CFR 1904.29(b)(1): A log of all recordable work-related injuries and illness (OSHA Form 300 or equivalent) was not completed in the detail required by the regulation.

On or about October 14, 2011, A.M Castle & Company, Franklin Park, IL, did not complete the OSHA 300 Log for calendar year 2009 with the required injury and illness descriptions.

- a) On January 20, 2009, a recordable injury occurred when an employee sustained a shoulder sprain. The 2009 300 Log entry did not specify whether it was the right or left shoulder.
- b) On March 17, 2009, a recordable injury occurred when an employee sustained a sprained ankle. The 2009 300 Log entry did not specify whether it was the left or right ankle.
- c) On April 29, 2009, a recordable injury occurred when an employee incurred a crushed middle finger. The 2009 OSHA 300 Log entry did not adequately describe the injury (such as whether the laceration required sutures) nor specify whether the injury was the right or left.
- d) On May 19, 2009, a recordable injury occurred when an employee sustained a sprained wrist. The 2009 OSHA 300 Log did not adequately describe the object that directly injured the person, nor specified whether the injury was located on the right or left hand.
- e) On June 1, 2009, a recordable injury occurred when an employee incurred a sprained wrist. The 2009 OSHA 300 Log did not specify whether the injury was on the right or left hand.
- f) On June 18, 2009, a recordable injury occurred when an employee sustained a fractured wrist. The 2009 OSHA 300 Log did not specify whether it was the right or left.



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

g) On August 11, 2009, a recordable injury occurred when an employee incurred a pinched finger. The 2009 OSHA 300 Log did not specify which finger (such as middle, index, etc.) nor whether it was located on the left or right hand.

h) On November 4, 2009, a recordable injury occurred when an employee sustained a fractured finger. The 2009 OSHA 300 Log did not specify which finger (such as middle, index, etc.) nor specify whether the finger was located on the left or right hand.

i) On November 6, 2009, a recordable injury occurred when an employee sustained a contusion to a shin. The 2009 OSHA 300 Log did not specify whether it was the right or left shin.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date by which Violation must be Abated:	05/09/2012
Proposed Penalty:	\$1100.00



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

Citation 2 Item 5 Type of Violation: **Other-than-Serious**

29 CFR 1904.29(b)(1): A log of all recordable work-related injuries and illness (OSHA Form 300 or equivalent) was not completed in the detail required by the regulation.

On or about October 14, 2011, A.M Castle & Company, Franklin Park, IL, did not complete the OSHA 300 Log for calendar year 2008 with the required injury and illness descriptions.

- a) On January 12, 2008, a recordable injury occurred when an employee sustained a fractured finger. The 2008 300 Log entry did not adequately describe the object that directly injured the person, nor describe which finger (such as the middle, index, etc.) nor specify whether it was located on the right or left hand.
- b) On January 12, 2008, a recordable injury occurred when an employee sustained a bruised thumb. The 2008 300 Log entry did not adequately describe the object that directly injured the person, nor specify whether it was the left or right thumb.
- c) On February 18, 2008, a recordable injury occurred when an employee incurred an ankle sprain. The 2008 OSHA 300 Log entry did not adequately describe the object that directly injured the person, nor specify whether the injury was to the right or left ankle.
- d) On February 28, 2008, a recordable injury occurred when an employee sustained a dislocated shoulder. The 2008 OSHA 300 Log did not adequately describe the object that directly injured the person, nor specify whether the injury was to the right or left shoulder.
- e) On March 12, 2008, a recordable injury occurred when an employee incurred a fractured wrist and hand laceration. The 2008 OSHA 300 Log did not adequately describe the object that directly injured the person, nor specify whether the injuries were to the right or left hand.
- f) On April 24 2008, a recordable injury occurred when an employee sustained a fractured finger. The 2008 OSHA 300 Log did not adequately describe the object that directly injured the person, nor specify which finger (such as the middle, index, etc.) nor whether the fracture was located on the right or left hand.

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

Inspection Number: 107725
Inspection Date(s): 10/14/2011 - 12/06/2011
Issuance Date: 03/28/2012



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date by which Violation must be Abated: 05/09/2012
Proposed Penalty: \$1100.00

Citation 2 Item 6 Type of Violation: **Other-than-Serious**

29 CFR 1904.32(b)(2)(ii): The Annual Summary of Work-Related Injuries and Illnesses (OSHA Form 300A or equivalent) was incomplete:

a) On or about October 14, 2011, A.M. Castle & Company, Franklin Park, IL, did not ensure that the annual average number of employees at the establishment and the total hours worked by all employees were entered/included on the OSHA Form 300A Summary of Work-Related Injuries and Illnesses, or equivalent, for calendar year 2010.

In accordance with 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date by which Violation must be Abated: 05/09/2012
Proposed Penalty: \$1100.00

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

Inspection Number: 107725
Inspection Date(s): 10/14/2011 - 12/06/2011
Issuance Date: 03/28/2012



Citation and Notification of Penalty

Company Name: A.M. CASTLE & CO.
Inspection Site: 3400 N. WOLF ROAD, Franklin Park, IL 60131

Citation 2 Item 7 Type of Violation: **Other-than-Serious**

29 CFR 1910.1001(j)(7)(v)(A): The employer did not make a copy of 29 CFR 1910.10001 and/or its appendices readily available without cost to all affected employees:

a) A.M. Castle & Company, Franklin Park, IL, did not make a copy of the OSHA asbestos standard (29 CFR 1910.1001) and its appendices readily available, without cost, to all affected employees.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date by which Violation must be Abated:
Proposed Penalty:

05/09/2012
\$.00

A handwritten signature in cursive script, appearing to read "for Angelina Lydas", written over a horizontal line.

Diane M. Turek
Area Director

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.M. Castle and Co.
Inspection Site: 3400 N. Wolf Road, Franklin Park, IL 60131
Issuance Date: 03/28/2012

Summary of Penalties for Inspection Number	107725
Citation 1, Serious	\$121000.00
Citation 2, Other-than-Serious	\$6600.00
TOTAL PROPOSED PENALTIES	\$127600.00

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.



Diane M. Turek
Area Director

March 28, 2012
Date