

U.S. Department of Labor
Occupational Safety and Health Administration
1320 W Commerce Dr.
Suite 800
Peoria, IL 61615
Phone: 309-589-7033 Fax: 309-589-7326



Citation and Notification of Penalty

To:
ALL-FEED PROCESSING AND PACKAGING, INC.
and its successors
P.O. Box 171
Alpha, IL 61413

Inspection Number: 948541
Inspection Date(s): 11/13/2013 - 11/14/2013
Issuance Date: 05/09/2014

Inspection Site:
717 W. Division St.
Galva, IL 61434

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

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

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

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

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

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

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

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

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

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

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

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. 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 05/09/2014. The conference will be held by telephone or at the OSHA office located at 1320 W Commerce Dr., Suite 800, Peoria, IL 61615 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 948541

Company Name: ALL-FEED PROCESSING AND PACKAGING, INC.
Inspection Site: 717 W. Division St., Galva, IL 61434
Issuance Date: 05/09/2014

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, 1320 W Commerce Dr., Suite 800, Peoria, IL 61615**

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

Typed or Printed Name

Date

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



Citation and Notification of Penalty

Company Name: ALL-FEED PROCESSING AND PACKAGING, INC.
Inspection Site: 717 W. Division St., Galva, IL 61434

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer does not furnish employment and a place of employment which is free from recognized hazards that are causing or likely to cause death or serious physical harm to employees in that employees are exposed to combustible dust explosion, deflagration, and other fire hazards while working at, near, or upstream of a dust collection system (primary cyclonic separator and secondary filter media collector) which was not adequately designed, installed, or otherwise equipped to prevent employee exposure in the event of an internal deflagration or other fire event:

Employees in or near M2 are exposed to fire and explosion hazards while processing Class II, combustible (explosible) dusts, and the following deficiencies are observed:

Combustible dusts such as, but not limited to, pea flour (pea screens) are processed and the employer does not ensure the dust collection system [Buell Norblo secondary filter media collector and Nolin primary cyclonic separator] is 1) equipped with a means of explosion protection and 2) equipped with a means of deflagration propagation protection (isolation).

Among other methods, a feasible abatement method to correct this hazard is to follow the guidelines of:

NFPA Standard 654 - 2006, Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids, including, but not limited to:

Section 7.13.1.3.1: Air-material separators shall be protected in accordance with 7.1.2.

Section 7.1.2: The design of explosion protection for equipment shall incorporate one or more of the following methods of protection: Deflagration suppression systems in accordance with NFPA 69, Deflagration venting, etc.

Section 7.13.1.5: Isolation devices shall be provided for air-material separators in accordance with 7.1.4.

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



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Company Name: ALL-FEED PROCESSING AND PACKAGING, INC.
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Section 7.1.4.1: Where an explosion hazard exists, isolation devices shall be provided to prevent deflagration propagation between pieces of equipment connected by ductwork.

Section 7.1.5.1: Where an explosion hazard exists, isolation devices shall be provided to prevent deflagration propagation from air-material separators upstream to the work areas.

NFPA Standard 61 - 2008, Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities, including, but not limited to:

Section 10.4.2: Dust collectors and filters used for grinders or hammermills shall be located outside and shall be protected in accordance with Section 6.3.

Section 6.3.1: Equipment requiring explosion prevention shall be protected by containment, suppression, inerting, or explosion venting.

Section 6.1: Explosion prevention, relief, and venting, shall encompass the design and installation of devices and systems to vent the gases and overpressure resulting from a combustion explosion occurring in equipment, rooms, or other enclosures so that damage is minimized. (A.6.1): Ultimately, if explosion venting is provided or equipment fails, explosion propagation could still be possible. Additional information on deflagration isolation can be found in NFPA 69 and NFPA 654.

Specifically, (1) Equip the primary and secondary components with a functional method of explosion protection such as chemical deflagration suppression in accordance with NFPA 69 or explosion venting to a safe location in accordance with NFPA 68; and (2) Provide a listed method of deflagration propagation protection (isolation) between the primary component and the facility and between the primary and secondary component such as a chemical suppression isolation in accordance with NFPA 69. Select, design, install, and maintain any explosion venting systems in accordance with a recognized and generally accepted engineering practice such as NFPA 68. Select, design, install, and maintain any chemical deflagration suppression systems in accordance with a recognized and generally accepted engineering practice such as NFPA 69.

ALL-FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 5(a)(1) UNDER INSPECTION NUMBER 314850454, CITATION 01, ITEMS 001-003, ISSUED ON NOVEMBER 2, 2011, AND WAS AFFIRMED AS A FINAL ORDER

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



Citation and Notification of Penalty

Company Name: ALL-FEED PROCESSING AND PACKAGING, INC.
Inspection Site: 717 W. Division St., Galva, IL 61434

ON FEBRUARY 11, 2013, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

ALL-FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 5(a)(1) UNDER INSPECTION NUMBER 312886237, CITATION 01, ITEMS 001 & 002, ISSUED ON OCTOBER 5, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON OCTOBER 22, 2010, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

ALL-FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 5(a)(1) UNDER INSPECTION NUMBER 310801790, CITATION 02, ITEM 001, ISSUED ON JANUARY 13, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 3, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

Pursuant to 29 CFR 1903.19, the employer must submit an abatement plan within 25 days of the final order date identifying the steps being taken to achieve abatement, including a schedule for completing abatement, and what it is doing to protect employees until abatement has been completed (An abatement plan and periodic progress reports may also be required if the abatement period is more than 90 days).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/26/2014
Proposed Penalty:	\$53900.00



Citation and Notification of Penalty

Company Name: ALL-FEED PROCESSING AND PACKAGING, INC.
Inspection Site: 717 W. Division St., Galva, IL 61434

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 2 a Type of Violation: **Willful**

29 CFR 1910.1000(a)(2): Employees are exposed to an airborne concentration of Total Dust listed in Table Z-1 in excess of the Permissible Exposure Limit:

The employer does not protect employees from exposures to Total Dust (particulates not otherwise regulated) at concentrations in excess of the Permissible Exposure Limit while performing routine work activities:

- a) On or about 11/14/13, Employee #1 (M2 Operator) was exposed to an eight-hour time-weighted average level of 20.53 mg/cubic meter, approximately 1.37 times the Permissible Exposure Limit of 15.0 mg/cubic meter for Total Dust, while working in M2. The exposure level is derived from a sample collected over a 405 minute sampling period with zero exposure assumed for the unsampled period of time (75 minutes).
- b) On or about 11/14/13, Employee #2 (M2 Operator) was exposed to an eight-hour time-weighted average level of 24.49 mg/cubic meter, approximately 1.63 times the Permissible Exposure Limit of 15.0 mg/cubic meter for Total Dust, while working in M2. The exposure level is derived from a sample collected over a 406 minute sampling period with zero exposure assumed for the unsampled period of time (74 minutes).
- c) On or about 12/16/13, Employee #3 (bagging room operator) was exposed to an eight-hour time-weighted average level of 30.49 mg/cubic meter, approximately 2.03 times the Permissible Exposure Limit of 15.0 mg/cubic meter for Total Dust, while working in Bagging Area. The exposure level is derived from a sample collected over a 385 minute sampling period with zero exposure assumed for the unsampled period of time (95 minutes).
- d) On or about 12/19/13, Employee #4 (M3 operator) was exposed to an eight-hour time-weighted average level of 57.93 mg/cubic meter, approximately 3.86 times the Permissible Exposure Limit of 15.0 mg/cubic meter for Total Dust, while working in M3. The exposure level is derived from a sample

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



Citation and Notification of Penalty

Company Name: ALL-FEED PROCESSING AND PACKAGING, INC.

Inspection Site: 717 W. Division St., Galva, IL 61434

collected over a 202 minute sampling period with zero exposure assumed for the unsampled period of time (278 minutes).

e) On or about 12/19/13, Employee #5 (M3 operator and forklift driver) was exposed to an eight-hour time-weighted average level of 20.44 mg/cubic meter, approximately 1.36 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust, while working in M3 Area. The exposure level is derived from a sample collected over a 203 minute sampling period with zero exposure assumed for the unsampled period of time (277 minutes).

*Zero exposure, product changes, concentration of exposure, and duration of exposure may impact amount of exposure.

ALL-FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.1000(a)(2) UNDER INSPECTION NUMBER 314850454, CITATION 01, ITEM 011(a), ISSUED ON NOVEMBER 2, 2011, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 11, 2013, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

ALL-FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.1000(a)(2) UNDER INSPECTION NUMBER 314848649, CITATION 02, ITEM 003-A, ISSUED ON JUNE 30, 2011, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 11, 2013, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

ALL-FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.1000(a)(2) UNDER INSPECTION NUMBER 310801790, CITATION 02, ITEM 003-A, ISSUED ON JANUARY 13, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 3, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

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

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Company Name: ALL-FEED PROCESSING AND PACKAGING, INC.
Inspection Site: 717 W. Division St., Galva, IL 61434

To abate this violation, the employer must ensure that its employees are not exposed to airborne concentrations of Total Dust (particulates not otherwise regulated) in excess of OSHA's Permissible Exposure Limit (PEL) of 15.0 mg/cubic meter through the introduction of feasible administrative or engineering controls as required by 29 CFR 1910.1000(e). The employer must implement a mandatory respiratory protection program in accordance with 29 CFR 1910.134 during periods when feasible administrative or engineering controls are being developed and/or installed.

Pursuant to 29 CFR 1903.19, the employer must submit an abatement plan within 25 days of the final order date identifying the steps being taken to achieve abatement, including a schedule for completing abatement, and what it is doing to protect employees until abatement has been completed (An abatement plan and periodic progress reports may also be required if the abatement period is more than 90 days).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/12/2014
Proposed Penalty:	\$53900.00

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



Citation and Notification of Penalty

Company Name: ALL-FEED PROCESSING AND PACKAGING, INC.
Inspection Site: 717 W. Division St., Galva, IL 61434

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

29 CFR 1910.1000(e): Feasible administrative or engineering controls are not determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000(a) through (d) and protective equipment or any other protective measures are not used to keep the exposure of employee to air contaminants within the limits prescribed:

The employer does not determine and implement adequate engineering controls to prevent employee exposures to Total Dust (particulates not otherwise regulated) at concentrations in excess of the Permissible Exposure Limit while performing routine work activities. The employer also does not use protective equipment (mandatory respirator use) to keep the exposure of employees to Total Dust (particulates not otherwise regulated) at concentrations below the Permissible Exposure Limit while performing routine work activities during periods which it is responsible for determining and implementing adequate engineering controls:

- a) On or about 11/14/13, Employee #1 (M2 Operator) was exposed to an eight-hour time-weighted average level of 20.53 mg/cubic meter, approximately 1.37 times the Permissible Exposure Limit of 15.0 mg/cubic meter for Total Dust, while working in M2. The exposure level is derived from a sample collected over a 405 minute sampling period with zero exposure assumed for the unsampled period of time (75 minutes).
- b) On or about 11/14/13, Employee #2 (M2 Operator) was exposed to an eight-hour time-weighted average level of 24.49 mg/cubic meter, approximately 1.63 times the Permissible Exposure Limit of 15.0 mg/cubic meter for Total Dust, while working in M2. The exposure level is derived from a sample collected over a 406 minute sampling period with zero exposure assumed for the unsampled period of time (74 minutes).
- c) On or about 12/16/13, Employee #3 (bagging room operator) was exposed to an eight-hour time-weighted average level of 30.49 mg/cubic meter, approximately 2.03 times the Permissible Exposure Limit of 15.0 mg/cubic meter for Total Dust, while working in Bagging Area. The exposure level is derived from a sample collected over a 385 minute sampling period with zero exposure assumed for the unsampled period of time (95 minutes).

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



Citation and Notification of Penalty

Company Name: ALL-FEED PROCESSING AND PACKAGING, INC.

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d) On or about 12/19/13, Employee #4 (M3 operator) was exposed to an eight-hour time-weighted average level of 57.93 mg/cubic meter, approximately 3.86 times the Permissible Exposure Limit of 15.0 mg/cubic meter for Total Dust, while working in M3. The exposure level is derived from a sample collected over a 202 minute sampling period with zero exposure assumed for the unsampled period of time (278 minutes).

e) On or about 12/19/13, Employee #5 (M3 operator and forklift driver) was exposed to an eight-hour time-weighted average level of 20.44 mg/cubic meter, approximately 1.36 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust, while working in M3 Area. The exposure level is derived from a sample collected over a 203 minute sampling period with zero exposure assumed for the unsampled period of time (277 minutes).

*Zero exposure, product changes, concentration of exposure, and duration of exposure may impact amount of exposure.

ALL-FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.1000(e) UNDER INSPECTION NUMBER 314850454, CITATION 01, ITEM 011(b), ISSUED ON NOVEMBER 2, 2011, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 11, 2013, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

ALL-FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.100(e) UNDER INSPECTION NUMBER 314848649, CITATION 02, ITEM 003-B, ISSUED ON JUNE 30, 2011, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 11, 2013, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

ALL-FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.1000(e) UNDER INSPECTION NUMBER 310801790, CITATION 02, ITEM 003-B, ISSUED ON JANUARY 13, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 3, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

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To abate this violation, the employer must ensure that its employees are not exposed to airborne concentrations of Total Dust (particulates not otherwise regulated) in excess of OSHA's Permissible Exposure Limit (PEL) of 15.0 mg/cubic meter through the introduction of feasible administrative or engineering controls. The employer must implement a mandatory respiratory protection program in accordance with 29 CFR 1910.134 during periods when feasible administrative or engineering controls are being developed and/or installed.

Pursuant to 29 CFR 1903.19, the employer must submit an abatement plan within 25 days of the final order date identifying the steps being taken to achieve abatement, including a schedule for completing abatement, and what it is doing to protect employees until abatement has been completed (An abatement plan and periodic progress reports may also be required if the abatement period is more than 90 days).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/12/2014

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Citation and Notification of Penalty

Company Name: ALL-FEED PROCESSING AND PACKAGING, INC.
Inspection Site: 717 W. Division St., Galva, IL 61434

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

29 CFR 1910.95(g)(1): The employer does not establish and maintain an audiometric testing program by making audiometric testing available to all employees whose exposures equal or exceed an 8-hour time-weighted average of 85 decibels:

The employer does not establish and maintain an audiometric testing program where employees' exposure to noise exceeds an 8-hour time-weighted average of 85 dBA, or equivalently a dose of fifty percent. The employer does not provide baseline and subsequent annual audiograms to exposed employees. The employer's hearing conservation program does not address provisions for baseline and annual audiometric testing:

- a) On or about 12/16/13, Employee #1 (peanut cleaner) was exposed to continuous noise levels at 67% of the allowable time-weighted average sound level (90 dBA), while performing work activities in the Peanut Cleaner. This level exceeds a noise dose of 50%. The equivalent dBA level of the 67% is approximately 87.1 dBA. This level exceeds an 8-hour time-weighted average sound level (TWA) of 85 dBA. The exposure level was derived from a sample collected over a 397 minute sampling period with zero exposure assumed for the unsampled period of time (83 minutes).
- b) On or about 12/16/13, Employee #2 (M2 operator) was exposed to continuous noise levels at 126.6% of the allowable time-weighted average sound level (90 dBA), while performing work activities in M2. This level exceeds a noise dose of 50%. The equivalent dBA level of the 126.6% is approximately 91.7 dBA. This level exceeds an 8-hour time-weighted average sound level (TWA) of 85 dBA. The exposure level was derived from a sample collected over a 366 minute sampling period with zero exposure assumed for the unsampled period of time (114 minutes).

ALL-FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.95(c)(1) UNDER INSPECTION NUMBER 314850454, CITATION 01, ITEM 04, ISSUED ON NOVEMBER 2, 2011, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 11, 2013, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

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ALL-FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.95(c)(1) UNDER INSPECTION NUMBER 310801790, CITATION 01, ITEM 002, ISSUED ON JANUARY 13, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 3, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

To abate this violation, the employer must implement an audiometric testing program in accordance with the requirements of 29 CFR 1910.95(g) for all employees whose noise exposure equals or exceeds an 8-hour time-weighted average sound level (TWA) of 85 dBA or equivalently a noise dose of 50%.

Pursuant to 29 CFR 1903.19, the employer must submit an abatement plan within 25 days of the final order date identifying the steps being taken to achieve abatement, including a schedule for completing abatement, and what it is doing to protect employees until abatement has been completed (An abatement plan and periodic progress reports may also be required if the abatement period is more than 90 days).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

06/12/2014
\$7700.00

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

Thomas Bielema
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
1320 W Commerce Dr.
Suite 800
Peoria, IL 61615
Phone: 309-589-7033 Fax: 309-589-7326



INVOICE / DEBT COLLECTION NOTICE

Company Name: ALL-FEED PROCESSING AND PACKAGING, INC.
Inspection Site: 717 W. Division St., Galva, IL 61434
Issuance Date: 05/09/2014

Summary of Penalties for Inspection Number	948541
Citation 1, Willful	\$107800.00
Citation 2, Repeat	\$7700.00
TOTAL PROPOSED PENALTIES	\$115500.00

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. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

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

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

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

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



Thomas Bielema

Area Director



Date