

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:

Arlington Metals Corporation
and its successors
11355 Franklin Avenue
Franklin Park, IL 60131

Inspection Number: 910411**Inspection Date(s):** 06/06/2013 - 07/23/2013**Issuance Date:** 08/07/2013**Inspection Site:**

11355 Franklin Avenue
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 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.

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

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

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/07/2013. The conference will be held by telephone or at the OSHA office located at 701 Lee Street, Suite 950, Des Plaines, IL 60016 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 910411

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131
Issuance Date: 08/07/2013

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.



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

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

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

(a) On or about February 14, 2013, group lockout tagout was not performed as maintenance employees were performing repair work on the 48" tension stand.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

08/26/2013
\$6300.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

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

29 CFR 1910.157(g)(2): The educational program to familiarize employees with the general principles of fire extinguisher use and the hazards involved with incipient stage firefighting was not provided to all employees upon initial employment, and at least annually thereafter:

(a) On or about February 14, 2013, sparks from welding repair being conducted on the 48" tension stand fell into the pit causing a smoke fire to erupt. Employees went through 11 fire extinguishers before being advised by the plant manager to evacuate the building. Employees were not provided with annual fire extinguisher training.

In accordance with 29CFR 1903.19(c), abatement certification is required for this violation (using CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation 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: 09/03/2013
Proposed Penalty: \$3600.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

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 3 a Type of Violation: **Serious**

29 CFR 1910.252(a)(1)(ii): When the object to be welded or cut could not be moved and all the fire hazards could not be removed, guards were not used to confine the heat, sparks, and slag to protect the immovable fire hazards:

(a) On or about February 14, 2013, guards were not placed on the object to be welded to prevent sparks from flying into the pit when maintenance employees were performing repair work on the 48" tension stand. A "smoke fire" erupted inside the pit causing an evacuation of the building and the use of 11 fire extinguishers due to a spark that entered the pit containing oil as welding was being performed.

No abatement documentation or certification is required for this item.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$3600.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

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

29 CFR 1910.252(a)(2)(xv): Cutting or welding was permitted not only in areas that were or had been made fire safe:

(a) On or about February 14, 2013, maintenance employees performing work on the 48" tension stand did not fully enclose the pit located adjacent to the area. A "smoke fire" erupted inside the pit causing an evacuation of the building and the use of 11 fire extinguishers due to a spark that entered the pit (containing oil) as welding was being performed.

No abatement documentation or certification is required for this item.

Date By Which Violation Must be Abated:

Corrected During Inspection

A handwritten signature in black ink that reads "Diane M. Turek". The signature is written in a cursive style and is positioned above 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: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131
Issuance Date: 08/07/2013

Summary of Penalties for Inspection Number	910411
Citation 1, Serious	\$13500.00
TOTAL PROPOSED PENALTIES	\$13500.00

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



Date

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:

Arlington Metals Corporation
and its successors
11355 Franklin Avenue
Franklin Park, IL 60131

Inspection Number: 910411**Inspection Date(s):** 06/06/2013 - 10/08/2013**Issuance Date:** 12/05/2013**Inspection Site:**

11355 Franklin Avenue
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 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.

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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 12/05/2013. The conference will be held by telephone or at the OSHA office located at 701 Lee Street, Suite 950, Des Plaines, IL 60016 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 910411

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131
Issuance Date: 12/05/2013

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



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

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

OSH ACT of 1970 Section (5)(a)(1): Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing for likely to cause death or serious physical harm to employees in that employees were exposed to struck by hazards.

(a) Facility Wide - The employer did not ensure that hoist hooks were inspected prior to use, frequently and periodically. Hoist hooks throughout the facility were observed to be missing latches and were not removed from service.

Among other methods, one feasible and acceptable method to correct this hazard is to follow the guidelines in the American Society of Mechanical Engineers (ASME) B30.10-2009, SECTION 10.1.10 INSPECTION REMOVAL AND REPAIR. The employer must ensure that inspections are being conducted on hooks and hooks found with damaged shall be removed. Repairs shall be approved by the manufacturers or a qualified person.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$3600.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

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

29 CFR 1910.23(c)(1): Open-sided floors and/or platforms four feet or more above adjacent floor or ground level were not guarded with standard railings (or equivalent) and toeboards: Note: Toeboards are only required when persons can pass, there is moving equipment or there is equipment with which falling materials could create a hazard.

(a) Maintenance Department - The employer did not protect employees from possible fall hazards by enclosing open sided floors with falls of 12 feet or more. A standard guardrail system was not equipped on the mezzanine located above the maintenance office.

In accordance with the requirements of 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 and 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:

12/24/2013
\$3600.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

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

29 CFR 1910.24(e): Fixed stairs were not installed at angles to the horizontal of between 30 degrees and 50 degrees:

(a) Cab Crane - Fixed stairs leading to the cab crane were not installed at angles between 30 and 55 degrees. The angles of the stairs were measured and the angle read at 60 degrees causing them to steep.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

01/24/2014
\$2700.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 3 Item 4 Type of Violation: **Serious**

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed:

(a) Facility Wide- The employer did not conduct annual periodic inspection of the energy control procedures to ensure that procedures and requirements of the standards were being followed.

In accordance with the requirements of 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 and 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: 01/02/2014
Proposed Penalty: \$3600.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 3 Item 5 Type of Violation: **Serious**

29 CFR 1910.179(d)(4)(ii): Stairways shall be equipped with rigid and substantial metal handrails. Walking surfaces were not of antislip type.

(a) Cab Crane - The employer failed to ensure that walking surfaces leading to the cab platform were that of an antislip type.

In accordance with the requirements of 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 and 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:

01/24/2014
\$2700.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 3 Item 6 Type of Violation: **Serious**

29 CFR 1910.179(j)(3): A complete periodic inspection of crane(s) had not been conducted in the past 12 months:

(a) Facility Wide - The employer failed to ensure that a complete periodic inspections of the 6 overhead cranes had been conducted in the past 12 months.

In accordance with the requirements of 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 and 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:

01/09/2014
\$5400.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 3 Item 7 Type of Violation: **Serious**

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

- (a) Bay 3 - The employer failed to guard the ingoing nip points near the slitter heads and slitter blades on the 48" slitter to protect employees from caught in hazards.
- (b) Bay 3 - The employer failed to guard the ingoing nip points near the slitter heads and slitter blades on the 24" slitter to protect employees from caught in hazards.
- (c) Bay 5 - The employer failed to guard the ingoing nip points near the slitter heads and slitter blades on the 72" slitter to protect employees from caught in hazards.
- (d) Bay 6 - The employer failed to adequately enclose the ingoing nip points near the slitter heads and slitter blades on the Cut to Length (CTL) slitter to protect employees from caught in hazards.

In accordance with the requirements of 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 and 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:

01/09/2014
\$5400.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 3 Item 8 Type of Violation: **Serious**

29 CFR 1910.213(h)(1): The sides of the lower exposed portion of the blade of radial saw(s) were not guarded to the full diameter of the blade by a device that automatically adjusted itself to the thickness of the stock and remained in contact with the material;

(a) Pallet Area - The DeWalt 18" radial arm saw #40100023, was equipped with a guard, however that guard did not automatically adjust itself to the thickness of the stock.

(b) Pallet Area - The DeWalt 16" radial arm saw #70041943, was equipped with a guard, however that guard did not automatically adjust itself to the thickness of the stock.

In accordance with the requirements of 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 and 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:

12/17/2013
\$6300.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 3 Item 9 Type of Violation: **Serious**

29 CFR 1910.213(h)(3): Radial saw(s) were not provided with an adjustable stop to prevent the forward travel of the blade beyond the position necessary to complete the cut in repetitive operations:

- (a) Pallet Area - The DeWalt 18" radial arm saw #40100023, was not provided with an adjustable stop to prevent the blade from going beyond the table.
- (b) Pallet Area - The DeWalt 16" radial arm saw #70041943, was not provided with an adjustable stop to prevent the blade from going beyond the table.

In accordance with the requirements of 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 and 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: 12/17/2013
Proposed Penalty: \$5400.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 3 Item 10 Type of Violation: **Serious**

29 CFR 1910.213(h)(4): Radial saw(s) were not installed in a manner so as to cause the cutting head to return gently to the starting position when released by the operator:

(a) Pallet Area - The DeWalt 18" radial arm saw #40100023 cutting head did not self-adjust back to its starting position when released by the operator.

In accordance with the requirements of 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 and 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:

12/17/2013
\$5400.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 3 Item 11 Type of Violation: **Serious**

29 CFR 1910.305(b)(2)(i): Pull boxes, junction boxes, and fittings were not provided with covers approved for the purpose:

(a) Pallet Area- The employer did not provide a cover for a transformer located underneath the DeWalt 18' radial arm saw #40100023.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$3600.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 3 Item 12 Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and/or cables were used as a substitute for the fixed wiring of a structure:

(a) Pallet Area - The DeWalt 16" radial arm saw #70041943, was not hard wired and an extension cord was used to substitute as fixed wiring.

In accordance with the requirements of 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 and 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:

12/17/2013
\$2700.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 3 Item 13 Type of Violation: **Serious**

29 CFR 1910.333(a): Safety-related work practices were not employed to prevent electric shock or other injuries resulting from either direct or indirect electrical contacts, when work was performed near or on equipment or circuits which were or could be energized:

(a) Facility Wide: The employer did not develop or implement electrical safety related work practices to prevent electric shock or other injuries resulting from either direct or indirect electric contacts when working near or on equipment which could be energized such as live troubleshooting with a Fluke volt test meter. Arc burns were noted on the Fluke volt meter integrated probes used by maintenance employees.

In accordance with the requirements of 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 and 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:

01/09/2014
\$6300.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 3 Item 14 Type of Violation: **Serious**

29 CFR 1910.334(c)(2): Test instruments and equipment and all associated test leads, cables, power cords, probes, and connectors were not visually inspected for external defects and damage before the electric equipment was used:

(a) Maintenance Department - The Fluke volt test meter was not inspected visually for external defects or damage before the equipment was used. The integrated probes had damage to the tips where it is suspect that arc burns had occurred.

Fluke Volt Test Meter, TS-1000, 100A~ 1000V~CATIII 600V~CAT IV

In accordance with the requirements of 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 and 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:

12/17/2013

Proposed Penalty:

\$6300.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 3 Item 15 Type of Violation: **Serious**

29 CFR 1910.335(a)(1)(i): Employees working in areas where there were potential electrical hazards were not provided with electrical protective equipment that was appropriate for the specific parts of the body that needed to be protected and for the work being performed:

(a) Facility Wide - The employer did not supply electrical protective equipment such volt rated gloves and FR rated clothing, to protect employee from the work being performed such a live troubleshooting.

In accordance with the requirements of 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 and 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:

12/17/2013
\$6300.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 3 Item 16 Type of Violation: **Serious**

29 CFR 1910.335(a)(1)(v): Employees exposed to the danger of injury to the eyes or face from electric arcs or flashes or from flying objects resulting from electrical explosion did not wear protective equipment for the eyes or face:

(a) Facility Wide - The employer did not supply electrical protective equipment such as eye or face protective equipment, to protect employees from the work being performed such as live troubleshooting.

In accordance with the requirements of 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 and 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:

12/17/2013
\$6300.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

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

29 CFR 1910.22(d)(1): On every building or other structure, or part thereof, used for mercantile, business, industrial or storage purposes, the loads approved by the building official were not marked on plates of approved design and securely affixed in a conspicuous place in each space to which they relate.

(a) Maintenance Mezzanine Area - The employer did not place a load rating sign for the mezzanine area located above the maintenance department office which was used for storage.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

01/02/2014
\$0.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

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

29 CFR 1910.38(a): The employer did not establish a written emergency evacuation plan for employees expected to evacuate in the event of a fire or other emergency.

(a) Facility Wide - The employer did not establish a written emergency evacuation plan for employees expected to evacuate in the event of a fire or other emergency.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

12/17/2013
\$900.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 4 Item 3 Type of Violation: **Other-than-Serious**

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

(a) Facility Wide - The employer did not assess the workplace to determine the use of personal protective equipment for employees to use during electrical maintenance (troubleshooting) on energized electrical equipment.

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

Date By Which Violation Must be Abated: 12/24/2013
Proposed Penalty: \$900.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

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

29 CFR 1910.147(c)(7)(i)(B): Affected employees were not instructed in the purpose and use of the energy control procedure:

(a) Facility Wide - The employer failed to provide training to affected employees such as machine operators and machine helpers on the instruction in the purpose and use of the energy control procedures.

In accordance with the requirements of 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 and 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:

12/24/2013
\$0.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 4 Item 5 Type of Violation: **Other-than-Serious**

29 CFR 1910.179(j)(2)(iii): A certification record which includes the date of inspection, the signature of the person who performed the inspection and the serial number, or other identifier, of the hook inspected, was not maintained:

(a) Facility Wide - The employer did not ensure that records of crane inspections which include the date of inspection, the signature of the person who performed the inspection and the serial number of the hooks inspected throughout the facility were maintained.

In accordance with the requirements of 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 and 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: 01/09/2014
Proposed Penalty: \$900.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 4 Item 6 Type of Violation: **Other-than-Serious**

29 CFR 1910.179(l)(1): A preventive maintenance program based on the crane manufacturer's recommendations was not established:

(a) Facility Wide - The employer did not develop and implement a preventative maintenance program for the 6 overhead cranes that was based on the crane manufacturer's recommendations.

In accordance with the requirements of 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 and 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:

01/09/2014
\$900.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 4 Item 7 Type of Violation: **Other-than-Serious**

29 CFR 1910.179(m)(1): A certification record which includes the date of inspection, the signature of the person who performed the inspection and an identifier for the ropes which were inspected were not being kept on file where readily available to appointed personnel:

(a) Facility Wide - Certification records which included the date of inspection, the signature of the person who performed the inspection and an identifier, for the ropes for all cranes and hoists which were inspected were not being kept.

In accordance with the requirements of 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 and 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:

01/24/2014
\$900.00



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

Citation 4 Item 8 Type of Violation: **Other-than-Serious**

29 CFR 1910.243(b)(2): Airhose and hose connections used for conducting compressed air to utilization equipment was not designed for the pressure and service to which they were subjected.

(a) Pallet Area - The air hose connectors used on the HITACHI NR83AA3 nail gun, was not designed for the pressure and service to which they were subject to.

In accordance with the requirements of 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 and 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:

12/17/2013
\$900.00

A handwritten signature in cursive script, appearing to read "Diane M. Turek", 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: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131
Issuance Date: 12/05/2013

Summary of Penalties for Inspection Number	910411
Citation 3, Serious	\$75,600.00
Citation 4, Other-than-Serious	\$5,400.00
TOTAL PROPOSED PENALTIES	\$81,000.00

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

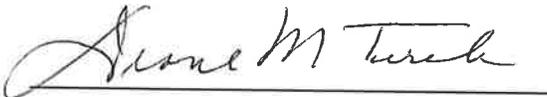
account, the bank will attempt to make the transfer up to 2 times.

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.



Diane M. Turek
Area Director



Date

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:

Arlington Metals Corporation
and its successors
11355 Franklin Avenue
Franklin Park, IL 60131

Inspection Number: 910411**Inspection Date(s):** 06/06/2013 - 10/08/2013**Issuance Date:** 10/17/2013**Inspection Site:**

11355 Franklin Avenue
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 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.

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

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

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 10/17/2013. The conference will be held by telephone or at the OSHA office located at 701 Lee Street, Suite 950, Des Plaines, IL 60016 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 910411

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131
Issuance Date: 10/17/2013

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



Citation and Notification of Penalty

Company Name: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131

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

29 CFR 1910.178(a)(4): Modifications and additions which affect capacity and safe operation of powered industrial truck were performed by the employer without the manufacturer's prior written approval:

(a) Facility Wide - The employer did not receive manufacturer's written approval for a boom forklift attachment that was used to lift employees in and out of slitter pits when cleaning was being performed. The boom attachment was manufactured by the maintenance department based on the employer's hand drawn "blueprints".

In accordance with the requirements of 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 and 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:

11/13/2013
\$3600.00

A handwritten signature in cursive script, reading "Diane M. Turek", 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: Arlington Metals Corporation
Inspection Site: 11355 Franklin Avenue, Franklin Park, IL 60131
Issuance Date: 10/17/2013

Summary of Penalties for Inspection Number	910411
Citation 2, Serious	\$3600.00
TOTAL PROPOSED PENALTIES	\$3600.00

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



Date