

U.S. Department of Labor
Occupational Safety and Health Administration
365 Smoke Tree Plaza
North Aurora, IL 60542
Phone: 630-896-8700 Fax: 630-892-2160



Citation and Notification of Penalty

To:
Behr Iron & Steel, Inc.
and its successors
201 Wheeler Ave.
South Beloit, IL 61080

Inspection Number: 962510
Inspection Date(s): 03/11/2014 - 09/03/2014
Issuance Date: 09/03/2014

Inspection Site:
201 Wheeler Ave.
South Beloit, IL 61080

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 09/03/2014. The conference will be held by telephone or at the OSHA office located at 365

Smoke Tree Plaza, North Aurora, IL 60542 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 962510

Company Name: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080
Issuance Date: 09/03/2014

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, 365 Smoke Tree Plaza, North Aurora, IL 60542**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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

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

Inspection Number: 962510
Inspection Date(s): 03/11/2014 – 09/03/2014
Issuance Date: 09/03/2014



Citation and Notification of Penalty

Company Name: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080

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

29 CFR 1910.146(k)(1): An employer who designates rescue and emergency services, pursuant to paragraph (d)(9) of this section did not evaluate the prospective rescuer's ability by the criteria set in this section, (k)(1)(i) - (k)(1)(v).

On or about March 10, 2014, the employer did not evaluate rescuers ability and resources to respond to emergencies in permit-required confined spaces. Access to permit-required spaces, disclosure of hazards and rescue plans and operations were not executed for permit spaces where rescue may be necessary.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

Date By Which Violation Must be Abated:	10/08/2014
Proposed Penalty:	\$7000.00

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: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080

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

29 CFR 1910.146(c)(1): The employer does not evaluate the workplace to determine if any spaces are permit-required confined spaces:

The employer does not protect employees from hazards associated with permit-required confined spaces by evaluating the workplace to determine if spaces being entered by employees are permit-required confined spaces:

(a) On or about March 10, 2014, the employer had not conducted an evaluation of the shredding and sorting operations to determine if permit-required confined spaces existed. The employer required employees to enter permit-required confined spaces, such as but not limited to, the shredder discharge pit to performing cleaning.

To abate this violation, the employer must evaluate the entire worksite to identify where permit-required confined spaces exist.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

Date By Which Violation Must be Abated: 10/08/2014
Proposed Penalty: \$70000.00



Citation and Notification of Penalty

Company Name: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080

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

29 CFR 1910.146(c)(2): The employer does not inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces:

The employer does not protect employees from hazards associated with permit-required confined spaces by posting danger signs or by other equally effective means to inform employees of the existence and location of and the danger posed by such spaces:

(a) On or about March 10, 2014, the employer did not inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by permit-required confined spaces such as, but not limited to, the shredder discharge pit containing takeaway conveyor #1, the cyclone and associated discharge bin, the cross over-tube duct leading to the cyclone, and the scale pit.

To abate this violation, the employer must inform employees of the existence and location of and the danger posed by permit-required confined spaces in the workplace through the posting of danger signs or by any other equally effective means.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

Date By Which Violation Must be Abated: 10/08/2014
Proposed Penalty: \$70000.00



Citation and Notification of Penalty

Company Name: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080

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

Citation 2 Item 3 a Type of Violation: **Willful**

29 CFR 1910.146(d)(3): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer does not develop and implement the means, procedures, and practices necessary for safe permit space entry operations, including but not limited to, the requirements specified in 1910.146(d)(3)(i) through 1910.146(d)(3)(vi):

The employer does not protect employees from hazards associated with permit-required confined spaces by developing and implementing the means, procedures, and practices necessary for safe permit-required confined space entry operations:

- (a) On or about March 10, 2014, the employer had not developed or implemented the means, procedures, and practices necessary for safe permit space entry operations in the shredder discharge pit containing takeaway conveyor #1. Employees entered the pit to perform cleaning activities with the unguarded takeaway conveyor #1 in operation.
 - i) The permit-required confined space was not isolated from the hazards of the shredder and the takeaway #1 conveyor system.
 - ii) Additionally, other necessary means, procedures and practices were not developed and implemented for such elements as defining and verifying acceptable entry conditions, atmospheric monitoring, ventilation, communication, lighting, ingress and egress, and rescue and emergency services.

To abate this violation, the employer must develop, document, and implement the means, procedures, and practices necessary for safe permit-required confined space entry operations specific to each space entered at the facility. This must include, but is not limited to, specification of acceptable entry conditions, providing entrant(s) with the opportunity to observe any monitoring or testing, isolation of the permit space from hazards associated with the release of energy or material, elimination or control of atmospheric hazards, protection of entrants from external hazards, and verification that conditions are acceptable for entry throughout the period of authorized entry.

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

Inspection Number: 962510
Inspection Date(s): 03/11/2014 – 09/03/2014
Issuance Date: 09/03/2014



Citation and Notification of Penalty

Company Name: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

Date By Which Violation Must be Abated:	10/08/2014
Proposed Penalty:	\$70000.00

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: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080

Citation 2 Item 3 b Type of Violation: **Willful**

29 CFR 1910.147(c)(4)(i): Procedures are not developed, documented and utilized for the control of potentially hazardous energy when employees are engaged in activities covered by this section:

The employer does not protect employees from the hazardous energy of machinery or equipment by developing, documenting, and utilizing hazardous energy control procedures:

- (a) On or about March 10, 2014, the employer did not utilize the energy control procedures for the takeaway #1 conveyor when employees performed cleaning activities in the shredder discharge pit with the unguarded takeaway conveyor #1 in operation and not locked out.
- (b) On or about March 10, 2014, the employer had not developed, documented, or utilized, equipment specific energy control procedures for multiple pieces of equipment associated with sorting operations such as, but not limited to the Steinert 4026 magnetic drums, Wendt 4019 conveyor, Shaker table 4026, Steinert feed conveyor. Employees performed cleaning operations on, under, around this equipment/machinery without the control of hazardous energy.

To abate this violation, the employer must develop, document, and utilize machine/equipment specific energy control procedures to ensure that hazardous energy is controlled during servicing and maintenance activities (constructing, installing, setting-up, adjusting, inspecting, modifying, and/or servicing machines or equipment through lubrication, cleaning, or unjamming, making adjustments, and tool changes).

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

Date By Which Violation Must be Abated:

10/08/2014

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

Inspection Number: 962510
Inspection Date(s): 03/11/2014 – 09/03/2014
Issuance Date: 09/03/2014



Citation and Notification of Penalty

Company Name: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080

Citation 2 Item 3 c Type of Violation: **Willful**

29 CFR 1910.147(d)(2): The machine or equipment is not turned off or shut down using the procedures established for the machine or equipment:

The employer does not protect employees from the hazardous energy of machinery or equipment by turning off or shutting down machinery or equipment as required by energy control procedures:

(a) On or about March 10, 2014, cleaning was performed in the shredder discharge pit without shutting down the takeaway conveyor #1.

To abate this violation, the employer must ensure that machinery or equipment is turned off or shut down as as part of the hazardous energy control process.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

Date By Which Violation Must be Abated:

10/08/2014

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: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080

Citation 2 Item 3 d Type of Violation: **Willful**

29 CFR 1910.147(d)(3): All energy isolating devices that are needed to control the energy to the machine or equipment are not physically located and operated in such a manner as to isolate the machine or equipment from the energy source(s):

The employer does not protect employees from the hazardous energy of machinery or equipment by ensuring that energy isolation devices are operated to isolate machinery or equipment from their energy source(s):

(a) On or about March 10, 2014, cleaning was performed in the shredder discharge pit without operating necessary energy isolation devices associated with the deenergization and lockout of the takeaway conveyor #1.

To abate this violation, the employer must ensure that energy isolation devices are operated in a manner to isolate the machinery or equipment from the energy source(s) as part of the hazardous energy control process.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

Date By Which Violation Must be Abated:

10/08/2014



Citation and Notification of Penalty

Company Name: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080

Citation 2 Item 3 e Type of Violation: **Willful**

29 CFR 1910.147(d)(4)(i): Lockout or tagout devices are not affixed to each energy isolating device by authorized employees:

The employer does not protect employees from the hazardous energy of machinery or equipment by ensuring that lockout devices are affixed to energy isolation devices by authorized employees:

(a) On or about March 10, 2014, cleaning was performed in the shredder discharge pit without lockout devices affixed to energy isolation devices associated with the takeaway conveyor #1.

To abate this violation, the employer must ensure that lockout devices are affixed to energy isolation devices as part of the hazardous energy control process.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

Date By Which Violation Must be Abated:

10/08/2014



Citation and Notification of Penalty

Company Name: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080

Citation 2 Item 4 Type of Violation: **Willful**

29 CFR 1910.146(e)(1): Before entry is authorized, the employer does not document the completion of measures required by 29 CFR 1910.146(d)(3) by preparing an entry permit:

The employer does not protect employees from hazards associated with permit-required confined spaces by preparing an entry permit to document completion of the measures required by 29 CFR 1910.146(d)(3):

(a) On or about March 10, 2014, the employer did not prepare an entry permit for authorized employee entry into the shredder discharge pit.

To abate this violation, the employer must prepare an entry permit to document that all provisions are in place to ensure safe entry into a permit-required confined space.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

Date By Which Violation Must be Abated:	10/08/2014
Proposed Penalty:	\$70000.00

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

Inspection Number: 962510
Inspection Date(s): 03/11/2014 – 09/03/2014
Issuance Date: 09/03/2014



Citation and Notification of Penalty

Company Name: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080

Citation 2 Item 5 Type of Violation: **Willful**

29 CFR 1910.146(g)(1): The employer does not provide training so that all employees whose work was regulated by 29 CFR 1910.146 (permit required confined spaces) acquire the understanding, knowledge, and skills necessary for the safe performance of the duties assigned:

The employer does not protect employees from hazards associated with permit-required confined spaces by providing permit-required confined space training to employees assigned duties involving entry into permit-required confined spaces:

(a) On or about March 10, 2014, the employer did not provide permit-required confined space training to employees assigned to enter the shredder discharge pit to perform cleaning.

To abate this violation, the employer must provide permit-required confined space training for employees (authorized entrants, authorized attendants, and entry supervisors) to ensure that they acquire the understanding, knowledge, and skills necessary to safely perform their assigned duties.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

Date By Which Violation Must be Abated: 10/08/2014
Proposed Penalty: \$70000.00

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: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080

Citation 2 Item 6 Type of Violation: **Willful**

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

The employer does not protect employees from the hazardous energy of machinery or equipment by conducting periodic inspections of machine or equipment specific hazardous energy control procedures at least annually:

(a) On or about March 10, 2014, the employer had not conducted a periodic inspection of their energy control procedures for equipment associated with the shredding and sorting operations within the past year. Inspections were last conducted in 2010.

To abate this violation, the employer must perform periodic inspections of machine or equipment specific hazardous energy control procedures. The periodic inspections must be performed at least annually.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

Date By Which Violation Must be Abated: 10/08/2014
Proposed Penalty: \$70000.00



Citation and Notification of Penalty

Company Name: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080

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

Citation 2 Item 7 a Type of Violation: **Willful**

29 CFR 1910.147(c)(7)(i): The employer does not provide training to ensure that the purpose and function of the energy control program is understood by employees and that the knowledge and skills required for the safe application, usage, and removal of the energy controls is acquired by employees:

The employer does not protect employees from the hazardous energy of machinery or equipment by providing lockout training to all authorized, affected, and other employees:

(a) On or about March 7, 2014 and March 10, 2014, hazardous energy control (lockout) training had not been conducted for multiple employees assigned to enter the shredder discharge pit.

To abate this violation, the employer must ensure that lockout training is provided for all employees (authorized, affected, and other) to ensure that they acquire the knowledge and skills required for the safe application, usage, and removal of energy controls.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

Date By Which Violation Must be Abated:	10/08/2014
Proposed Penalty:	\$70000.00



Citation and Notification of Penalty

Company Name: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080

Citation 2 Item 7 b Type of Violation: **Willful**

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee(s) does not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control:

The employer does not protect employees from the hazardous energy of machinery or equipment by providing lockout training that includes facility/process specific information such as, but not limited to, the recognition of hazardous energy sources, the type and magnitude of energy available and the methods necessary to isolate and control such energy:

(a) On or about March 10, 2014, hazardous energy control (lockout) training did not include instruction on specific equipment energy control procedures relating to employees' assigned work activities.

To abate this violation, the employer must ensure that lockout training includes information such as, but not limited to, site/process specific hazardous energy source recognition/evaluation and the methods/means to isolate and control such energy.

Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d).

Date By Which Violation Must be Abated:

10/08/2014

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

Jacob Scott
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
365 Smoke Tree Plaza
North Aurora, IL 60542
Phone: 630-896-8700 Fax: 630-892-2160



INVOICE / DEBT COLLECTION NOTICE

Company Name: Behr Iron & Steel, Inc.
Inspection Site: 201 Wheeler Ave., South Beloit, IL 61080
Issuance Date: 09/03/2014

Summary of Penalties for Inspection Number	962510
Citation 1, Serious	\$7000.00
Citation 2, Willful	\$490000.00
TOTAL PROPOSED PENALTIES	\$497000.00

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

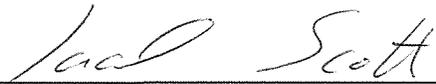
account, the bank will attempt to make the transfer up to 2 times.

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.

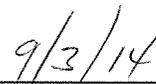
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (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.



Jacob Scott
Area Director



Date