

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
450 Mall Boulevard  
Suite J  
Savannah, GA 31406  
Phone: 912-652-4393 Fax: 912-652-4329



## Citation and Notification of Penalty

**To:**  
Bway Corporation  
and its successors  
1601 Valdosta Highway  
Box 336  
Homerville, GA 31634

**Inspection Number:** 1051410  
**Inspection Date(s):** 03/30/2015 -  
**Issuance Date:** 09/24/2015

**Inspection Site:**  
1601 Valdosta Highway  
Box 336  
Homerville, GA 31634

*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](http://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 \$25,000 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](http://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 09/24/2015. The conference will be held by telephone or at the OSHA office located at 450 Mall Boulevard, Suite J, Savannah, GA 31406 on \_\_\_\_\_ at

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1051410**

Company Name: Bway Corporation

Inspection Site: 1601 Valdosta Highway, Box 336, Homerville, GA 31634

Issuance Date: 09/24/2015

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, 450 Mall Boulevard, Suite J, Savannah, GA 31406**

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:** Bway Corporation

**Inspection Site:** 1601 Valdosta Highway, Box 336, Homerville, GA 31634

**Citation 1 Item 1** 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:

- a) UN Cover Line - On or about March 31, 2015 and times prior to, employees walked/worked on top of the oven platform that was not guarded on all open sides, thus exposing employees to a fall hazard of approximately 6 feet onto concrete flooring.
- b) B-Line Bottom Welder Front Platform - On or about March 31, 2015 and times prior to, employees walked/worked on top of the platform that was not guarded on all open sides about once per day, thus exposing employees to a fall hazard of approximately 5 feet, 4 inches onto concrete flooring.
- c) B-Line Bottom Welder Back Platform - On or about March 31, 2015 and times prior to, employees walked/worked on top of the platform that was not guarded on all open sides, thus exposing employees to a fall hazard of approximately 5 feet onto concrete flooring.

Date By Which Violation Must be Abated:

10/21/2015

Proposed Penalty:

\$6600.00

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**Company Name:** Bway Corporation  
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**Citation 1 Item 2** Type of Violation: **Serious**

29 CFR 1910.37(b)(1): 29 CFR 1910.37(b)(1): Each exit route was not adequately lighted so that employees with normal vision could see along the exit route:

a) Can Press areas, on or about March 31, 2015, emergency lighting was not operational to illuminate the exit routes in the areas.

Date By Which Violation Must be Abated:  
Proposed Penalty:

10/21/2015  
\$5500.00

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

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**Company Name:** Bway Corporation  
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**Citation 1 Item 3** Type of Violation: **Serious**

29 CFR 1910.215(b)(9): The distance between the abrasive wheel periphery(s) and the adjustable tongue or the end of the safety guard peripheral member at the top exceeded one fourth inch:

- a) Machine Shop - On or about March 31, 2015, the pedestal grinder was not equipped with a tongue guard on the left or right wheel, thus exposing employees to struck-by hazards from the wheel or material being grinded.
- b) Machine Shop - On or about March 31, 2015, the Dayton pedestal grinder was not equipped with a tongue guard on the left or right wheel, thus exposing employees to struck-by hazards from the wheel or the material being grinded.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$4400.00

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

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

29 CFR 1910.217(b)(6)(ii): Two-hand trip system(s) on mechanical power press(es) using full revolution clutches did not incorporate an anti-repeat feature:

a) Throughout Pail Department - On or about March 31, 2015 and times prior to, full revolution mechanical power presses activated with two-hand trip systems did not incorporate an anti-repeat feature, thus exposing employees to amputation hazards.

Date By Which Violation Must be Abated:  
Proposed Penalty:

10/21/2015  
\$5500.00

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**Company Name:** Bway Corporation

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

29 CFR 1910.217(b)(7)(v)(c): The two hand control system of mechanical power press(es) using part revolution clutches did not incorporate an antirepeat feature:

a) Ammo Department - On or about April 1, 2015 and times prior to, the Rouselle #SS44 part revolution punch press activated with a two hand control system did not incorporate an anti-repeat feature, thus exposing employees to amputation hazards.

Date By Which Violation Must be Abated:

10/21/2015

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

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

29 CFR 1910.217(b)(7)(iii): Fixing of the selection of either the single stroke or continuous function was not by means capable of supervision by the employer:

a) Press Areas Throughout the Facility - On or about March 31, 2014 and times prior to, employees were capable of selecting either the single stroke or continuous mode on the mechanical power presses without supervision by the employer, thus exposing employees to amputation hazards at the point of operation.

Date By Which Violation Must be Abated:  
Proposed Penalty:

10/21/2015  
\$5500.00

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

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

29 CFR 1910.217(b)(8)(i): Power press control system(s) on mechanical power press(es) were not provided with main power disconnect switch(es), capable of being locked only in the off position:

a) Pail Department - On or about March 31, 2015 and at times prior to, the power press control system on the Bliss PP017 full revolution mechanical power press was equipped with a disconnect switch that was not capable of being locked only in the off position, thus exposing employees to an amputation hazard.

b) Ammo Department - On or about April 1, 2015 and at times prior to, the power press control system on the AMO503P full revolution mechanical power press was equipped with a disconnect switch that was not capable of being locked only in the off position, thus exposing employees to an amputation hazard.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$5500.00

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:** Bway Corporation

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

29 CFR 1910.217(c)(1)(i): The employer did not provide and ensure the usage of point of operation guards or properly applied point of operation devices on every operation performed on mechanical power press(es):

On or about April 1, 2015 and times prior to:

a) Ammo Department - The part revolution Rousselle punch press activated with a two-hand trip, did not have adequate safe guarding at the point of operation, thus exposing employees to amputation hazards at the point of operation.

b) Ammo Department - The full revolution AM1119P cover curl press did not have adequate safe guarding in that that a foot pedal control was used without any other safety device or adequate physical guarding, exposing employees to an amputation hazard at the point of operation.

On or about March 31, 2015 and times prior to:

c) Pail Department - The full revolution Bliss, Tint Plug #2 press activated with a two hand control system did not have adequate safe guarding in that the hole in the metal guard at the point of operation where the part was fed was too large, thus exposing employees to amputation hazards at the point of operation.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

10/21/2015

Proposed Penalty:

\$7000.00

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

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**Company Name:** Bway Corporation  
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**Citation 1 Item 8** Type of Violation:  **Serious**

29 CFR 1910.217(d)(6)(i): Tonnage and stroke requirements were neither stamped on die(s) nor recorded on records readily available to the die setter:

a) Production areas, on or about March 29, 2015 and at times prior to, tonnage and stroke requirements were neither stamped on the die or recorded for punch and die assemblies including the Bliss #6 full revolution power press, Minister P2-60-36 part revolution power press, Bliss #1831 part revolution power press, Minister P2-100-48 part revolution power press, Niagara Press full revolution power press, and a Brown Boggs full revolution power press.

Date By Which Violation Must be Abated:  
Proposed Penalty:

10/21/2015  
\$5500.00

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

29 CFR 1910.217(e)(1)(i)(A): Periodic and regular inspections of each power press were not conducted to ensure that all of its parts, auxiliary equipment, and safeguards, including clutch/brake mechanism, antirepeat feature, and single-stroke mechanism, are in safe operating condition and adjustment:

a) Press Areas Throughout the Facility - At the time of the amputation incident on or about March 25, 2015 and times prior to, the employer did not ensure that all of the safeguards and auxiliary components on each press including but not limited to point of operation guards, control systems, brake monitors and the anti-repeat features were in a safe operating condition and adjustment by having them inspected regularly, thus exposing employees to amputation hazards at the point of operation.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	10/21/2015
Proposed Penalty:	\$7000.00

**U.S. Department of Labor**  
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**Company Name:** Bway Corporation  
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**Citation 1 Item 10** Type of Violation: **Serious**

29 CFR 1910.217(e)(3): Original and continuing competence of personnel maintaining mechanical power press(es) was not insured:

a) In the press areas, on or about March 29, 2015 and at times prior to, the employer did not ensure that the maintenance personnel were adequately trained to inspect and service the mechanical power presses, exposing employees to an amputation hazard.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	10/21/2015
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.

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**Company Name:** Bway Corporation  
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**Citation 1 Item 11** Type of Violation: **Serious**

29 CFR 1910.217(f)(2): Operator(s) were not trained and instructed in the safe method of work before starting work on mechanical power press(es):

a) Press Areas Throughout the Facility- On or about March 25, 2015, and at times prior to, the employer did not ensure that press operators were trained in the safe work methods of operating presses, exposing employees to an amputation hazard at the point of operation.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	10/21/2015
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.

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

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**Citation and Notification of Penalty**

**Company Name:** Bway Corporation  
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**Citation 1 Item 12** Type of Violation: **Serious**

29 CFR 1910.219(b)(1): Flywheel(s) with parts seven feet or less above floor(s) or platform(s) were not guarded in accordance with the requirements specified in 29 CFR 1910.219(b)(1)(i) through (b)(1)(iv):

On or about March 31, 2015:

- a) Can Department, Ring Line - The flywheel on the Bliss CP151 press was not fully enclosed, thus exposing employees to caught-in hazards.
- b) Ammo Department - The flywheels on the Walsh AMO 521P, and AMO 522P presses were not fully enclosed, thus exposing employee to caught-in hazards.

Date By Which Violation Must be Abated:  
Proposed Penalty:

10/21/2015  
\$5500.00

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

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

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

29 CFR 1910.219(c)(2)(i): All exposed part(s) of horizontal shafting seven (7) feet or less from floor or working platform were not protected by stationary casing(s) enclosing shafting completely or by trough(s) enclosing sides and top or sides and bottom of shafting:

- a) Ammo Wire Department - On or about March 31, 2015 and at times prior to, the rotating horizontal shaft on the AM1108 cover link wire form motor was not covered, exposing employees to entanglement and frictional burns.
- b) Ammo Wire Department - On or about March 31, 2015 and at times prior to, the rotating horizontal shaft on the AM1109 cover link wire form motor was not covered, exposing employees to entanglement and frictional burns.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$5500.00

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

29 CFR 1910.253(b)(4)(iii): Oxygen cylinders in storage were not separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least one-half hour:

a) Main Hallway to access Production Area - On or about March 30, 2015, two oxygen compressed gas cylinders were stored adjacent to ten acetylene fuel-gas cylinders without being separated by a noncombustible barrier, thus exposing employees to a fire hazards.

Date By Which Violation Must be Abated:  
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10/21/2015  
\$5500.00

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**Citation and Notification of Penalty**

**Company Name:** Bway Corporation

**Inspection Site:** 1601 Valdosta Highway, Box 336, Homerville, GA 31634

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

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

- a) Ammo Press, B-line, on or about April 1, 2015, the outer jacket on the 240-volt power cord connected to the panel box that runs the AMO 110M press was withdrawn, exposing the inner conductors and terminals to strain.
- b) Pail Department, on or about March 31, 2015, the outer jacket on the 110-volt power cord that runs the hoist was withdrawn, exposing the inner conductors and terminals to strain.
- c) Pail Department, on or about March 31, 2015, the outer jacket on the 480-volt power cord connected to the bottom of the disconnect panel box that runs the PP018A press was withdrawn, exposing the inner conductors and terminals to strain.
- d) Pail Department, on or about March 31, 2015, the outer jacket on the 240-volt power cord connected to the side of the electrical panel box that run the UN Blanking #2 press was withdrawn, exposing the inner conductors and terminals to strain.
- e) Pail Department, on or about March 31, 2015, the outer jacket on the 110-volt 4-ply receptacle outlet that runs the portable hand held grinder and drill was withdrawn, exposing the inner conductors and terminals to strain.
- f) Can Press, on or about March 31, 2015, the outer jacket on the 240-volt air cylinder cables on the #404 Strip Feed Bottom Press was withdrawn, exposing the inner conductors and terminals to strain.
- g) Ammo Wire Department, on or about March 31, 2015, the outer jacket on the 240-volt power cord connected to the top of the electrical panel box that runs the AM1108 cover link wire form was withdrawn, exposing the inner conductors and terminals to strain.
- h) Ammo Department, old maintenance shop, on or about April 1, 2015, the outer jacket on the 240-

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**Company Name:** Bway Corporation

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volt power cord connected to the side of the disconnect panel box that runs the Doall Metalmaster Bandsaw was withdrawn, exposing the inner conductors and terminals to strain.

Date By Which Violation Must be Abated:

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\$5500.00

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**Citation and Notification of Penalty**

**Company Name:** Bway Corporation  
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**Citation 2 Item 1** Type of Violation: **Repeat**

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 point of operation, ingoing nip points, rotating parts, flying chips and sparks:

On or about March 31, 2015:

- a) Machine Shop - Employees performing sanding operations were exposed to being caught in the unguarded in-running nip points on the left end of the vertical belt sander.
- b) Machine Shop - Employees were exposed to amputation hazards associated with contacting the unused portion of the horizontal band saw blade that was not equipped with a guard.

Plastican A Division of Bway Corporation was previously cited for a violation of this occupational safety and health standard or its equivalent standard [1910.212(a)(1)], which was contained in OSHA inspection number 314209461, citation number 1, item number 4 and was affirmed as a final order on September 1, 2011, with respect to a workplace located at 101 Lillian Drive, Macon, GA 31217.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	10/21/2015
Proposed Penalty:	\$27500.00



**Citation and Notification of Penalty**

**Company Name:** Bway Corporation

**Inspection Site:** 1601 Valdosta Highway, Box 336, Homerville, GA 31634

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

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

On or about March 31, 2015 and times prior to:

- a) Pail Department, Compound Mixing Station - A duplex electrical receptacle designed to be mounted was taped to the pole of the hoist and was being used to power the hoist and a fan, thus exposing employees to electrical hazards.
- b) Pail Department, UN Cover Line - A quadplex electrical receptacle designed to be mounted was being used as a pendant to power hand tools, thus exposing employees to electrical hazards.

On or about April 1, 2015 and times prior to:

- c) Ammo Department - A duplex electrical receptacle designed to be mounted was being used as a pendant to power drills and portable lights used to service the AMO 510P mechanical power press, thus exposing employees to electrical hazards.
- d) Paint Chain behind B-Line - A duplex electrical receptacle designed to be mounted was being used as a pendant to power fans and a parts washer, thus exposing employees to electrical hazards.

Plastican A Division of Bway Corporation was previously cited for a violation of this occupational safety and health standard or its equivalent standard [1910.303(b)(2)], which was contained in OSHA inspection number 314209461, citation number 1, item number 6 and was affirmed as a final order on September 1, 2011, with respect to a workplace located at 101 Lillian Drive, Macon, GA 31217.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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:** 1051410  
**Inspection Date(s):** 03/30/2015 -  
**Issuance Date:** 09/24/2015



**Citation and Notification of Penalty**

**Company Name:** Bway Corporation  
**Inspection Site:** 1601 Valdosta Highway, Box 336, Homerville, GA 31634

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Date By Which Violation Must be Abated:	10/21/2015
Proposed Penalty:	\$27500.00

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:** Bway Corporation

**Inspection Site:** 1601 Valdosta Highway, Box 336, Homerville, GA 31634

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

29 CFR 1910.303(g)(2)(i): Except as elsewhere required or permitted by Subpart S of Part 1910, live parts of electric equipment operating at 50 volts or more were not guarded against accidental contact by use of approved cabinets or other forms of approved enclosures or by any of the means identified in paragraphs (A), (B), (C), and (D) of 29 CFR 1910.303(g)(2)(i):

On or about March 31, 2015:

- a) Pail Department - Live electrical parts were exposed inside of the open disconnect box on a mechanical power press (PP0112A), thus exposing employees to electrical hazards.
- b) Pail Department - Live electrical parts were exposed inside of the authorized electrical equipment panel box for the Non Certified and UN Cover press lines, thus exposing employees to electrical hazards.
- c) Can Department, Ring Line - Live electrical parts were exposed inside of the open electrical panel box on a mechanical power press (CP151), thus exposing employees to electrical hazards.
- d) Can Department, Ring Line - Live electrical parts were exposed due to the missing cover for the #8 quick connection on the disconnect panel box of a mechanical power press (CP151), thus exposing employees to electrical hazards.

Bway Corporation was previously cited for a repeat violation of this occupational safety and health standard or its equivalent standard [1910.303(g)(2)(i)], which was contained in OSHA inspection number 315641704, citation number 2, item number 3 and was affirmed as a final order on April 16, 2012, with respect to a workplace located at 7 Wheeling Road, Dayton, NJ 08810.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

10/21/2015

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:** 1051410  
**Inspection Date(s):** 03/30/2015 -  
**Issuance Date:** 09/24/2015



**Citation and Notification of Penalty**

**Company Name:** Bway Corporation  
**Inspection Site:** 1601 Valdosta Highway, Box 336, Homerville, GA 31634

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Proposed Penalty: \$55000.00

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:** Bway Corporation  
**Inspection Site:** 1601 Valdosta Highway, Box 336, Homerville, GA 31634

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

29 CFR 1910.305(b)(1)(ii): Unused openings in boxes, cabinets, or fittings were not effectively closed:

On or about March 30, 2015:

a) Ammo Department, AMO135P - There was an unused opening on the breaker box that controlled the Minister curling press, thus exposing employees to electrical hazards.

b) Ammo Department, AM1119P - On the control panel that powered the Bliss No. 6 cover curl press, there were two unused openings on the small upper box and three unused openings on the lower larger box, thus exposing employees to electrical hazards.

Bway Corporation was previously cited for a violation of this occupational safety and health standard or its equivalent standard [1910.305(b)(1)(ii)], which was contained in OSHA inspection number 959843, citation number 1, item number 2 and was affirmed as a final order on August 13, 2014, with respect to a workplace located at 1591 N. Harvey Mitchell Pkwy, Bryan, TX 77803.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$220.00

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

**Inspection Number:** 1051410  
**Inspection Date(s):** 03/30/2015 -  
**Issuance Date:** 09/24/2015



**Citation and Notification of Penalty**

**Company Name:** Bway Corporation  
**Inspection Site:** 1601 Valdosta Highway, Box 336, Homerville, GA 31634

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**Citation 3 Item 1** Type of Violation: **Other-than-Serious**

29 CFR 1910.253(b)(2)(iv): Valve protection caps, where cylinders were designed to accept caps, were not always in place, hand-tight, except when cylinders were in use or connected for use:

a) Main Hallway to access Production Area - On or about March 30, 2015, four acetylene and two carbon dioxide compressed gas cylinders were stored without their valve protection caps in place, thus exposing employees to fire hazards.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Quick Fix Applied  
\$0.00

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

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

**Inspection Number:** 1051410  
**Inspection Date(s):** 03/30/2015 -  
**Issuance Date:** 09/24/2015



**Citation and Notification of Penalty**

**Company Name:** Bway Corporation  
**Inspection Site:** 1601 Valdosta Highway, Box 336, Homerville, GA 31634

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

29 CFR 1910.303(b)(7)(iv): Electrical equipment had damaged parts that may adversely affect safe operation or mechanical strength of the equipment, such as parts that are broken, bent, cut, or deteriorated by corrosion, chemical action, or overheating:

a) Pail Department - On or about March 31, 2015 and at times prior to, the e-stop on the Bliss PP017 full revolution mechanical power press was not functioning, exposing employees to cuts and laceration hazards.

Date By Which Violation Must be Abated:  
Proposed Penalty:

10/21/2015  
\$0.00

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:** Bway Corporation

**Inspection Site:** 1601 Valdosta Highway, Box 336, Homerville, GA 31634

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

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

On or about March 31, 2015:

a) Coil Shear Department, Littell #2 - The junction box for the motor that turns the rollers at the end of Line 2 had exposed wiring, thus exposing employees to electrical hazards.

b) Can Department, Automated Slitter - The junction box for the motor did not have a suitable cover to enclose the live wiring, thus exposing employees to electrical hazards.

On or about April 1, 2015:

c) Old Maintenance Shop Behind B-Line Assembly - Part of the front cover was missing from the 280-volts electrical junction box, exposing employees to electrical hazards.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**Corrected During Inspection**  
**\$0.00**

A handwritten signature in black ink, appearing to read "Robert E. Vazzi", is written over a horizontal line.

**Robert E. Vazzi**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
450 Mall Boulevard  
Suite J  
Savannah, GA 31406  
Phone: 912-652-4393 Fax: 912-652-4329



## INVOICE / DEBT COLLECTION NOTICE

**Company Name:** Bway Corporation  
**Inspection Site:** 1601 Valdosta Highway, Box 336, Homerville, GA 31634  
**Issuance Date:** 09/24/2015

<b>Summary of Penalties for Inspection Number</b>	<b>1051410</b>
<b>Citation 1, Serious</b>	<b>\$88500.00</b>
<b>Citation 2, Repeat</b>	<b>\$110220.00</b>
<b>Citation 3, Other-than-Serious</b>	<b>\$0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$198720.00</b>

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](http://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 \$25,000 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

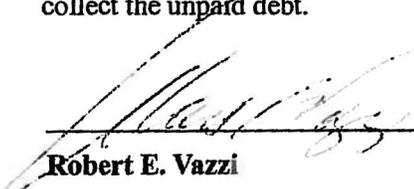
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

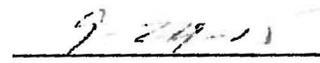
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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

  
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**Robert E. Vazzi**  
Area Director

  
\_\_\_\_\_  
Date