

U.S. Department of Labor
Occupational Safety and Health Administration
420 Madison Ave Suite 600
Toledo, OH 43604
Phone: 419-259-7542 Fax: 419-259-6355



Citation and Notification of Penalty

To:
Basic Grain Products, Inc.
and its successors
300 E VINE ST
Coldwater, OH 45828

Inspection Number: 98342
Inspection Date(s): 09/02/2011 - 11/04/2011
Issuance Date: 02/15/2012

Inspection Site:
300 E VINE ST
Coldwater, OH 45828

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

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

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

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

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

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

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

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

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance.

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

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

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

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

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to

the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation, but not sooner than 30 calendar days after the citation issuance date. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 02/15/2012. The conference will be held at the OSHA office located at 420 Madison Ave, Toledo, OH 43604 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 98342

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828
Issuance Date: 02/15/2012

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 420 Madison Ave, Suite 600 Toledo, OH 43604**

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: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

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

29 CFR 1910.23(a)(8): Every floor hole into which persons can accidentally walk were not guarded:

a) Basic Grain Products, Inc. - Coldwater, Ohio: On or about September 2, 2011, the employer failed to assure that floor holes on the mezzanine level at the Triangle Machines were guarded by a standard railing or floor hole cover. Employees that accessed the level for cleaning operations were exposed to trip and fall hazards.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	03/08/2012
Proposed Penalty:	\$6,000.00



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

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

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

29 CFR 1910.132(d)(1)(i): The employer did not select and have each affected employee use, the types of personal protective equipment that would protect the affected employee(s) from the hazards identified in the hazard assessment:

a) Basic Grain Products, Inc. - Coldwater, Inc. - On or about November 2, 2011, the employer failed to perform an adequate hazard assessment to determine the proper protective equipment to be worn by employees exposed to eye hazards associated with cleaning in the D Seasoning Area.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	03/15/2012
Proposed Penalty:	\$3,000.00



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

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

29 CFR 1910.132(d)(2): The employer did not verify that the required workplace hazard assessment had been performed through written certification that identified the workplace evaluated; the person certifying that the evaluation had been performed; the date(s) of the hazard assessment; and, identified the document as a certification of the hazard assessment.

a) Basic Grain Products, Inc. - Coldwater, Ohio: On or about November 2, 2011, the employer did not provide a written certification which identified that a workplace hazard assessment was performed. Employees working in the D Seasoning area were exposed to eye injuries from flying particles.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

03/15/2012



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation.

a) Basic Grain Products, Inc. - Coldwater, Ohio: On or about November 2, 2011, the employer did not assure that employees used eye protection to protect from eye injuries while working in the D Seasoning Area. Employees cleaning equipment with compressed air were exposed to eye injuries from flying particles.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	03/01/2012
Proposed Penalty:	\$3,000.00



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

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

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

a) Basic Grain Products, Inc. - Coldwater, Ohio: On or about August 31, 2011, the employer did not assure that employees who perform maintenance and cleaning operations on the conveyor located on mezzanine level located in the D Packing area were trained in the skills required for the safe application, usage, and removal of the energy controls. Employees that service the conveyor equipment were not trained to lockout the machine to protect against caught-by hazards.

b) Basic Grain Products, Inc. - Coldwater, Ohio: On or about November 2, 2011, the employer did not assure that employees who perform maintenance and cleaning operations on the topical auger located in the D Seasoning area were trained in the skills required for the safe application, usage, and removal of energy controls. Employees that service the auger equipment were not trained to lockout the machine to protect against amputation hazards.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	03/15/2012
Proposed Penalty:	\$7,000.00



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

Citation 1 Item 5 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 point of operation, ingoing nip points, rotating parts, flying chips and sparks:

a) Basic Grain Products, Inc. - Coldwater, Ohio: On or about November 4, 2011, the employer failed to assure that employees were protected from pinch points created by the oscillator located in the D Seasoning area. Employees were exposed to fractures and lacerations when sweeping and taking product samples immediately adjacent to the moving parts.

b) Basic Grain Products, Inc. - Coldwater, Ohio: On or about November 4, 2011, the employer failed to assure that employees were protected from the rotating drum located in the D Seasoning area. Employees were exposed to being caught by the rotating drum when sweeping immediately adjacent to the moving parts.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	03/15/2012
Proposed Penalty:	\$7,000.00



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

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

29 CFR 1910.219(c)(4)(i): Unguarded projecting shaft end(s) did not present a smooth edge and end and projected more than one half the diameter of the shaft:

a) Basic Grain Products, Inc. - Coldwater, Ohio: On or about August 22, 2011, a projecting shaft end located at the end of the conveyor on the mezzanine level (adjacent to the Triangle C machine) in the D Packaging area was not guarded. The rotating part exposed employees to a caught by hazard when sweeping the area.

b) Basic Grain Products, Inc. - Coldwater, Ohio: On or about November 4, 2011, a projecting shaft end located on the D Seasoning oscillator was not guarded. The rotating part exposed employees to a caught by hazard when sweeping and taking product samples near the oscillator.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	03/01/2012
Proposed Penalty:	\$7,000.00



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

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

29 CFR 1910.242(b): Compressed air used for cleaning purposes was not reduced to less than 30 p.s.i.:

a) Basic Grain Products, Inc. - Coldwater, Ohio: On or about November 2, 2011, employees were exposed to eye injuries in that compressed air of approximately 85 psi was used for cleaning. Employees used the compressed air to clean seasoning and water from the topical auger in the Seasoning D area.

b) Basic Grain Products, Inc. - Coldwater, Ohio: On or about October 28, 2011, employees were exposed to struck-by injuries in that compressed air of approximately 125 psi was used for cleaning. Employees used the compressed air to clear grain from equipment in Puffing Room A.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	02/16/2012
Proposed Penalty:	\$5,000.00



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

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 1 a Type of Violation: **Willful - Serious**

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

a) Basic Grain Products, Inc. - Coldwater, Ohio: On or about August 31, 2011, the employer failed to develop machine specific energy control procedures to control hazardous energy when employees cleaned the conveyor system located on the mezzanine level in the D Packaging Area. Employees were exposed to caught-by hazards when maintaining the equipment.

b) Basic Grain Products, Inc. - Coldwater, Ohio: On or about November 2, 2011, the employer failed to develop machine specific energy control procedures to control hazardous energy when employees cleaned the topical auger located in the D Seasoning Area during cleaning activities. Employees were exposed to caught-by and amputation injuries in when maintaining the equipment.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	03/15/2012
Proposed Penalty:	\$70,000.00



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

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

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

a) Basic Grain Products, Inc. - Coldwater, Ohio: On or about August 31, 2011, the conveyor located on the mezzanine level of the D Packaging Area was not locked out when employees were engaged in cleaning operations. An employee received serious injuries from the rotating parts of the conveyor while performing cleaning operations.

b) Basic Grain Products, Inc. - Coldwater, Ohio: On or about November 2, 2011, the topical auger located in the D Seasoning Area was not locked out when employees were engaged in cleaning operations. Employees cleaning the auger were exposed to amputation hazards.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:

03/15/2012



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

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

29 CFR 1904.29(b)(1): A log of all recordable work-related injuries and illnesses (OSHA 300 or equivalent), was not completed in the detail as required by the regulation: Basic Grain Products, Inc. - Coldwater, Ohio: On or about September 2, 2011 the employer did not provide the required injury or illness description and information on the OSHA 300 Log for the calendar year 2011.

- a) On or about March 28, 2011, a recordable injury occurred when an employee sustained contusions. Column F did not describe the injury or body part affected. (Case 2011-06)
- b) On or about March 29, 2011, a recordable injury occurred when an employee sustained a burn injury. Column F did not describe the object that caused the injury. (Case 2011-07)
- c) On or about April 2, 2011, a recordable injury occurred when an employee sustained abrasion injuries. Column F did not describe the object that caused the injury. (Case 2011-08)
- d) On or about April 19, 2011, a recordable injury occurred when an employee sustained a laceration injury. Column F did not describe the object that caused the injury. (Case 2011-09)
- e) On or about April 22, 2011, a recordable injury occurred when an employee sustained a strain injury. Column F did not describe the object that caused the injury and the number of days the worker was away from work was not recorded. (Case 2011-10)
- f) On or about April 28, 2011, a recordable injury when an employee sustained an injury to the hand. Column F did not describe the injury or the object that caused the injury. (Case 2011-11)
- g) On or about June 10, 2011, a recordable injury occurred when an employee sustained an injury to the wrist. Column F did not describe the object that caused the injury and the number of days the worker was away from work was not recorded. (Case 2011-12)
- h) On or about August 4, 2011, a recordable injury occurred when an employee sustained a strain injury to the right wrist. Column F did not describe the object that caused the injury. (Case 2011-13)



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

- i) On or about August 15, 2011, a recordable injury occurred when an employee sustained a laceration. Column F did not describe the object that caused the laceration. (Case 2011-14)

- j) On or about August 8, 2011, a recordable injury occurred when an employee sustained a strain injury. Column F did not describe the part of the body affected or the object that caused the injury. (Case 2011-15)

- k) On or about July 29, 2011, a recordable injury occurred when an employee sustained a strain injury. Column F did not describe the part of the body affected or the object that caused the injury. (Case 2011-16)

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	03/15/2012
Proposed Penalty:	\$1,000.00



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

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

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

- a) Basic Grain Products, Inc. - Coldwater, Ohio: On or about September 2, 2011 the employer did not provide the required injury or illness description and information on the OSHA 300 Log for the calendar year 2010.
- b) On or about January 11, 2010, a recordable injury occurred when an employee sustained a back sprain while carrying materials. The employer did not record the number of days the injured worker was on job transfer or restriction. (Case 2010-01)
- c) On or about January 19, 2010, a recordable injury occurred when an employee sustained a contusion injury. Column F did not describe the object that caused the injury. (Case 2010-02)
- d) On or about February 17, 2010, a recordable injury occurred when an employee sustained lacerations to fingers. Column F did not describe the object that caused the injury. (Case 2010-03)
- e) On or about February 18, 2010, a recordable injury occurred when an employee sustained a laceration injury. Column F did not describe the object that caused the injury. (Case 2010-04)
- f) On or about February 19, 2010, a recordable injury occurred when an employee sustained a sprain/strain injury. The employer did not record the number of days the injured worker was on job transfer or restriction. (Case 2010-05)
- g) On or about March 24, 2010, a recordable injury occurred when an employee sustained a burn injury. Column F did not describe the object that caused the injury. (Case 2010-09)
- h) On or about April 9, 2010, a recordable injury occurred when an employee sustained a laceration injury to a finger(s). Column F did not describe the object that caused the laceration. (Case 2010-11)



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

- i) On or about June 1, 2010, a recordable injury occurred when an employee sustained an injury to the head. Column F did not describe the object that caused the injury. (Case 2010-17)
- j) On or about June 7, 2010, a recordable injury occurred when an employee sustained an injury as a result of a fall. Column F did not describe the injury. (Case 2010-18)
- k) On or about June 8, 2010, a recordable injury occurred when an employee sustained a laceration to the right hand. Column F did not describe the object that caused the injury. (Case 2010-19)
- l) On or about July 29, 2010, a recordable injury occurred when an employee sustained a strain injury to the right elbow. Column F did not describe the object that caused the injury. (Case 2010-24)
- m) On or about August 24, 2010, a recordable injury occurred when an employee sustained an injury to the right wrist. Column F did not describe the object or substance that caused the injury. (Case 2010-25)
- n) On or about September 7, 2010, a recordable injury occurred when an employee sustained a laceration injury. Column F did not describe the object that caused the injury. (Case 2010-27)
- o) On or about September 20, 2010, a recordable injury occurred when an employee sustained contusion injuries. Column F did not describe the object that caused the injury. (Case 2010-29)
- p) On or about November 16, 2010, a recordable injury occurred when an employee sustained a contusion injury to the right forearm. Column F did not describe the object that caused the injury. (Case 2010-38)

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/15/2012
Proposed Penalty: \$1,000.00



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

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

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

- a) Basic Grain Products, Inc. - Coldwater, Ohio: On or about September 2, 2011 the employer did not provide the required injury or illness description and information on the OSHA 300 Log for the calendar year 2009
- b) On or about February 27, 2009, a recordable injury occurred when an employee sustained a contusion to the back. Column E did not describe where the even occurred and Column F id not describe the object or substance that caused the injury. (Case 3)
- c) On or about July 8, 2009, a recordable injury occurred when an employee sustained a sprain to the right thumb. The description in Column F did not describe the object that caused the injury. (Case 10)

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/15/2012
Proposed Penalty: \$1,000.00



Citation and Notification of Penalty

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828

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

29 CFR 1904.29(b)(1): A log of all recordable work-related injuries and illnesses (OSHA 300 or equivalent), was not completed in the detail as required by the regulation: Basic Grain Products, Inc. - Coldwater, Ohio: On or about September 2, 2011 the employer did not provide the required injury or illness description and information on the OSHA 300 Log for the calendar year 2008.

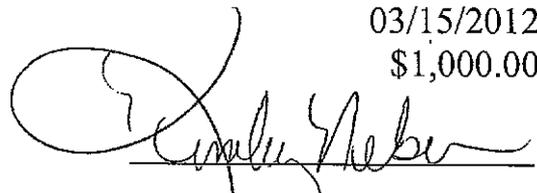
- a) On or about April 27, 2008, a recordable injury occurred when an employee sustained a fracture injury. The employer incorrectly classified the job transfer or restriction case as another recordable case. (Case 5)
- b) On or about May 20, 2008, a recordable injury occurred when an employee sustained a hand injury. The description in Column F did not describe the object that caused the injury. (Case 6)
- c) On or about May 30, 2008, a recordable injury occurred when an employee sustained a contusion injury. The description in Column F did not describe the part of the body affected or the object that caused the injury resulting in job transfer or restriction. The case was incorrectly classified as an other recordable case. (Case 8)

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

03/15/2012
\$1,000.00


Kimberly Nelson
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
420 Madison Ave Suite 600
Toledo, OH 43604
Phone: 419-259-7542 Fax: 419-259-6355



INVOICE / DEBT COLLECTION NOTICE

Company Name: Basic Grain Products, Inc.
Inspection Site: 300 E VINE ST, Coldwater, OH 45828
Issuance Date: 02/15/2012

Summary of Penalties for Inspection Number	98342
Citation 1, Serious	\$38,000.00
Citation 2, Willful - Serious	\$70,000.00
Citation 3, Other-than-Serious	\$4,000.00
TOTAL PROPOSED PENALTIES	\$112,000.00

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.

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.

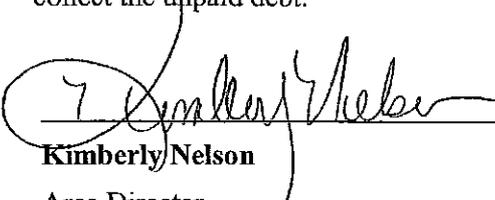
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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.



Kimberly Nelson
Area Director



Date