

U.S. Department of Labor
Occupational Safety and Health Administration
315 W. Allegan Street
Room 207
Lansing, MI 48933-1514
Phone: (517)487-4996 FAX: (517)487-4997



Citation and Notification of Penalty

To:
Basic Marine, Inc.
and its successors
440 N. 10th Street
Escanaba, MI 49829

Inspection Number: 301604252
Inspection Date(s): 07/12/2011-07/13/2011
Issuance Date: 01/06/2012

Inspection Site:
440 N. 10th Street
Escanaba, MI 49829

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 page 5 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 are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the OSHA office issuing the citation and identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

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 your inspection will be available 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.

CERTIFICATION OF CORRECTIVE ACTION

Robert J. Bonack, Area Director
U.S. Department of Labor - OSHA
315 W. Allegan Street, Room 207
Lansing, MI 48933

From: _____
Company Name

Company Address

City, State, Zip Code

29 CFR 1903.19 required employers, within 10 days of the abatement date, to certify to OSHA each cited items has been corrected; except those items that were verified abated by the Compliance Officer. The employer must submit to the Area Director Documentation demonstrating that each willful and repeat violation and each serious violation identified "Documentation Required" on the Citation has been abated. Your certification must explain the specific action taken with regard to each cited item. This form was prepared to serve as reminder and to aid you in submitting the required information. Brief terms such as "corrected" or "in compliance" are not acceptable. Documents needed to assure that corrective action has been taken include; photographs, videos, work orders, purchase orders, specifications (dimensions, materials, etc.) personal protective equipment, standard operating procedures, copies of any written programs, engineering controls, noise or atmospheric monitoring data or similar descriptions of what has been done. Since all citations are subject to follow-up action.

Citation #	Item #	Instance	Abatement Date and Action Taken
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

I attest that the information contained in this document is accurate.

(Signature)

(Typed or printed name)

(Date)



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 01/06/2012. The conference will be held at the OSHA office located at 315 W. Allegan Street, Room 207, Lansing, MI, 48933-1514 on _____ at _____.

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



Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

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

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

- a. On or about July 13, 2011 employees were exposed to the hazard of being crushed/struck-by materials being handled by a P&H crane serial # 1860 in building one (1) red building with an inoperative safety latch on the hook of the hoist.
- b. On or about July 13, 2011 employees were exposed to the hazard of being crushed/struck-by materials being handled by cranes while operating a P&H crane serial # CH15121 in building one (1) red building with an inoperative safety latch on the hook of the hoist.
- c. On or about July 13, 2011 employees were exposed to the hazard of being crushed/struck-by materials being handled by a P&H crane serial # RA76233 in building one (1) red building with an inoperative safety latch on the hook of the hoist.

Among other methods, one feasible and acceptable abatement method to correct the hazard is to repair or replace the safety latches in accordance with ASME B30.10-2009, American Society of Mechanical Engineers for Hooks, Section 10-1.10.6(c).

*** Abatement Documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 5390.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

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

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

- a. On or about July 13, 2011 at Basic Marine Inc., 440 N. 10th Street, Escanaba, MI employees were exposed to crushing injury from the hazard of falling loads and collapsing crane structures in the event that a P&H indoor crane near the burn table in building one (1) or the spreader bar would be overloaded. Employees were unaware of the rated load capacity as well as the weight of the spreader bar, as the employer failed to ensure that this information was marked on the main structure of the spreader bar through the use of a nameplate or other permanent marking.
- b. On or about July 13, 2011 at Basic Marine Inc., 440 N. 10th Street, Escanaba, MI, employees were exposed to crushing injury from the hazard of falling loads and collapsing crane structures in the event that a P&H mobile crane located outside behind building two (2) or the spreader bar would be overloaded. Employees were unaware of the rated load capacity as well as the weight of the spreader bar, as the employer failed to ensure that this information was marked on the main structure of the spreader bar through the use of a nameplate or other permanent marking.
- c. On or about July 13, 2011 at Basic Marine Inc., 440 N. 10th Street, Escanaba, MI employees were exposed to the hazard of being crushed by a load while using the Sundstrand Power-grip lifting magnet for lifting pieces of steel and the employer failed to establish and follow a program of periodic inspections of the lifting magnet.

Among other methods, one feasible and acceptable abatement method to correct the hazard is to train employees on the rated load capacity as well as the weight of the spreader bar, mark the rated load of the lifting device on the main structure where it is visible and affix a nameplate or other permanent marking displaying the manufacture's name and address, serial number, lift weight, rated voltage (when applicable), rated load [as described in para.20-1.2.1(a)], ASME BTH-1 Design Category, and

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ASME BTH-1 Service Class in accordance with ASME B30.20-2010, American Society of Mechanical Engineers for Below-The-Hook Lifting Devices, Section 20-1.2.

In regards to the lifting magnet, one feasible and acceptable abatement method to correct the hazard is to establish and follow a program of periodic inspections of the lifting magnet in accordance with ASME B30.20-2010, American Society of Mechanical Engineers for Below-the-Hook Lifting Devices, Section 20-3.3.4.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 5390.00

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Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

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

29 CFR 1910.67(c)(2)(v): A body belt was not worn and a lanyard attached to the boom or basket when working from an aerial lift:

On or about July 12, 2011, at Basic Marine Inc., 440 N. 10th Street, Escanaba, MI, employees were working from aerial lifts with a standard guardrail, and the employer did not ensure that personal fall protection was worn with a lanyard attached to the boom or basket to prevent from being ejected from the work platform.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 3850.00

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Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

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

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

29 CFR 1910.178(a)(6): Nameplates or markings for powered industrial trucks were maintained in a legible condition:

On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were operating a Baker forklift (model B-50-PD), and the employer failed to ensure that markings on the forklift were maintained in a legible condition. The manufacturer's plate for certified capacities was not maintained.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 5390.00

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Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

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

29 CFR 1910.178(q)(7): Industrial trucks were not examined before being placed in service:

On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were operating a Baker forklift (Model B-50-PD), and the employer failed to ensure that powered industrial trucks were examined before being placed into service. Defects on the forklift included, but were not limited to missing plate for certified capacities, worn rubber gear shift boot, and worn and cracked tires.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated: 01/30/2012

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Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

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

29 CFR 1910.178(l)(1)(i): The employer shall ensure that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specific to this paragraph (l). 29 CFR 1910.178(l) is applicable to shipyard employment by 29 CFR 1915.120 that incorporates the General Industry requirement.

On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were exposed to the hazards related to tipover, struck by, pinch, crush, and caught in hazards due to the fact that forklift drivers are not adequately trained and evaluated to operate powered industrial trucks.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 5390.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Company Name: Basic Marine, Inc.
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Citation 1 Item 6 Type of Violation: **Serious**

1910.178(l)(3)(i)[A]: The employer did not ensure that each operator followed the operating instructions, warnings, and precautions for the type of truck the operator was authorized to operate. 29 CFR 1910.178(l) is applicable to shipyard employment by 29 CFR 1915.120 that incorporates the General Industry requirement.

On or about July 13, 2011 at Basic Marine Inc., 440 N. 10th Street, Escanaba, MI employees was exposed to the hazards of being pinned between a forklift and the ground in the event of a tipover, due to the fact that employees were not required to wear the seatbelts that were provided on a Hyster forklift Model HI55XL, Serial # F605401N.

Among other methods, one feasible and acceptable abatement method to correct the hazard is to follow the requirements of the manufacturer's instruction manual and ANSI/ITSDF B56.1-2009, Safety Standard for Low Lift and High Lift Trucks.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 3080.00

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Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

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

29 CFR 1910.179(g)(1)(v): Pendant control box(es) were not constructed to prevent electrical shock and were not clearly marked for identification of functions:

- a) On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees assigned to operate the P & H crane in building one were exposed to electrical shock/electrocution from exposed wiring in the pendent control for the crane. Employees were using a pendent control device for a P&H Crane in building one (1) red building near the press brake which was noted as having a broken face plate with exposed electrical parts.
- b) On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were exposed to the hazard of being crushed/struck-by materials due to the fact that the pushbutton pendent was not marked for identification of the functions. Employees were using a pendent control device for a P&H crane in building one (1) red building under the staircase and the labeling for the function buttons was illegible.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated: 01/30/2012
Proposed Penalty: \$ 5390.00

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Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.179(l)(3): Unsafe condition(s) disclosed during the frequent or periodic inspection(s) required by 29 CFR 1910.179(j) were not corrected before operation of the crane(s) was resumed:

- a. On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were exposed to the hazards related to being struck by and/or crushed by a falling load due to the fact that an unsafe condition identified in an inspection of an overhead crane was not corrected before operation of the overhead crane resumed. Employees were operating a P&H crane in building one East Bay South near the steel shear with an inoperative brake.
- b. On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were exposed to the hazards related to being struck by and/or crushed by a falling load due to the fact that an unsafe condition identified in an inspection of an overhead crane was not corrected before operation of the overhead crane resumed. Employees were operating a P&H crane in building one East Bay North near the squaring machine with an inoperative brake.
- c. On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were exposed to the hazards related to being struck by and/or crushed by a falling load due to the fact that an unsafe condition identified in an inspection of an overhead crane was not corrected before operation of the overhead crane resumed. Employees were operating a P&H crane in building one East Bay North near the steel shear with a defective wire rope, in that the rope was missing a lay.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 5390.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

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

29 CFR 1910.184(i)(9)(iv): Synthetic web sling(s) with broken or worn stitches were not immediately removed from service.

On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were exposed to the hazard of being crushed/struck-by materials being handled by cranes due to the fact that a synthetic sling was being used with a Sundstrand Power-grip magnet to lift pieces of steel.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 5390.00

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Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.242(b): Effective chip guarding and personal protective equipment was not used when compressed air was used for cleaning purposes:

On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were exposed to the hazard of flying debris due to the fact employees were using compressed air to clean without chip guarding or personal protective equipment. Employees were using compressed air to clean their head, face, and hair.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 3080.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1915.73(b): When employees are working in the vicinity of flush manholes and other small openings of comparable size in the deck and other working surfaces, such openings shall be suitably covered or guarded to a height of not less than 30 inches, except where the use of such guards is made impracticable by the work actually in progress.

On or about July 12, 2011, at Basic Marine, Inc. 440 N. 10th Street, Escanaba, MI, employees were working in the vicinity of flush manholes and other small openings of comparable size in the deck and other working surfaces, and such openings were not suitably covered or guarded to a height of not less than 30 inches.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 3850.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

Citation 1 Item 12 Type of Violation: **Serious**

29 CFR 1915.73(d): When employees are exposed to unguarded edges of decks, platforms, flats, and similar flat surfaces more than 5 feet above a solid surface, the edges shall be guarded by adequate guardrails meeting the requirements of section 29 CFR 1915.71(j)(1) and (2), unless the nature of the work in progress or the physical conditions prohibit the use or installation of such guardrails.

On or about July 12, 2011, at Basic Marine, Inc. 440 N. 10th Street, Escanaba, MI, employees were working on the barge MEMPHIS, and unguarded edges of decks, platforms, flats, or similar flat surfaces more than 5 feet above a solid surface. These edges were not guarded by adequate guardrails meeting the requirements of 29 CFR 1915.71(j)(1) and (2).

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated: 01/30/2012
Proposed Penalty: \$ 5390.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

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

29 CFR 1915.91(a): Hoses and electric conductors were not elevated or placed under walkways or working surfaces or covered by adequate crossover planks.

On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees working on the top (deck) of a barge were exposed to slip, trip, and fall hazards from hoses and electrical cords that crossed their work surface and paths of travel without being elevated or covered by crossover planks.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 5390.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

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

29 CFR 1915.112(c)(2): All sling chains, including end fastenings, shall be given a visual inspection before being used on the job. A thorough inspection of all chains in use shall be made every 3 months. Each chain shall bear an indication of the month in which it was thoroughly inspected. The thorough inspection shall include inspection for wear, defective welds, deformation and increase in length or stretch.

On or about July 12, 2011, at Basic Marine, Inc. 440 N. 10th Street, Escanaba, MI employees were using sling chains during the manufacture of barges, and the employer did not ensure that thorough chain inspections were conducted every three months. Each chain did not bear an indication of the month in which it was thoroughly inspected.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated: 01/30/2012
Proposed Penalty: \$ 4620.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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07/13/2011

Inspection Number: 301604252
Inspection Dates: 07/12/2011
Issuance Date: 01/06/2012



Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

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

29 CFR 1915.113(b)(2): Loads shall be applied to the throat of the hook since loading the point overstresses and bends or springs the hook.

On or about July 12, 2011, at Basic Marine, Inc. 440 N. 10th Street, Escanaba, MI employees were using chains during the manufacture of barges, and the employer did not ensure that loads were applied to the throat of the hook.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 3080.00

See pages 1 through 5 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
07/13/2011

Inspection Number: 301604252
Inspection Dates: 07/12/2011 -
Issuance Date: 01/06/2012



Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

Citation 1 Item 16 Type of Violation: **Serious**

29 CFR 1915.116(f): Slings shall be padded by means of wood blocks or other suitable material where they pass over sharpe edges or corners of loads so as to prevent cutting or kinking.

On or about July 12, 2011, at Basic Marine, Inc. 440 N. 10th Street, Escanaba, MI employees were using slings during the manufacture of barges, and the employer did not ensure that slings were padded by means of wood blocks or other suitable material where they passed over sharp edges or corners of loads.

*** Abatemend documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 3080.00

See pages 1 through 5 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
07/13/2011

Inspection Number: 301604252
Inspection Dates: 07/12/2011
Issuance Date: 01/06/2012



Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

Citation 1 Item 17 Type of Violation: **Serious**

29 CFR 1915.155(a)(1): The employer shall ensure that each affected employee wears a protective helmet when working in areas where there is a potential for injury to the head from falling objects.

On or about July 12, 2011, at Basic Marine, Inc. 440 N. 10th Street, Escanaba, MI, employees were exposed to falling objects in building one during the manufacture of the barge Memphis, and the employer did not ensure that affected employees wore protective helmets.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 5390.00

See pages 1 through 5 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
07/13/2011

Inspection Number: 301604252
Inspection Dates: 07/12/2011 -
Issuance Date: 01/06/2012



Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1915.158(b)(4): At least 90 feet (27.43m) of line shall be attached to each ring life buoy.

On or about July 12, 2011, at Basic Marine, Inc. 440 N. 10th Street, Escanaba, MI, employees were working on, over, or near water during repair of the USCG vessel Katmai Bay, and the employer did not ensure that 90 feet of line was attached to each ring life buoy.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 3850.00

See pages 1 through 5 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
07/13/2011

Inspection Number: 301604252
Inspection Dates: 07/12/2011 -
Issuance Date: 01/06/2012



Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

Citation 1 Item 19 Type of Violation: **Serious**

29 CFR 1915.173(e): Containers of 55 gallons or more capacity containing flammable or toxic liquid shall be surrounded by dikes or pans which enclose a volume equal to at least 35 percent of the total volume of the containers.

On or about July 12, 2011, at Basic Marine, Inc. 440 N. 10th Street, Escanaba, MI, employees entered the paint storage building on at least a weekly basis, and the employer failed to ensure that a 55 gallon container of xylene was surrounded by a dike or pan.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated: 01/30/2012
Proposed Penalty: \$ 2310.00

See pages 1 through 5 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
07/13/2011

Inspection Number: 301604252
Inspection Dates: 07/12/2011 -
Issuance Date: 01/06/2012



Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

Citation 1 Item 20 Type of Violation: **Serious**

29 CFR 1915.173(f): Fire extinguishers adequate in number and suitable for the hazard shall be provided. These extinguishers shall be located in the immediate area where pressure vessels, drums and containers containing flammable liquids or gases are stored or in use. Such extinguishers shall be ready for use at all times.

On or about July 12, 2011, at Basic Marine, Inc. 440 N. 10th Street, Escanaba, MI employees entered the paint storage building on at least a weekly basis, and the employer failed to ensure that fire extinguishers were located in the immediate area where drums and containers of flammable materials, such as paints and xylene were stored.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 2310.00

See pages 1 through 5 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
07/13/2011

Inspection Number: 301604252
Inspection Dates: 07/12/2011 -
Issuance Date: 01/06/2012



Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

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

Citation 1 Item 21a Type of Violation: **SERIOUS**

29 CFR 1915.502(b)(3): Alarm procedures were not included in the fire safety plan.

On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were exposed to the hazard of injuries related to burns, smoke inhalation, and asphyxiation due to the fact the Fire Safety Plan did not contain alarm procedures.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 5390.00

See pages 1 through 5 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
07/13/2011

Inspection Number: 301604252
Inspection Dates: 07/12/2011 -
Issuance Date: 01/06/2012



Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

Citation 1 Item 21b Type of Violation: **Serious**

29 CFR 1915.502(b)(4): The fire safety plan did not include procedures for notifying employees of a fire emergency.

On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were exposed to the hazard of injuries related to burns, smoke inhalation, and asphyxiation due to the fact the Fire Safety Plan did not include procedures for notifying employees of a fire emergency.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated: 01/30/2012

Citation 1 Item 21c Type of Violation: **Serious**

29 CFR 1915.502(b)(6): Procedures for evacuation were not included in the fire safety plan.

On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were exposed to the hazard of injuries related to burns, smoke inhalation, and asphyxiation due to the fact the Fire Safety Plan did not include procedures for evacuation.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated: 01/30/2012

See pages 1 through 5 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
07/13/2011

Inspection Number: 301604252
Inspection Dates: 07/12/2011 -
Issuance Date: 01/06/2012



Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

Citation 1 Item 21d Type of Violation: **Serious**

29 CFR 1915.502(b)(7): Procedures to account for all employees after an evacuation were not included in the fire safety plan.

On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were exposed to the hazard of injuries related to burns, smoke inhalation, and asphyxiation due to the fact the Fire Safety Plan did not include procedures to account for all employees after an evacuation.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated: 01/30/2012

See pages 1 through 5 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
07/13/2011

Inspection Number: 301604252
Inspection Dates: 07/12/2011 -
Issuance Date: 01/06/2012



Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

Citation 1 Item 21e Type of Violation: **Serious**

29 CFR 1915.502(d)(3): The employer did not document that affected employees of this standard have been informed about the plan as required by 29 CFR 1915.502(c).

On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were exposed to the hazard of injuries related to burns, smoke inhalation, and asphyxiation and the employer did not document that affected employees had been informed of the Fire Safety Plan.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated: 01/30/2012

See pages 1 through 5 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
07/13/2011

Inspection Number: 301604252
Inspection Dates: 07/12/2011
Issuance Date: 01/06/2012



Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

Citation 2 Item 1 Type of Violation: Repeat

29 CFR 1910.212(a)(3)(ii): Points of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s).

On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, employees were exposed to the hazards related to cuts, amputation, and abrasions due to the fact that the blade on the band saw was not properly guarded. The employer failed to provide guarding to protect employees using the vertical band saw from making inadvertant contact with the unused portion of the moving blade during operating cycles while retrieveing and inserting materials to be cut with the machine.

Basic Marine, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.212(a)(3)(ii), which was contained in OSHA inspection number 301603460, Citation Number 02, Item Number 01 and was affirmed as a final order on April 7, 2009, with respect to their workplace located at 440 N. 10th Street, Escanaba. MI.

*** Abatement documentation is required in accordance with 29 CFR 1903.19(d).***

Date By Which Violation Must be Abated: 01/30/2012
Proposed Penalty: \$ 10780.00

See pages 1 through 5 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
07/13/2011

Inspection Number: 301604252
Inspection Dates: 07/12/2011 -
Issuance Date: 01/06/2012



Citation and Notification of Penalty

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829

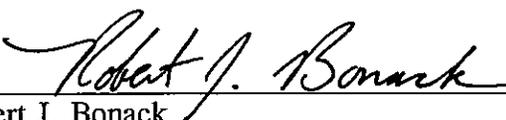
Citation 3 Item 1 Type of Violation: **Other**

29 CFR 1910.180(d)(6): Dated and signed inspection records and reports for locomotive crane(s) were not provided for critical items such as (but not limited to) brakes, crane hooks and ropes:

On or about July 13, 2011, at Basic Marine Inc. 440 N. 10th Street, Escanaba, MI, signed inspection records for crawler (Harnischfeger P&H ID#38561 and ID#36386) and wheel mounted (Grove Crane ID#70693) cranes were not being kept for critical items such as (but not limited to) brakes, crane hooks, and ropes.

*** Abatement certification is required in accordance with 29 CFR 1903.19(c).***

Date By Which Violation Must be Abated:	01/30/2012
Proposed Penalty:	\$ 0.00



Robert J. Bonack
Area Director

See pages 1 through 5 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
315 W. Allegan Street
Room 207
Lansing, MI 48933-1514
Phone: (517)487-4996 FAX: (517)487-4997



INVOICE/ DEBT COLLECTION NOTICE

Company Name: Basic Marine, Inc.
Inspection Site: 440 N. 10th Street, Escanaba, MI 49829
Issuance Date: 01/06/2012

Summary of Penalties for Inspection Number 301604252

Citation 1, Serious	= \$	92400.00
Citation 2, Repeat	= \$	10780.00
Citation 3, Other	= \$	0.00
TOTAL PROPOSED PENALTIES	= \$	103180.00

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 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.

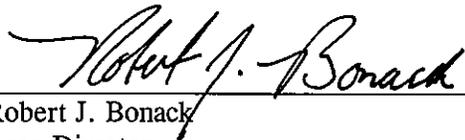
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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

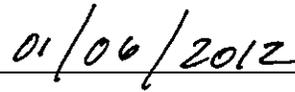
file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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 second and subsequent demand letters sent in an attempt to collect the unpaid debt. Costs will not be assessed for first demand letters and payment default letters.



Robert J. Bonack
Area Director



Date