

U.S. Department of Labor
Occupational Safety and Health Administration
Suite 203
800 Dolorosa St.
San Antonio, TX 78207
Phone: (210)472-5040 FAX: (210)472-5045



Citation and Notification of Penalty

To:
Cardell Cabinetry, LLC
and its successors
3215 N Panam Expressway
San Antonio, TX 78219

Inspection Number: 315631242
Inspection Date(s): 02/14/2013-08/13/2013
Issuance Date: 08/14/2013

Inspection Site:
3215 N Panam Expressway
San Antonio, TX 78219

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.

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 9 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 these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at WWW.OSHA.GOV. If you have any dispute with the accuracy of the information displayed, please contact this office.

ABATEMENT CERTIFICATION

Kelly C. Knighton, Area Director
U.S. Department of Labor - OSHA
Suite 203
800 Dolorosa St.
San Antonio, TX 78207
Phone: (210)472-5040 FAX: (210)472-5045

Cardell Cabinetry, LLC
3215 N Panam Expressway
San Antonio, TX 78219

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, 800 Dolorosa, Suite 203 San Antonio, TX 78207

Citation 1, Item 1: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 1, Item 2: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 1, Item 3: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 1, Item 4: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 1, Item 5: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 1, Item 6: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 1, Item 7: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 1, Item 8: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 1, Item 9a: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 1, Item 9b: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 1, Item 10a: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 1, Item 10b: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 1, Item 11: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 1, Item 12: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation1, Item 13: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation1, Item 14: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation1, Item 15: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation1, Item 16: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation1, Item 17: Serious

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 2, Item 1: Repeat

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation 2, Item 2: Repeat

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

Citation2, Item 3: Repeat

DESCRIBE CORRECTIVE ACTION TAKEN & PROVIDE DATE CORRECTED:

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

Signature

Typed or Printed Name



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/14/2013. The conference will be held at the OSHA office located at Suite 203 800 Dolorosa St., San Antonio, TX 78207 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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

29 CFR 1910.147(d)(4)(ii): Lockout devices utilized were not affixed in a manner that held the energy isolating device in a safe or off position:

On or about February 27, 2013, employees were exposed to a caught-in hazard while utilizing the RFML-57 with improper Lock out/Tag out procedures and equipment. A damaged hasp and lock was affixed to the power cord in the main building sanding area.

Date By Which Violation Must be Abated: 09/03/2013
Proposed Penalty: \$ 5500.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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

29 CFR 1910.157(c)(1): Employer did not provide portable fire extinguishers which were mounted, located, and identified, so as to be readily accessible for employee use:

- a) On or about February 27, 2013, in the Main building near the coping machines, employees were exposed to a trip hazard from a cart placed directly in front of a fire extinguisher.
- b) On or about February 27, 2013, in the Main building near the electrical panel labeled Power Panel W-1, employees were exposed to a trip hazard from the wood cutting machine located directly in front of a fire extinguisher.
- c) On or about February 27, 2013, in the Main building emergency room, employees were exposed to a trip hazard from a fire extinguisher stored on the ground in a walkway.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 4400.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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

29 CFR 1910.178(n)(11): Dockboard or bridgeplates, were not properly secured before they were driven over:

- a) On or about February 28, 2013, the docks near the Parts mill, employees were driving over an unsecured bridgeplate on a Toyota Forklift Truck Model: 8FGCU25, S/N: 10439 while loading and unloading semi-trailers.
- b) On or about February 28, 2013, the docks near the Parts mill, employees were driving over an unsecured bridgeplate, that was damaged, on a Toyota Forklift Truck Model: 8FGCU25, S/N: 10439 while loading and unloading semi-trailers.

Date By Which Violation Must be Abated: 09/18/2013
Proposed Penalty: \$ 6600.00

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

29 CFR 1910.178(o)(1): Load(s) on powered industrial truck(s) were not stable or safely arranged:

On or about February 28, 2013, employees were exposed to a struck-by hazard while utilizing a forklift, Toyota Forklift Truck Model# 8FGCU25 Serial# 10439, to move a shop made rolling cart loaded with cabinet doors, shelves, and hardware. The cart was loaded from left to right with the load to the left of centerline and was not secure to forklift while transporting.

Date By Which Violation Must be Abated: 08/22/2013
Proposed Penalty: \$ 7000.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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

29 CFR 1910.178(q)(1): Any power-operated industrial truck not in safe operating condition was not taken out of service, and/or repairs were not made by authorized personnel:

- a) On or about February 28, 2013, employees were exposed to a struck-by hazard while utilizing a Caterpillar Forklift Truck Model#P5000, Serial#AT3502369, with damaged tines that were worn by approximately 14.3% from the original thickness to move loads such as but not limited to: stock material and finished product to cabinet doors, shelves, and hardware.
- b) On or about February 28, 2013, employees were exposed to a struck-by hazard while utilizing a Caterpillar Forklift Truck Model#P5000 Serial#AT13F01996, with damaged tines that were worn by approximately 12.9% from the original thickness to move loads such as but not limited to: stock material and finished to cabinet doors, shelves, and hardware.
- c) On or about February 28, 2013, employees were exposed to a struck-by hazard while utilizing a Toyota Forklift Truck Model#8FGCU25 Serial#10439, with damaged tines that were worn by approximately 13.4% from the original thickness to move loads such as but not limited to: stock material and finished to cabinet doors, shelves, and hardware.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/19/2013
\$ 7000.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

Citation 1 Item 6 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) On or about February 27, 2013, in the Main Building near the custom cell area, employees were exposed to an amputation hazard while cutting rails on wood planks approximately three inches by six inches on the Unique Double Spindle Cope Machine Model 310 S/N: 102795121.
- b) On or about February 27, 2013, in the Main Building near the custom cell area, employees were exposed to an amputation hazard while cutting rails on wood planks measuring approximately three inches by six inches on the Unique Double Spindle Cope Machine Model 313 S/N: 032599110 labeled ODSY-04.
- c) On or about February 27, 2013, in the Main Building near the custom cell area, employees were exposed to an amputation hazard while cutting rails on wood planks measuring approximately three inches by six inches on the Unique Double Spindle Cope Machine Model 310 S/N: 081998161.
- d) On or about February 27, 2013, in the Main Building near the custom cell area, employees were exposed to an amputation hazard while cutting rails on wood planks measuring approximately three inches by six inches on the Unique Double Spindle Cope Machine Model 310 S/N: 031797141 labeled RFML-62.
- e) On or about February 28, 2013, in the Rough Mill near the Balestrini area, employees were exposed to an amputation hazard while cutting wood planks measuring approximately twenty inches by two and one quarter inches on the Balestrini Model PICO S/N: E1000BL20.
- f) On or about June 4, 2013, in the Rough Mill near the Balestrini area, employees were exposed to lacerations while cutting dowels into wood planks measuring approximately twelve inches by two and one quarter inches on the Balestrini Model Micron S/N: AN115A15 labeled ODSY-45.
- g) On or about June 4, 2013, in the Rough Mill near the Balestrini area, employees were exposed to lacerations while cutting dowels into wood planks measuring approximately 6 inches by two and one quarter inches on the Balestrini Model Micron 2 S/N: AN204E4 labeled Balestrini-01.

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

- h) On or about February 28, 2013, employees were exposed to a caught-in hazard while utilizing a double end tenoner, STDR-14, without guards over either rotating sanding head to shape and sand both sides of the wooden cabinetdoors at once.

Date By Which Violation Must be Abated: 09/06/2013
Proposed Penalty: \$ 5500.00

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

29 CFR 1910.212(b): Machine(s) designed for fixed location(s) were not securely anchored to prevent walking or moving:

- a) On or about February 28, 2013, in the Rough Mill near the north east corner of the building, employees are exposed to a struck by hazard from a Wilton 20 inch drill press Cat No 2550 S/N: 3060112.
- b) On or about February 28, 2013, employees were exposed to a struck-by hazard while working in the immediate area of a drill press, Dayton Model 6W281B.
- c) On or about February 28, 2013, employees were exposed to a struck-by hazard while working in the immediate area of a drill press, Dayton Model 3Z918F.

Date By Which Violation Must be Abated: 09/03/2013
Proposed Penalty: \$ 4400.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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

29 CFR 1910.213(p)(4): Belt sanding machinery was not provided with a guard at each nip point where the sanding belt ran onto a pulley, to prevent the operator's hands or fingers from coming into contact with nip points:

On or about February 28, 2013, in the Parts Mill near the accessory area, employees were exposed to an ingoing nip point measuring approximately 1-3/4 inches in width by 9 inches in length near one pulley of a Crouch Machinery Inc. Sander, Model: Crouch 245-50 S/N: 072499, Labeled ODSY-34.

Date By Which Violation Must be Abated:
Proposed Penalty:

09/03/2013
\$ 6600.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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 9a Type of Violation: **Serious**

29 CFR 1910.215(a)(4): Work rest(s) on grinding machinery were not adjusted closely to the wheel with a maximum opening of one-eighth inch:

On or about June 4, 2013, in the North East corner of the Rough Mill, employees were exposed to a struck by hazard, while operating a Dayton 10 inch bench grinder, Model 4Z911C, S/N: 200208 where the work rest was approximately two and one half inches from the abrasive wheel.

Date By Which Violation Must be Abated:	08/22/2013
Proposed Penalty:	\$ 4400.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

Citation 1 Item 9b 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:

On or about June 4, 2013, near the North East corner of the Rough Mill, employees were exposed to a struck by hazard, while operating a Dayton 10 inch bench grinder, Model 4Z911C, S/N: 200208 with the end of safety guard peripheral member being approximately two and one half inches from the right abrasive wheel and the tongue guard being approximately one inch from the left abrasive wheel.

Date By Which Violation Must be Abated:

09/03/2013

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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 10a Type of Violation: **Serious**

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) On or about February 28, 2013, in the Rough Mill near the Time Savers Series Model 237-4KAICBT S/N: 29528 labeled Sand 13, employees were exposed to a rotating shaft measuring approximately 1-1/4 inch in length by 2 inch diameter containing set-screws.
- b) On or about February 28, 2013, in the Rough Mill near the Time Savers Series Model 237-4KAICBT S/N: 29528 labeled Sand 13, employees were exposed to a rotating shaft measuring approximately 1 inch in length by 3/4 inch diameter containing a keyway.
- c) On or about February 28, 2013, in the Rough Mill near the Time Savers Series Model 52-2 S/N: 27930 labeled Sand-20, employees were exposed to a rotating shaft measuring approximately 1-1/4 inch in length by 2 inch diameter containing set-screws.
- d) On or about June 4, 2013, in the Rough Mill near the Mereen Johnson Model 640-SET-CNL S/N: MJ57B4 labeled Mereen-01, employees were exposed to a rotating shaft measuring approximately 3 inches in length by 2-1/2 inch diameter containing a keyway.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 4400.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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

29 CFR 1910.219(c)(4)(ii): The unused keyway(s) of projecting shaft end(s) were not filled up or covered:

- a) On or about February 28, 2013, in the Rough Mill near the Time Savers Series Model 237-4KAICBT S/N: 29528 labeled, Sand 13, employees were exposed to a rotating shaft measuring approximately 1 inch in length by 3/4 inch diameter containing a keyway.

- b) On or about June 4, 2013, in the Rough Mill near the Mereen Johnson Model 640-SET-CNL S/N: MJ57B4 labeled, Mereen-01, employees were exposed to a rotating shaft measuring approximately 3 inches in length by 2-1/2 inch diameter containing a keyway.

Date By Which Violation Must be Abated: **Corrected During Inspection**

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

29 CFR 1910.219(f)(3): Sprocket wheels and chains which were seven 7 feet or less above floors or platforms were not enclosed:

On or about February 27, 2013, in the Main Building near the Celaschi Double End Model TSA 480 labeled STD-16, where a sprocket was not fully enclosed, and was approximately one foot from the floor surface.

Date By Which Violation Must be Abated: **Corrected During Inspection**
Proposed Penalty: **\$ 3300.00**

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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

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

On or about February 28, 2013, employees were exposed to a struck-by hazard while using a compressed air hose with damaged sheathing/covering in the sanding area of the main building.

Date By Which Violation Must be Abated: 09/03/2013
Proposed Penalty: \$ 6600.00

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

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:

- a) On or about February 28, 2013, in the Rough Mill, near the Balestrini area, employees were exposed to an electrical shock of 220 Volts from an outlet that is dangling from the ceiling that is used to power a Balestrini Model: Micron S/N: AN115A15 labeled ODSY-45.
- b) On or about February 28, 2013, in the Parts Mill, near the accessories area, employees were exposed to an electrical shock of 120 Volts from a loose outlet located directly on the work floor that was used to power a Dewalt Double Bevel Compound Miter Saw Model: DW706, S/N: 82292.

Date By Which Violation Must be Abated: 09/03/2013
Proposed Penalty: \$ 4400.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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

29 CFR 1910.304(f)(1)(iv): Overcurrent devices were not readily accessible to each employee or authorized building management personnel. These overcurrent devices were not located where they would be exposed to physical damage or in the vicinity of easily ignitable material.

- a) On or about February 28, 2013, in the main building along the Northwest wall where a FPE 240 volt panel box had several large bins stored in front of it.
- b) On or about February 28, 2013, in the main building along the Northwest wall where Panel S, 120 volts, had a large bulletin board stored in front of it.
- c) On or about February 28, 2013, in the main building along the Northwest wall where Panel S-1, 120 volts, had a large bulletin board stored in front of it.

Date By Which Violation Must be Abated: 08/19/2013
Proposed Penalty: \$ 4400.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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

29 CFR 1910.305(b)(1)(i): Conductors entering cutout boxes, cabinets, or fittings were not protected from abrasion, and openings through which conductors enter and were not effectively closed:

- a) On or about February 27, 2013, in the main building near the Mereen Johnson Model 2050 D.E.T. S/N: MJ6106 labeled STDR-22, employees were exposed to an electrical shock hazard of 460 volts from conduit that was pulled away from the fitting near a drive motor, Model VVF31BMG4DV13254 S/N: 850101706.99.99.001, while working around the Mereen Johnson.
- b) On or about February 28, 2013, in the main building near Mereen Johnson Model 2050 D.E.T. S/N: MJ6106 labeled STDR-22, employees were exposed to an electrical shock hazard of 460 volts from conduit that was pulled away from the fitting while working around the Mereen Johnson Model 2050 D.E.T. S/N: MJ6106 labeled STDR-22.
- c) On or about February 28, 2013, in the rough mill near the Molder-01, employees were exposed to an electrical shock hazard of 460 volts from an electrical outlet that was dangling loose under an electrical panel, while the employees restart the Molder.
- d) On or about February 28, 2013, in the parts mill near the accessory area, employees were exposed to an electrical shock hazard of 460 volts from conduit that was pulled back on the Crouch Machinery Inc. Sander, Model: Crouch 245-50, S/N: 072499.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/28/2013
\$ 5500.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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

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

- a) On or about February 27, 2013, in the Main Building adjacent to the Unique Machine & Tool Co. Coping machine Model: 310 S/N: 102795121, the top of the panel box was missing a knockout.
- b) On or about February 28, 2013, in the Rough Mill near the Shaper-02 Model: N09, S/N: 68365A the side of a panel box was missing a knockout.
- c) On or about February 28, 2013, in the Rough Mill near the Molder-01 against the back wall, an electrical panel box was missing a knockout.
- d) On or about June 4, 2013, in the Main Building near the fans by the Mereen Johnson Model 2050 D.E.T. S/N: MJ6106 labeled STDR-22, a switch that operates the fans was missing a knockout.

Date By Which Violation Must be Abated: 08/28/2013
Proposed Penalty: \$ 5500.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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

29 CFR 1910.1030(d)(4)(iii)(A)(2)(iii): During use, containers for contaminated sharps were not replaced routinely or were allowed to be overfilled:

On or about February 28, 2013, employees were exposed to possible needle sticks from an overflowing sharps container near the restrooms in the main building.

Date By Which Violation Must be Abated:	08/28/2013
Proposed Penalty:	\$ 4400.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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

29 CFR 1910.22(a)(1): Place(s) of employment were not kept clean and orderly, or in a sanitary condition:

- a) **Main Plant Area:** This violation was observed on or about February 14, 2013, and at times prior thereto, employees are exposed to explosion, deflagration, hazards as a result of a large accumulation of combustible wood dust that had collected on top of the office, in the Main Plant Area.

- b) **Rough Mill Area:** This violation was observed on or about February 14, 2013, and at times prior thereto, employees are exposed to explosion, deflagration, and /or other fire hazards as a result of accumulations of combustible wood dust on horizontal and vertical surfaces, approximately 1/8 inches to approximately 1 inch, on electrical junction boxes and structural members of the Rough Mill Area.

Cardell Cabinets Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.22(a)(1), which was contained in OSHA inspection number 315627646, citation number 01, item number 001 and was affirmed as a final order on October 26, 2012, with a final abatement date of January 31, 2013, with respect to a workplace located at 3215 N. Panam Expressway, San Antonio, Tx 78219.

Date By Which Violation Must be Abated: 09/18/2013
Proposed Penalty: \$ 38500.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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

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

On or about February 28, 2013, in the Rough Mill at the Weinig Hydromat Labeled Molder-5 S/N: 2015-HF-4, employees routinely use compressed air at pressures greater than 30 p.s.i., while cleaning machinery.

The Cardell Cabinetry Inc. was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 1910.242(b), which was contained in OSHA inspection number 315627646, citation number 01, item number 004 and was affirmed a final order on October 26, 2012, with respect to a workplace located at 3215 North Panam Expressway San Antonio, TX 78219.

Date By Which Violation Must be Abated: 09/03/2013
Proposed Penalty: \$ 22000.00

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

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

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

On or about February 14, 2013, and at times prior thereto, the employer failed to cover junction boxes, creating a source of ignition for combustible wood dust that covered the rafters and electrical junction boxes;

- a) In the Parts Mill Area section 2B, a junction box was not covered;
- b) In the Parts Mill Area section 4B, a junction box was not covered;
- c) In the Parts Mill Area section 4C, a junction box associated with the NEMA type 1, 400 watts, 240 volt, bay light fixture was not covered;
- d) In the Parts Mill Area section 13C, a junction box associated with the NEMA type 1, 400 watts, 240 volt, bay light fixture was not covered;
- e) In the Parts Mill Area section 14C, a junction box associated with the NEMA type 1, 400 watts, 240 volt, bay light fixture was not covered;
- f) In the Parts Mill Area section 17D, a junction box was not covered;
- g) In the Parts Mill Area section 23B, a junction box was not covered;
- h) In the Parts Mill Area section 24B, a junction box was not covered;
- i) In the Parts Mill Area section 25B, a junction box was not covered;
- j) In the Rough Mill Area section 14C, a junction box associated with the NEMA type 1, 400 watts, 240 volt, bay light fixture was not covered;
- k) In the Rough Mill Area section 11C, a junction box associated with the NEMA type 1, 400 watts, 240 volt, bay light fixture was not covered;
- l) In the Rough Mill Area section 16D, a junction box associated with the NEMA type 1, 400 watts, 240 volt, bay light fixture was not covered;

See pages 1 through 9 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219

- m) In the Rough Mill Area section 22D, a junction box was not covered;
- n) In the Rough Mill Area section 13C, two junction boxes were not covered;
- o) In the Rough Mill Area section 10C, a junction box was not covered;
- p) In the Main Plant Area near the front of the building, a junction box was not covered;
- q) In the Main Plant Area near the front of the building, a junction box was not covered.

Cardell Cabinetry Inc. was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 1910.305(b)(2), which was contained in OSHA inspection number 315627646, citation number 01, item number 005 and was affirmed a final order on October 26, 2012, with respect to a workplace located at 3215 North Panam Expressway, San Antonio, Texas, 78219.

Date By Which Violation Must be Abated: 09/18/2013
Proposed Penalty: \$ 38500.00



Kelly C. Knighton, CSP
Area Director

See pages 1 through 9 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
Suite 203
800 Dolorosa St.
San Antonio, TX 78207
Phone: (210)472-5040 FAX: (210)472-5045



INVOICE/ DEBT COLLECTION NOTICE

Company Name: Cardell Cabinetry, LLC
Inspection Site: 3215 N Panam Expressway, San Antonio, TX 78219
Issuance Date: 08/14/2013

Summary of Penalties for Inspection Number 315631242

Citation 1, Serious	= \$	89900.00
Citation 2, Repeat	= \$	99000.00
TOTAL PROPOSED PENALTIES	= \$	188900.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above or the amounts agreed to in an Informal Settlement Agreement. 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. Information on any delinquent claims may be disclosed to commercial credit reporting agencies, private debt collectors, and/or referred to the Internal Revenue Service for collection.

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.



Kelly C. Knighton, CSP
Area Director

08/14/13