

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



Citation and Notification of Penalty

To:
Crown Battery Mfg. Co.
and its successors
P. O. Box 990
Fremont, OH 43420

Inspection Number: 313787004
Inspection Date(s): 02/23/2011-02/23/2011
Issuance Date: 08/15/2011

Inspection Site:
1445 Majestic Drive
Fremont, OH 43420

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 4 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.

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 usually appear 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.

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 state 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 19103.19 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.

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 7 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 - 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.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/15/2011. The conference will be held at the OSHA office located at 420 Madison Avenue, Suite 600; Toledo, Ohio 43604 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: Crown Battery Mfg. Co.
Inspection Site: 1445 Majestic Drive, Fremont, OH 43420

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

Section 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, an under-the-hook lifting device was not marked with its rated capacity.

a) Crown Battery Manufacturing Company - Fremont, Ohio: On or about February 23, 2011, the employer failed to ensure that the under-the-hook lifting device used to lift lead pigs was marked with its rated load capacity. Employees were exposed to struck-by and crushing injuries should the device become overloaded, causing it to fail, and drop its 330 pound load.

Among other methods, a feasible abatement method to correct this hazard is to comply with the requirements of ASME B30.20-2006 "Below-the-Hook Lifting Devices," Chapter 20-1: Structural and Mechanical Lifting Devices, Section 20-1.2.1: Marking.

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.

Date By Which Violation Must be Abated: 09/08/2011
Proposed Penalty: \$ 7000.00



Citation and Notification of Penalty

Company Name: Crown Battery Mfg. Co.
Inspection Site: 1445 Majestic Drive, Fremont, OH 43420

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

29 CFR 1910.1025(h)(2)(ii): Shoveling, sweeping or brushing methods were used to remove lead accumulations where vacuuming or other equally effective methods were available and feasible:

a) Crown Battery Mfg. Co. - Fremont, Ohio: On or about May 5, 2011, the employer failed to ensure that dry sweeping methods were not used in SLI assembly. Employees used a broom to sweep debris from under the conveyors and in the aisle with a sweeping compound called "Kleen Sweep" rather than using a HEPA vacuum.

b) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 7, 2011 the employer failed to ensure that dry sweeping methods were not used in the stacking area. An employee was observed using a hand brush and pan to sweep lead oxide off the top of the Scrubber Stacker.

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.

Date By Which Violation Must be Abated: 08/25/2011
Proposed Penalty: \$ 55000.00



Citation and Notification of Penalty

Company Name: Crown Battery Mfg. Co.
Inspection Site: 1445 Majestic Drive, Fremont, OH 43420

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

Citation 3 Item 1a Type of Violation: **Repeat**

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead at concentrations greater than fifty micrograms per cubic meter of air averaged over an 8-hour period:

- a) Crown Battery Manufacturing Co., Fremont, OH On or about June 8, 2011, an employee working in the Pasting area was overexposed to lead (Pb) at a time weighted average of 71.6 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 50 micrograms per cubic meter by 143%.
- b) Crown Battery Manufacturing Co., Fremont, OH On or about June 8, 2011, an employee working in the Pasting area was overexposed to lead (Pb) at a time weighted average of 55.0 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 50 micrograms per cubic meter by 110%.
- c) Crown Battery Manufacturing Co., Fremont, OH On or about June 8, 2011, an employee working in the Pasting area was overexposed to lead (Pb) at a time weighted average of 82.1 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 50 micrograms per cubic meter by 164%.
- d) Crown Battery Manufacturing Co., Fremont, OH On or about June 8, 2011, an employee operating a forklift in the SLI area was overexposed to lead (Pb) at a time weighted average of 55.4 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 50 micrograms per cubic meter by 111%.

Crown Battery Mfg. Co. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection #311609945, Citation #001, Item#001, Group (b), and was affirmed as final order on December 29, 2009, with respect to a workplace located at 1445 Majestic Drive, Fremont, Ohio.

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



Citation and Notification of Penalty

Company Name: Crown Battery Mfg. Co.
Inspection Site: 1445 Majestic Drive, Fremont, OH 43420

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.

Date By Which Violation Must be Abated: 09/29/2011
Proposed Penalty: \$ 35000.00



Citation and Notification of Penalty

Company Name: Crown Battery Mfg. Co.
Inspection Site: 1445 Majestic Drive, Fremont, OH 43420

Citation 3 Item 1b Type of Violation: **Repeat**

29 CFR 1910.1025(c)(2): Employee(s) were exposed to lead for more than eight (8) hours during the work day in excess of the reduced permissible exposure limit:

a) Crown Battery Mfg. Co. - Fremont, Ohio: On or about May 5, 2011, an employee working in the SLI Assembly Area on Line 4 was overexposed to lead (Pb) at a time weighted average of 86.63 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 44.28 micrograms per cubic meter for 542 minutes by 195%.

b) Crown Battery Mfg. Co. - Fremont, Ohio: On or about May 5, 2011, an employee working in the SLI Assembly Area on Line 3 was overexposed to lead (Pb) at a time weighted average of 64.19 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 46.88 micrograms per cubic meter for 512 minutes by 137%.

c) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 7, 2011, an employee stacking on Eberle 3 was overexposed to lead (Pb) at a time weighted average of 83.1 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 45.2 micrograms per cubic meter for 531 minutes by 184%.

d) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 7, 2011, an employee stacking on Eberle 3 was overexposed to lead (Pb) at a time weighted average of 100.0 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 43.48 micrograms per cubic meter for 552 minutes by 230%.

e) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 7, 2011, an employee working at SLI burning was overexposed to lead (Pb) at a time weighted average of 169.9 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 42.25 micrograms per cubic meter for 568 minutes by 402%.

f) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 7, 2011, an employee working at SLI burning was overexposed to lead (Pb) at a time weighted average of 53.5 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 43.96 micrograms per cubic meter for 546 minutes by 122%.

g) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 7, 2011, an employee working at the scrubber stacker was overexposed to lead (Pb) at a time weighted average of 109.4 micrograms

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



Citation and Notification of Penalty

Company Name: Crown Battery Mfg. Co.
Inspection Site: 1445 Majestic Drive, Fremont, OH 43420

per cubic meter, which exceeded the OSHA permissible exposure limit of 42.48 micrograms per cubic meter for 565 minutes by 257%.

Crown Battery Mfg. Co. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection #311609945, Citation #001, Item #001, Group (b), and was affirmed as final order on December 29, 2009, with respect to a workplace located at 1445 Majestic Drive, Fremont, Ohio.

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.

Date By Which Violation Must be Abated: 08/18/2011



Citation and Notification of Penalty

Company Name: Crown Battery Mfg. Co.
Inspection Site: 1445 Majestic Drive, Fremont, OH 43420

Citation 3 Item 1c Type of Violation: **Repeat**

29 CFR 1910.1025(e)(1)(i): Engineering and work practice controls (including administrative controls) were not implemented to reduce and maintain employee exposure to lead in accordance with the schedule in Table I of this paragraph:

- a) Crown Battery Mfg. Co. - Fremont, Ohio: On or about May 5, 2011, the employer failed to implement engineering and/or administrative controls to control employee's exposure to lead (Pb) in the SLI Assembly area. An employee working on Line 4 was overexposed to lead at a time weighted average of 86.63 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 44.28 micrograms per cubic meter for 542 minutes by 195%.
- b) Crown Battery Mfg. Co. - Fremont, Ohio: On or about May 5, 2011, the employer failed to implement engineering and/or administrative controls to control employee's exposure to lead (Pb) in the SLI Assembly area. An employee working on Line 3 was overexposed to lead at a time weighted average of 64.19 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 46.88 micrograms per cubic meter for 512 minutes by 137%.
- c) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 7, 2011, the employer failed to implement engineering and/or administrative controls to control employee's exposure to lead (Pb) in the stacking area. An employee stacking on Eberle 3 was overexposed to lead (Pb) at a time weighted average of 83.1 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 45.2 micrograms per cubic meter for 531 minutes by 184%.
- d) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 7, 2011, the employer failed to implement engineering and/or administrative controls to control employee's exposure to lead (Pb) in the stacking area. An employee stacking on Eberle 3 was overexposed to lead (Pb) at a time weighted average of 100.0 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 43.48 micrograms per cubic meter for 552 minutes by 230%.
- e) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 7, 2011, the employer failed to implement engineering and/or administrative controls to control employee's exposure to lead (Pb) in the SLI Burning area. An employee working at SLI burning was overexposed to lead (Pb) at a time weighted average of 169.9 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 42.25 micrograms per cubic meter for 568 minutes by 402%.

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



Citation and Notification of Penalty

Company Name: Crown Battery Mfg. Co.
Inspection Site: 1445 Majestic Drive, Fremont, OH 43420

f) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 7, 2011, the employer failed to implement engineering and/or administrative controls to control employee's exposure to lead (Pb) in the SLI Burning area. An employee working at SLI burning was overexposed to lead (Pb) at a time weighted average of 53.5 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 43.96 micrograms per cubic meter for 546 minutes by 122%.

g) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 7, 2011, the employer failed to implement engineering and/or administrative controls to control employee's exposure to lead (Pb) in the stacking area. An employee working at the Scrubber Stacker was overexposed to lead (Pb) at a time weighted average of 109.4 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 42.48 micrograms per cubic meter for 565 minutes by 257%.

h) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 8, 2011, the employer failed to implement engineering and/or administrative controls to control employee's exposure to lead (Pb) in the pasting area. An employee working in the Pasting area was overexposed to lead (Pb) at a time weighted average of 71.6 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 50 micrograms per cubic meter by 143%.

i) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 8, 2011, the employer failed to implement engineering and/or administrative controls to control employee's exposure to lead (Pb) in the pasting area. An employee working in the Pasting area was overexposed to lead (Pb) at a time weighted average of 55.0 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 50 micrograms per cubic meter by 110%.

j) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 8, 2011, the employer failed to implement engineering and/or administrative controls to control employee's exposure to lead (Pb) in the pasting area. An employee working in the Pasting area was overexposed to lead (Pb) at a time weighted average of 82.1 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 50 micrograms per cubic meter by 164%.

k) Crown Battery Mfg. Co. - Fremont, Ohio: On or about June 8, 2011, the employer failed to implement engineering and/or administrative controls to control employee's exposure to lead (Pb). An employee operating a forklift in the SLI area was overexposed to lead (Pb) at a time weighted average of 55.4 micrograms per cubic meter, which exceeded the OSHA permissible exposure limit of 50 micrograms per cubic meter by 111%.

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Citation and Notification of Penalty

Company Name: Crown Battery Mfg. Co.
Inspection Site: 1445 Majestic Drive, Fremont, OH 43420

Crown Battery Mfg. Co. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection #311609945, Citation #001, Item#001, Group (c), and was affirmed as final order on December 29, 2009, with respect to a workplace located at 1445 Majestic Drive, Fremont, Ohio.

Abatement Note: Feasible abatement methods may include the following:

- 1) Use general ventilation to dilute and remove the fugitive contaminants that are not removed by local exhaust ventilation.
- 2) Ensure that clean make-up air is being supplied to the buildings. Make-up air can also feed clean, tempered air to the workers through supplied-air islands and showers.

Abatement Schedule

Step 1 - A written detailed plan of abatement shall be submitted to the Area Director outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to hazardous substances as referenced in this citation. This plan shall include, at a minimum, target dates for the following actions which must be consistent with the abatement dates required by this citation:

- (1) Evaluation of engineering/administrative control options;
- (2) Selection of optimum control methods and completion of design;
- (3) Procurement, installation and operation of selected control measures;
- (4) Testing and acceptance or modification/redesign of controls.

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person. Sixty-day progress reports are required during the abatement period.

Step 2 - Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance within ninety days.

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



Citation and Notification of Penalty

Company Name: Crown Battery Mfg. Co.
Inspection Site: 1445 Majestic Drive, Fremont, OH 43420

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Abatement Note: Feasible abatement methods may include the following:

- 1) Use general ventilation to dilute and remove the fugitive contaminants that are not removed by local exhaust ventilation.
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Step 2 - Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance within ninety days.

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



Citation and Notification of Penalty

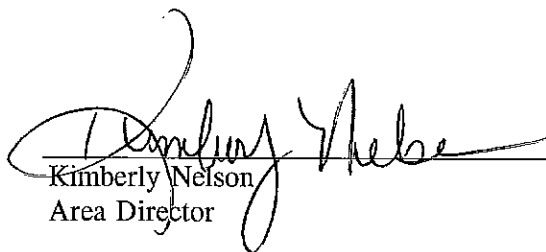
Company Name: Crown Battery Mfg. Co.
Inspection Site: 1445 Majestic Drive, Fremont, OH 43420

Date by Which Violation Must be Abated: STEP - 1 09/29/2011

Date by Which Violation Must be Abated: STEP - 2 11/10/2011

Date by Which Violation Must be Abated: STEP - 3 12/22/2011

Date By Which Violation Must be Abated: 12/22/2011



Kimberly Nelson
Area Director

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



INVOICE/ DEBT COLLECTION NOTICE

Company Name: Crown Battery Mfg. Co.
Inspection Site: 1445 Majestic Drive, Fremont, OH 43420
Issuance Date: 08/15/2011

Summary of Penalties for Inspection Number 313787004

Citation 1, Serious	= \$	7000.00
Citation 2, Willful	= \$	55000.00
Citation 3, Repeat	= \$	35000.00
TOTAL PROPOSED PENALTIES	= \$	97000.00

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.

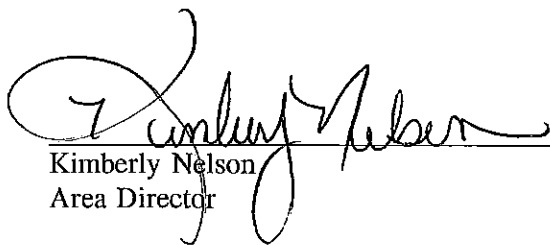
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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



Kimberly Nelson
Area Director

8/15/11

Date

Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Citation and Notification of Penalty.

If the hazards itemized on this citation(s) are not abated/corrected and a follow-up inspection is conducted, your establishment may receive a Failure to Abate Citation for the uncorrected hazards with subsequent additional monetary penalties of up to thirty (30) times the original penalty amount of the uncorrected hazards.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the Citation(s).

