

U.S. Department of Labor
Occupational Safety and Health Administration
310 W. Wisconsin Avenue
Room 1180
Milwaukee, WI 53203
Phone: 414-297-3315 Fax: 414-297-4299



Citation and Notification of Penalty

To:
D.R. Diedrich & Co., Ltd.
and its successors
2615 West Greves Street
Milwaukee, WI 53233

Inspection Number: 1023693
Inspection Date(s): 02/02/2015 – 07/17/2015
Issuance Date: 07/30/2015

Inspection Site:
2615 West Greves Street
Milwaukee, WI 53233

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

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

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

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

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

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

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

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

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

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

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/30/2015. The conference will be held by telephone or at the OSHA office located at 310 W.

Wisconsin Avenue, Room 1180, Milwaukee, WI 53203 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1023693

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233
Issuance Date: 07/30/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 310 W. Wisconsin Avenue, Room 1180, Milwaukee, WI 53203**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

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

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.178(a)(5): If the truck is equipped with front-end attachments other than factory installed attachments, the user shall request that the truck be marked to identify the attachments and show the approximate weight of the truck and attachment combination at maximum elevation with load laterally centered.

- (a) The employer did not ensure that the forklift(s) that use a front-end attachment for handling and loading salt into inclined drum mixers is marked to identify the attachment, show the weight of the truck and attachment combination, and show the capacity of the truck with attachment at maximum elevation with the load laterally centered.

A feasible means of abatement would be to comply with American National Standards Institute (ANSI) B56.1-2012 Safety Standard For Low Lift and High Lift Trucks, section 4.2 Modifications, Nameplates, Markings, and Capacity. Specifically, section 4.2.3 that requires the powered industrial truck equipped with a front-end attachment(s) including fork extensions, the user shall see that the truck is marked to identify the attachment(s), show the weight of the truck and attachment combination, and show the capacity of the truck with attachment(s) at maximum elevation with the load laterally centered.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 09/16/2015
Proposed Penalty: \$6300.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.23(a)(7): Every temporary floor opening did not have standard railings, or was not constantly attended by someone.

- (a) Wastewater Treatment Lime Tank Floor Area: Employee(s) were exposed to a four inch by thirteen inch (4"x13") floor opening that was not guarded to prevent employees from walking into or falling through the floor opening.
- (b) Wastewater Treatment Lime Tank Floor Area: Employee(s) were exposed to a 4 inch by sixteen inch (4"x16") floor opening that was not guarded to prevent employees from walking into or falling through the floor opening.
- (c) Wastewater Treatment Walkway Entry Into Lime Tank Floor Area: Employee(s) were exposed to a nine inch by twenty four inch (9"x24") floor opening that was not guarded to prevent employees from walking into or falling through the floor opening.
- (d) Wastewater Treatment Elevated Walkway next to steps leading up to chrome treatment tanks: Employee(s) were exposed to a twelve inch by nineteen inch (12"x19") floor opening that was not guarded to prevent employees from walking into or falling through the floor opening.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/25/2015
Proposed Penalty: \$4500.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

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

29 CFR 1910.23(c)(1): Open-sided floor(s) or platform(s) 4 feet (1.22 m) or more above the adjacent floor or ground level were not guarded by standard railings (or the equivalent as specified in 29 CFR 1910.23(e)(3)(i) through (v)), on all open sides:

- (a) Employee(s) accessing the top of the waste chrome holding tank to clean the skimmer filter screen were exposed to an 8 foot fall hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/25/2015
Proposed Penalty: \$6300.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.23(c)(3): Regardless of height, open-sided floors, walkways, platforms, or runways above or adjacent to dangerous equipment, pickling or galvanizing tanks, degreasing units, and similar hazards were not guarded with a standard railing and toe board.

- (a) Employee(s) access the work platform around the chrome filter presses to check on filter press operations and movement of recovered pressed chrome blocks from the filters into the grinding unit. The 42 inch by nine (9) foot long opening from the platform to the discharge shoot exposes employees to a potential 5 foot fall into the grinding unit below.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/25/2015



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.95(g)(6): At least annually after obtaining the baseline audiogram, the employer did not obtain a new audiogram for each employee exposed at or above an 8-hour time-weighted average of 85 decibels :

- (a) The employee working in the A Room mixers was exposed to noise at 87.8 decibels (74.5 percent dose) measured on the A scale, exceeding the time-weighted average of 85 decibels measured on the A scale. The sample was taken on February 27, 2015 during a 457 minute sampling period. The employee did not receive an audiogram since October 2013.
- (b) The employee working in the B Room mixers and splitting was exposed to noise at 89.3 decibels (91.09 percent dose) measured on the A scale, exceeding the time-weighted average of 85 decibels measured on the A scale. The sample was taken on February 27, 2015 during a 447 minute sampling period. The employee did not receive an audiogram since October 2013.
- (c) The employee working in the wringer room and dog bone mixing area was exposed to noise at 88.7 decibels (84.10 percent dose) measured on the A scale, exceeding the time-weighted average of 85 decibels measured on the A scale. The sample was taken on February 27, 2015 during a 480 minute sampling period. The employee did not receive an audiogram since October 2013.
- (d) The employee working in the lime flesher area was exposed to noise at 90.1 decibels (101 percent dose) measured on the A scale, exceeding the time-weighted average of 85 decibels measured on the A scale. The sample was taken on February 27, 2015 during a 447 minute sampling period. The employee did not receive an audiogram since October 2013.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/11/2015
Proposed Penalty:	\$4500.00

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



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.101(b): The in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks were not in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in CFR 1910.6:

- (a) A cylinder of compressed tri-mix welding gas was not securely stored to prevent it from tipping and falling over. The cylinder of tri-mix welding gas was sitting in an upright position in snow and against the exterior of the compressed gas cylinder storage cage.

No certification required. Violation Abated.

Date By Which Violation Must be Abated:
Proposed Penalty:

Quick Fix Applied
\$2295.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.134(f)(2): The employer did not ensure that an employee using a tight-fitting face-piece respirator was fit tested prior to initial use of the respirator, whenever a different respirator face-piece (size, style, model or make) is used, and at least annually thereafter:

- (a) On or about February 2, 2015 the employer had not performed annual fit testing for employees required to wear half mask negative pressure respirators prior to working with chemicals such as, but not limited to, sulfuric acid, sodium hydrosulfide and chromosal B.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/25/2015
\$6300.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

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

29 CFR 1910.146(c)(1): The employer did not evaluate the workplace to determine if any spaces were permit-required confined spaces:

- (a) The employer did not include the B-Room mixer chrome recirculation tanks to determine if they were permit-required confined spaces.
- (b) The employer did not include the chrome recovery process tanks to determine if they were permit-required confined spaces.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/16/2015
Proposed Penalty:	\$6300.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.146(c)(2): The employer did not inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces:

- (a) Employees were not informed of permit required confined spaces by posting danger signs on B-Room drum mixer chrome recirculation tanks, exposing employees to confined space hazards. NOTE: A sign reading DANGER-PERMIT-REQUIRED CONFINED SPACE, DO NOT ENTER or using other similar language would satisfy the requirement for a sign.
- (b) Employees were not informed of permit required confined spaces by posting danger signs on chrome recovery process tanks, exposing employees to confined space hazards. NOTE: A sign reading DANGER-PERMIT-REQUIRED CONFINED SPACE, DO NOT ENTER or using other similar language would satisfy the requirement for a sign.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/16/2015



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.146(d)(2): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not identify and evaluate the hazards of permit spaces before employees entered:

- (a) The employer did not identify potential atmospheric hazards of the B-Room drum mixer chrome recirculation tanks, before allowing employees to enter into the chrome tanks on February 5th, 2015.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/16/2015
Proposed Penalty:	\$6300.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.147(c)(4)(ii)(B): The energy control procedures did not clearly and specifically outline the steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy.

- (a) The energy control procedure for the Rizzi Hide Fleshing machine did not account for the gravitational energy presented by the 1500 pound shaving roller.
- (b) The energy control procedure for the Stehling Green Fleshing Machine did not account for the gravitational energy presented by machine rollers.
- (c) The energy control procedure for the Flamar Fleshing Machine did not account for the gravitational energy presented by machine rollers.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/16/2015
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed:

- (a) An annual/periodic inspection of the energy control procedures has not been conducted for, but not limited to Rizzi Lime Flesher, Stehling Green Flesher, Flamar Lime Flesher, Wringers, Canbar Drum Mixers, Splitter Machines, wastewater treatment process and chrome recovery process to ensure that procedures and requirements of the standard are being followed and that employees who implement energy control procedures understand their application.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/25/2015
Proposed Penalty:	\$6300.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.147(c)(7)(i)(A): Authorized employee(s) did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation:

- (a) Training was not provided to authorized maintenance personnel in the recognition of hazardous energy sources, the type of energy sources and practices and methods required to safely de-energize machines/equipment, including but not limited to the Rizzi Hide Fleshing Machine, Stehling Green Fleshing Machine and Flamar Fleshing Machine.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/16/2015
Proposed Penalty:	\$6300.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

Citation 1 Item 12 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) Flamar Fleshing Machine: The belt conveyor used to transport hides into collection bin did not have the front discharge end of the conveyor guarded from in-going nip points created by the belt and rollers, exposing the attending employee(s) to a caught-in and amputation hazard.
- (b) Rizzi Fleshing Machine: The belt conveyor used to transport hides into collection bin did not have the front discharge end of the conveyor guarded from in-going nip points created by the belt and rollers, exposing the attending employee(s) to a caught-in and amputation hazard.
- (c) Rizzi Fleshing Machine: The screw conveyor used transport hide flesh material to a collection bin did not have the front discharge end of the conveyor guarded from ingoing nip-points created by the screw auger and the conveyor trough, exposing the attending employee(s) to a caught-in and amputation hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/11/2015
Proposed Penalty: \$6300.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.305(a)(1)(i): Metal raceways, cable trays, cable armor, cable sheath, enclosures, frames, fittings, and noncurrent-carrying parts that are to serve as grounding conductors, with or without the use of supplementary equipment grounding conductors, were not effectively bonded where necessary to ensure electrical continuity and did not have the capacity to conduct safely any fault current likely to have been imposed on them:

- (a) Wastewater Treatment Plant Area: Raceway conduit carrying electrical wiring from the Master Wastewater Treatment electrical panel box to a T junction box was broken away from the connection at the panel box and at the entry point into and out of the T junction box, affecting the electrical continuity to safely conduct fault current placed on the electrical system. This exposed electrical wiring carrying 120 volt, 220 volt and 480 volt AC conductors to inadvertent contact, exposing employees to electrical shock hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/11/2015
Proposed Penalty:	\$6300.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.305(b)(1)(i): Conductors entering cutout boxes, cabinets, or fittings were not protected from abrasions:

- (a) Wastewater Treatment: Flexible electrical cable for a 208 volt pendant box outlet was wired into electrical Panel Box 22 by running the cable under the dead front panel and between the electrical box frame subjecting the cable to abrasion and pinching damage. This exposed employees to an electrical shock hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/11/2015
Proposed Penalty:	\$6300.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

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

29 CFR 1910.305(g)(1)(iv)(B): 29 CFR 1910.305(g)(1)(iv)B: Unless specifically permitted otherwise in paragraph (g)(1)(ii) of this section, flexible cords and cables may not be used to run through holes in walls, ceilings, or floors:

- (a) Wastewater Treatment Plant Area: A 480 volt electrical cable supplying power to a Fostoria electric heater was strung through a rough metal corrugated wall hole and across approximately 20 feet of pipe support brackets into lime tank electrical control panel box.

No certification required. Violation Abated.

Date By Which Violation Must be Abated:
Proposed Penalty:

Quick Fix Applied
\$6300.00

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

Inspection Number: 1023693
Inspection Date(s): 02/02/2015 – 07/17/2015
Issuance Date: 07/30/2015



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.305(g)(2)(ii): Flexible cords were not used only in continuous lengths without splice or tap:

- (a) Chrome Recovery Process - Third Process Right Side Acid Tank: On or about February 27th, 2015 flexible electrical cords providing power to the float control level switch were spliced together using wire nut connectors and black electrical tape, exposing employees to an electrical shock hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2015

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: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.305(g)(2)(iii): Flexible cords were not connected to devices and fittings so that tension would not be transmitted to joints or terminal screws:

- (a) Mixer Room B - Chrome Tank 12B: The electrical cable to the degreaser motor disconnect box was broken away at the threaded connection fitting exposing the electrical wiring, and was abraded on the opposite side of the threaded connector exposing the electrical conductors and affecting the electrical continuity. This exposed employees to an electrical shock hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2015

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

Inspection Number: 1023693
Inspection Date(s): 02/02/2015 – 07/17/2015
Issuance Date: 07/30/2015



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.332(b)(1): Employees were not trained in and familiar with the safety-related work practices required by 1910.331 through 1910.335 that pertained to their respective job assignments:

- (a) On or about February 10, 2015, employee(s) performing trouble shooting on hide Wringer machine #2 were not trained to assess the arc flash and shock hazard level of the electrical equipment being worked on.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/16/2015
Proposed Penalty:	\$6300.00

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



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

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

29 CFR 1910.333(a): Safety-related work practices were not employed to prevent electric shock or other injuries resulting from either direct or indirect electrical contacts, when work was performed near or on equipment or circuits which were or could be energized:

- (a) Wringer #2 Main Disconnect: On or about February 11, 2015 maintenance employee(s) did not employ electrical safety-related work practices when conducting continuity tests on 110 volt switch and 50 amp fuses of 480 volt supply.
- (b) Maintenance employees routinely perform maintenance on electrical equipment, such as lighting ballasts, electrical disconnect fuses, electrical switches and electrical disconnects in A, B and C production areas without employing electrical-safety related work practices when conducting trouble shooting or verification of de-energized electrical circuits.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/16/2015
Proposed Penalty:	\$6300.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.333(b)(2): While an employee was exposed to contact with parts of fixed electric equipment or circuits which were de-energized, the circuits energizing the parts were not locked out or tagged or both in accordance with the requirements of this paragraph (b) of 29 CFR 1910.333(b)(2):

(a) On or about February 10, 2015 maintenance employees conducted electrical trouble shooting on wringer number two (2) main disconnect to verify fuse continuity. Employees did not lockout the main disconnect isolating device while conducting the continuity tests, exposing employees to an electrical shock and arc flash hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 09/16/2015



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

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

29 CFR 1910.335(a)(1)(i): Employees working in areas where there were potential electrical hazards were not using electrical protective equipment that was appropriate for the specific parts of the body to be protected and for the work to be performed:

- (a) On or about February 10, 2015, employee(s) performing electrical continuity measurements on a 480 disconnect "Wringer Main Disconnect" and electrical panel housing a 110 volt AC switch "Wringer #2" did not use personal protective equipment, such as, but not limited to arc rated apparel, face-shield, and voltage-rated gloves to protect against arc flash hazards and electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/16/2015
Proposed Penalty:	\$6300.00



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.335(a)(2)(ii): Protective shields, protective barriers, or insulating materials were not used to protect each employee from shock, burns, or other electrically related injuries while that employee is working near exposed energized parts which might be accidentally contacted or where dangerous electric heating or arcing might occur. When normally enclosed live parts are exposed for maintenance or repair, they shall be guarded to protect unqualified persons from contact with the live parts.

- (a) On or about February 10, 2015, the employer had no insulating protective equipment in use while employee(s) performed electrical continuity testing on a 480 disconnect "Wringer Main Disconnect" and electrical panel housing a 110 volt AC switch "Wringer #2", such as barriers or shielding in place to protect employees from arcing faults and electrical shock hazard when trouble shooting electrical circuitry and replacing fuses.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/16/2015



Citation and Notification of Penalty

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233

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

29 CFR 1910.147(f)(3)(ii)(D): Each authorized employee did not affix a personal lockout or tagout device to the group lockout device before working on the machine or equipment:

- (a) On or about February 1, 2015: All maintenance employees performing maintenance and repair work on the Rizzi Hide Fleshing machine did not apply a personal lock on the electrical circuit breaker locking device, exposing employees to hazardous energy sources.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/05/2015
Proposed Penalty: \$63000.00



Christine Zortman
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
310 W. Wisconsin Avenue
Room 1180
Milwaukee, WI 53203
Phone: 414-297-3315 Fax: 414-297-4299



INVOICE / DEBT COLLECTION NOTICE

Company Name: D.R. Diedrich & Co., Ltd.
Inspection Site: 2615 West Greves Street, Milwaukee, WI 53233
Issuance Date: 07/30/2015

Summary of Penalties for Inspection Number	1023693
Citation 1, Serious	\$106495.00
Citation 2, Willful	\$63000.00
TOTAL PROPOSED PENALTIES	\$169495.00

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. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Christine Zortman
Area Director

7-30-15

Date