

U.S. Department of Labor

Occupational Safety and Health Administration
444 Regency Parkway Dr.
Lake Regency Office Bldg, Ste. 303
Omaha, NE 68114
Phone: (402)553-0171 FAX: (402)551-1288



Citation and Notification of Penalty

To:
DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
and its successors
70952 Avenue 330A
Parks, NE 69041

Inspection Number: 314059684
Inspection Date(s): 03/15/2011-03/16/2011
Issuance Date: 08/31/2011

Inspection Site:
70952 Avenue 330A
Parks, NE 69041

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

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

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

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

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal

conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the page 5 Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

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

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

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

Notification of Corrective Action - For **each** violation which you do not contest, you are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the OSHA office issuing the citation and identified above. The certification **must** be sent by you within **10 calendar days** of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

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

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

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

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

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

Inspection Activity Data - You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to your inspection will be available 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.

THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 affords workers the right to a safe workplace. OSHA requires employers to provide a workplace that is free of serious recognized hazards and in compliance with OSHA standards. Workers have the right to FILE A COMPLAINT WITH OSHA if they believe that there are either violations of OSHA standards or serious workplace hazards. Contact the OSHA Area office nearest you or contact our toll free number: 1-800-321-OSHA (6742)... TTY 1-877-889-5627. To file a complaint online or obtain information on your rights in the workplace, visit OSHA's website at www.osha.gov.

ABATEMENT CERTIFICATION

Bonita Winingham, Area Director
U.S. Department of Labor - OSHA
444 Regency Parkway Dr.
Lake Regency Office Bldg, Ste. 303
Omaha, NE 68114
Phone: (402)553-0171

DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
70952 Avenue 330A
Parks, NE 69041

The hazard referenced in Inspection Number 314059684 for violation identified as:

Citation _____ and Item _____ was corrected on _____.

Method of correction: _____

*Abatement documentation is enclosed. check if applicable

Citation _____ and Item _____ was corrected on _____.

Method of correction: _____

*Abatement documentation is enclosed. check if applicable

Citation _____ and Item _____ was corrected on _____.

Method of correction: _____

*Abatement documentation is enclosed. check if applicable

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

(email address)

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 08/31/2011. The conference will be held at the OSHA office located at 444 Regency Parkway Dr., Lake Regency Office Bldg, Ste. 303, Omaha, NE, 68114 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

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 employees were exposed to live electrical components.

The employer failed to ensure that the employees were protected from contact with live electrical components in the maintenance building operating at voltages ranging from 120V to 240V. The live components include but are not limited to extension cords used to power portable equipment that were damaged and repaired with electrical tape; extension cord was showing signs of strain relief in that the insulated (Sheath) portion of the cord was pulled away from the plug creating a potential for direct strain on the electrical contacts. A power cord was run under and through a door opening. This power cord was carrying 240V to a Wire Feed Welder located outside the maintenance facility. The door was made of steel with a steel threshold.

AMONG OTHER METHODS, ONE FEASIBLE AND ACCEPTABLE ABATEMENT METHOD TO CORRECT THIS HAZARD IS:

1. Repairs to extension cords shall be done in accordance with Article 110-14(b) and retain the insulation, outer sheath properties, and usage characteristics of the cord. Repairs shall only be done on No. 14 and larger conductors. Article 400-9 (National Fire Protection Association (NFPA) 70-National Electrical Code (NEC) 2011)
2. Do not run flexible cords through doorways or similar openings. Article 400-8 (NFPA 70-NEC 2011)
3. Develop and implement written procedures requiring that prompt corrective action is taken any time that an electrical issue is identified.
4. Develop and implement a disciplinary action program and procedures to ensure that employees report damage as it occurs and take action to ensure that the extension cords and flexible power cords are not abused/neglected.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photograph or videos which you believe will be helpful. The abatement certification sheet is enclosed with citation.

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

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

Inspection Number: 314059684
Inspection Dates: 03/15/2011 - 03/16/2011
Issuance Date:



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

Date By Which Violation Must be Abated:	09/16/2011
Proposed Penalty:	\$ 4000.00

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



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

Citation 1 Item 2 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 employees were exposed to chemical hazards due to lack of eyewash facilities when working with corrosives.

a) On the East wall of the maintenance building, employees are exposed to a hazard of receiving injurious corrosive liquids into the eyes, when performing maintenance on lead-acid batteries and recharging the same for purposes of energizing cattle fencing.

AMONG OTHER METHODS, ONE FEASIBLE AND ACCEPTABLE ABATEMENT METHOD TO CORRECT THIS HAZARD IS:

- a) Install an eye wash station that is located as close to the hazard as possible ANSI Z 358.1 (2004)
- b) Install an eye wash station that is not separated by a partition from the hazardous work area. ANSI Z 358.1 (2004)
- c) Install an eye wash station on an unobstructed path between the workstation and the hazard. (Workers should not have to pass through doorways or weave through machinery or other obstacles to reach them.) ANSI Z 358.1 (2004)
- d) Install an eye wash station that is located where workers can easily see them - preferably in a normal traffic pattern. ANSI Z 358.1 (2004)

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photograph or videos which you believe will be helpful. The abatement certification sheet is enclosed with citation.

Date By Which Violation Must be Abated:	09/16/2011
Proposed Penalty:	\$ 5600.00



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

Citation 1 Item 3 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 employees were exposed to fire and explosion hazards.

a) Outside the North West corner of the middle building the employees at the establishment are exposed to hazards of fire and explosion associated with gas and diesel tanks as the tanks were not spaced at least 3 feet apart, tanks were not protected from physical damage, alarm system was not in place in the event of fuel leaks, fuel tanks were not supported in accordance with NFPA 30 (2008) and the vents were not of sufficient height.

AMONG OTHER METHODS, ONE FEASIBLE AND ACCEPTABLE ABATEMENT METHOD TO CORRECT THIS HAZARD IS:

- i) Provide for spacing 3 feet or greater for all fuel tanks. NFPA 30 (2008), 22.4.2.1.
- ii) Every Tank that contains a Class I, Class II or Class IIA liquid shall be provided with means to prevent an accidental release of liquid as required by NFPA 30 (2008) 22.11.
- iii) Supports for tanks shall be of concrete (protect against corrosion), masonry, or protected steel. Steel Support structures shall be protected by materials having a fire resistance rating of not less than 2 hours unless the support is a saddle no more than 12 inches high at the lowest point. NFPA 30 (2008), 22.5.1
- iv) Provide a normal vent to prevent over-pressure or vacuum from damaging the tank when it is being filled or product is being withdrawn. The vent for a tank for Class I liquids must be normally closed, and it must terminate no less than 12 feet above ground level. NFPA 30 (2008), Chapter 27
- v) Install protection for tanks located where they are subject to vehicular impact. NFPA 30 (2008), 22.15
- vi) Establish an emergency action plan Planning for effective fire control measures shall be coordinated with local emergency response agencies. NFPA 30 (2008), 21.6.5

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



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

b) At the maintenance building employees were exposed to fire and explosion hazards as the oxygen cylinders were located next to acetylene cylinder and the cylinders were not secured.

AMONG OTHER METHODS, ONE FEASIBLE AND ACCEPTABLE ABATEMENT METHOD TO CORRECT THIS HAZARD IS:

- i) Separation of oxygen and fuel gas cylinders. CGA Pamphlet P1-1965
- ii) Securing of cylinders in location where they can not be damaged or knocked over. CGA Pamphlet P-1-1965

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photograph or videos which you believe will be helpful. The abatement certification sheet is enclosed with citation.

Date By Which Violation Must be Abated:	09/16/2011
Proposed Penalty:	\$ 5600.00



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

Citation 1 Item 4 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 employees were to a fall hazard.

a) South East corner of Middle Building employees were exposed to fall hazard where standard guard rail and stair rail were not installed on the stairs leading up to the landing of the mezzanine and on the East side of the mezzanine.

AMONG OTHER METHODS, ONE FEASIBLE AND ACCEPTABLE ABATEMENT METHOD TO CORRECT THIS HAZARD IS:

- i) Install a standard guard rail along the East side of the Mezzanine. (ANSI) A1264.1 - 2007.
- ii) Install a Standard Hand Rail on both sides of the Stair leading up to the Mezzanine. A1264.1 - 2007.

Abatement certification is required for this violation. The abatement certification sheet is enclosed with citation.

Date By Which Violation Must be Abated:	09/16/2011
Proposed Penalty:	\$ 4000.00



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

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 5a Type of Violation: **Serious**

29 CFR 1910.1200(e)(1): This provision is applicable to Agricultural employment by 1928.21.

The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

Throughout the Company: The employer did not develop and maintain a written hazard communication program. The employer uses a number of chemicals such as but not limited to Antifreeze, motor oil, petroleum based lubricants, and fuels.

Abatement certification is required for this violation. The abatement certification sheet is enclosed with citation.

Date By Which Violation Must be Abated:	10/03/2011
Proposed Penalty:	\$ 4800.00



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

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

29 CFR 1910.1200(h)(3)(iii): This provision is applicable to Agricultural employment by 1928.21.

Employee training did not include the measures employees can take to protect themselves from chemical hazards, including specific procedures the employer had implemented to protect employees from exposure to hazardous chemicals:

Throughout the company: The employer failed to provide training as prescribed in the paragraph above in that the employees had not been trained on the hazards of the chemicals that they commonly use including but not limited to Antifreeze, motor oil, petroleum based lubricants, and fuels.

Abatement certification is required for this violation. The abatement certification sheet is enclosed with citation.

Date By Which Violation Must be Abated: 09/16/2011



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

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

29 CFR 1910.1200(f)(5)(ii): This provision is applicable to Agricultural employment by 1928.21.

The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the appropriate hazard warnings:

On the North and West side of the Middle Building - The employer is failing to protect employees from the potential hazards of handling petroleum products in that the storage tanks were not labeled with their specific hazard warning labels. Specifically, three tanks containing diesel and gasoline on the outside of the North West corner of the middle building were not labeled.

Abatement certification is required for this violation. The abatement certification sheet is enclosed with the citations.

Date By Which Violation Must be Abated:	10/03/2011
Proposed Penalty:	\$ 2400.00



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

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

29 CFR 1928.57(a)(6):

At the time of initial assignment and at least annually thereafter, the employer did not instruct every employee in the safe operation and servicing of all covered equipment with which he/she is or will be involved as specified in 1928.57(a)(6)(i)-(v):

Throughout the Company: The employer failed to provide instruction to every employee in the safe operation and servicing. This includes equipment such as but not limited to the Auger(s) and Corn Roller.

Abatement certification is required for this violation. The abatement certification sheet is enclosed with citation.

Date By Which Violation Must be Abated:	09/16/2011
Proposed Penalty:	\$ 5600.00

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

Inspection Number: 314059684
Inspection Dates: 03/15/2011 - 03/16/2011
Issuance Date:



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

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

29 CFR 1928.57(c)(2)(i):

The mesh or nip-points of all power driven gears, belts, chains, sheaves, pulleys, sprockets, and idlers were not guarded to prevent contact:

On the North East side of the grain bins the employer is failing to ensure that the Belts and Pulleys running the auger that feeds the Corn Roller is guarded to prevent access to the in-running nip point or the moving pulley.

Abatement certification is required for this violation. The abatement certification sheet is enclosed with citation.

Date By Which Violation Must be Abated:	09/16/2011
Proposed Penalty:	\$ 4000.00

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



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

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

29 CFR 1928.57(c)(4)(i):

Guards and shields for the following equipment were not in place when equipment was in operation:

In the Maintenance Building:

- a) Drill press was not equipped with a chuck guard; and,
- b) Bench grinder had improperly adjusted work rest and tongue guard.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citations.

Date By Which Violation Must be Abated:	09/16/2011
Proposed Penalty:	\$ 5600.00



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

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

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 the employer is failing to protect employees from asphyxiation hazards at the facility.

a) The employees are exposed to hazards of asphyxiation, heat, and/or entrapment when frequently entering grain bins in order to break up clumps of corn.

AMONG OTHER METHODS, ONE FEASIBLE AND ACCEPTABLE ABATEMENT METHOD TO CORRECT THIS HAZARD IS:

- i) The employer shall implement safeguards such as rescue and retrieval equipment as outlined in Section 14 and 12.2 respectively, of ANSI Z117.1 - 2009
- ii) The employer shall identify and evaluate the establishment for hazard identification as outlined in Section 3 of American National Standard Institute (ANSI) Z117.1 - 2009.
- iii) The employer shall implement an entry permit system as outlined in Section 5 of ANSI Z117.1 - 2009.
- iv) The employer shall conduct atmospheric testing as outlined in section 6 of ANSI Z117.1 - 2009
- v) The employer shall follow all attendant requirements as outlined in Section 7 of ANSI Z117.1 - 2009

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photograph or videos which you believe will be helpful. The abatement certification sheet is enclosed with citation.

Date By Which Violation Must be Abated:	10/03/2011
Proposed Penalty:	\$ 70000.00



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

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

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 the employer is failing to protect employees from engulfment hazards when employees enter and work in grain storage bins containing flowing grain.

The employees are exposed to engulfment hazards when they enter the grain bins from the top while the auger is running below. The auger is not disconnected or locked out when the employees are inside the grain bins on the flowing grain.

AMONG OTHER METHODS, ONE FEASIBLE AND ACCEPTABLE ABATEMENT METHOD TO CORRECT THIS HAZARD IS:

- i) The employer shall institute and follow machine guarding and lockout procedures as identified in ANSI Z244.1 - 2003.
- ii) The employer shall prohibit employees from entering grain storage structures to walk on the grain to make it flow as identified in ANSI Z117.1 - 2009.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photograph or videos which you believe will be helpful. The abatement certification sheet is enclosed with citation.

Date By Which Violation Must be Abated:	10/03/2011
Proposed Penalty:	\$ 70000.00



Citation and Notification of Penalty

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041

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

29 CFR 1904.39(a):

An oral report of an employment accident resulting in a fatality or the inpatient hospitalization of three or more employees was not made within eight (8) hours after the occurrence to the nearest Area Office of the Occupational Safety and Health Administration or to the OSHA toll-free central telephone number (1-800-321-OSHA).

At the facility the employer failed to report to OSHA an accident resulting in a fatality within 8 hours after the occurrence.

Abatement certification is required for this violation. The abatement certification sheet is enclosed with citation.

Date By Which Violation Must be Abated:	09/16/2011
Proposed Penalty:	\$ 4000.00



Bonita Winingham
Area Director

U.S. Department of Labor

Occupational Safety and Health Administration
444 Regency Parkway Dr.
Lake Regency Office Bldg, Ste. 303
Omaha, NE 68114
Phone: (402)553-0171 FAX: (402)551-1288



**INVOICE/
DEBT COLLECTION NOTICE**

Company Name: DL Cattle Trading LLC dba DL Cattle LLC & DL Farms
Inspection Site: 70952 Avenue 330A, Parks, NE 69041
Issuance Date: 08/31/2011

Summary of Penalties for Inspection Number 314059684

Citation 1, Serious = \$ 41600.00
Citation 2, Willful = \$ 140000.00
Citation 3, Other = \$ 4000.00
TOTAL PROPOSED PENALTIES = \$ 185600.00

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 5%. 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

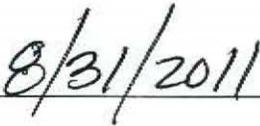
file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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.



Bonita Winingham
Area Director



Date

THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 affords workers the right to a safe workplace. OSHA requires employers to provide a workplace that is free of serious recognized hazards and in compliance with OSHA standards. Workers have the right to FILE A COMPLAINT WITH OSHA if they believe that there are either violations of OSHA standards or serious workplace hazards. Contact the OSHA Area office nearest you or contact our toll free number: 1-800-321-OSHA (6742)... TTY 1-877-889-5627. To file a complaint online or obtain information on your rights in the workplace, visit OSHA's website at www.osha.gov.
