

U.S. Department of Labor

Occupational Safety and Health Administration
El Paso Area Office
4849 North Mesa, Suite 200
El Paso, TX 79912
Phone: 915-534-6251 Fax: 915-534-6259



Citation and Notification of Penalty

To:
D&D Manufacturing, Inc.
and its successors
500 Territorial Dr.
Bolingbrook, IL 60440

Inspection Number: 1018388
Inspection Date(s): 01/13/2015 - 01/15/2015
Issuance Date: 07/10/2015

Inspection Site:
1330 Pullman Dr.
El Paso, TX 79936

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 07/10/2015. The conference will be held by telephone or at the OSHA office located at 4849 North Mesa, Suite 200, El Paso, TX 79912 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1018388

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936
Issuance Date: 07/10/2015

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, 4849 North Mesa, Suite 200, El Paso, TX 79912**

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): _____

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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

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

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Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

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

29 CFR 1910.178(m)(3): Unauthorized personnel were permitted to ride on industrial truck(s):

In the production and warehouse areas, employees rode standing up on the back of the Toyota Forklifts (Model 8FGU25/Serial No. 49686 & Model 8FGU25/Serial No. 51472) to act as a counter balance when picking up the heavier dies.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/16/2015
Proposed Penalty:	\$6930.00

See pages 1 through 4 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: 1018388
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Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

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

29 CFR 1910.178(o)(2): Load(s) were being handled which exceeded the rated capacity of the industrial truck(s):

In the production and warehouse areas, dies were picked up which exceeded the rated capacity of the Toyota Forklifts (Model 8FGU25/Serial No. 49686 & Model 8FGU25/Serial No. 51472).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/16/2015
Proposed Penalty:	\$6930.00

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

Inspection Number: 1018388
Inspection Date(s): 01/13/2015 - 01/15/2015
Issuance Date: 07/10/2015



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

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

29 CFR 1910.178(p)(1): Powered industrial truck(s) found to be in need of repair, defective, or in any way unsafe had not been taken out of service until restored to safe operating condition(s).

In the production and warehouse areas, Toyota forklifts (Model 8FGU25/Serial No. 49686 & Model 8FGU25/Serial No. 51472) were operated with tires that were cracked and missing chunks of rubber.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/16/2015
Proposed Penalty:	\$6930.00

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Occupational Safety and Health Administration

Inspection Number: 1018388
Inspection Date(s): 01/13/2015 - 01/15/2015
Issuance Date: 07/10/2015



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

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

29 CFR 1910.178(q)(6): Industrial trucks were altered by the addition of extra parts not provided by the manufacturer. Additional counterweighting of fork trucks was not approved by the truck manufacturer:

In the production and warehouse areas, Toyota forklifts (Model 8FGU25/Serial No. 49686 & Model 8FGU25/Serial No. 51472) were altered by an additional job-made counterweight belonging to a NISSIAN forklift.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/16/2015
Proposed Penalty:	\$6930.00

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Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
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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 5 a Type of Violation: **Serious**

29 CFR 1910.217(d)(6)(i): Tonnage and stroke requirements were neither stamped on die(s) nor recorded on records readily available to the die setter:

In the production and warehouse areas, dies used for metal stamping production were not stamped with the tonnage and stroke requirements, the employer did not have these characteristics recorded and readily available to the die setter.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/16/2015
Proposed Penalty:	\$6930.00

See pages 1 through 4 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: 1018388
Inspection Date(s): 01/13/2015 - 01/15/2015
Issuance Date: 07/10/2015



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

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

29 CFR 1910.217(d)(6)(ii): Die(s) were not stamped to indicate upper die weight when it was necessary for air counter balance pressure adjustment:

In the production and warehouse areas, dies used for metal stamping production were not stamped to indicate upper die weight when it was necessary for air counter balance pressure adjustment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/16/2015

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

Inspection Number: 1018388
Inspection Date(s): 01/13/2015 - 01/15/2015
Issuance Date: 07/10/2015



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

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

29 CFR 1910.217(d)(6)(iii): Dies were not stamped to indicate die weight where handling equipment could become overloaded:

In the production and warehouse areas, dies used for metal stamping production were not stamped to indicate die weight where handling equipment became overloaded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/16/2015

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&D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee used appropriate protective eye or face equipment where there was a reasonable probability of injury that could be prevented by such equipment:

On the production floor, employees were exposed to flying metal particles and were not wearing safety glasses and/or appropriate eye protection in the following areas;

- (a) Two operators were observed not wearing safety glasses while operating Toyota forklifts behind press #110 in operation.
- (b) During press operations, an employee observed was not wearing safety glasses while mopping the floors behind press #111 and in front of press #110.
- (c) During an inspection on the work done by employees, a supervisor was observed wearing prescription eyewear that was not American National Standards Institute (ANSI-87) rated safety eyewear.
- (d) While operating the 1000-ton press #110, two operators were observed were wearing prescription eyewear that was not American National Standards Institute (ANSI-87) rated safety eyewear.
- (e) While sorting out material, a material handler was observed wearing prescription eyewear that was not American National Standards Institute (ANSI-87) rated safety eyewear.
- (f) While drilling into a die in the tool room, a tool maker was wearing prescription eyewear that was not American National Standards Institute (ANSI-87) rated safety eyewear.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/04/2015

See pages 1 through 4 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: 1018388
Inspection Date(s): 01/13/2015 - 01/15/2015
Issuance Date: 07/10/2015



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

Proposed Penalty: \$69300.00

See pages 1 through 4 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: 1018388
Inspection Date(s): 01/13/2015 - 01/15/2015
Issuance Date: 07/10/2015



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

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

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

In the production area, employees were exposed to caught-between and struck-by hazards while operating the 500-ton Sutherland Hydraulic Press #2 (Model No. HD-500, Serial No. 28058). The point of operation was not guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/16/2015
Proposed Penalty:	\$69300.00

See pages 1 through 4 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: 1018388
Inspection Date(s): 01/13/2015 - 01/15/2015
Issuance Date: 07/10/2015



Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

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

29 CFR 1910.243(c)(3): Abrasive wheels used on vertical portable grinder(s) (right angle head grinders) were not provided with safety guard(s) having a maximum exposure angle of 180 degrees and located between the operator and wheel:

In the production area at press #111, employees were observed grinding 30-inch lawnmower decks using DeWalt 4 1/2-inch Angle Grinders (Model No. DWE 4011, 7.0 Amp AC/DC, 12,000 rpm motor) without safety guards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/16/2015
Proposed Penalty:	\$69300.00

See pages 1 through 4 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

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Citation and Notification of Penalty

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

Citation 3 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.178(l)(5): The employer did not evaluate the competency of the operator who had previously received training appropriate to the truck and working conditions encountered:

In the production and warehouse areas, a previously trained employee was driving a Toyota forklift to perform maintenance operations and the employer had not ensured his competency.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/16/2015
Proposed Penalty:	\$990.00

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&D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

Citation 3 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables were not connected to devices and fittings so that strain relief is provided that will prevent pull from being directly transmitted to joints and/or terminal screws:

In the production area, at Sutherland Hydraulic Press #3, a conduit coupler was used in place of bushing leading into the D-Coiler Electrical Control Box. The 220V electrical cable was not connected to the device so that strain relief was provided to prevent pull from being directly transmitted to joints and/or terminal screws.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 07/16/2015
Proposed Penalty: \$0.00

A handwritten signature in black ink, appearing to read "Diego Alvarado, Jr.", written over a horizontal line.

Diego Alvarado, Jr.
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
El Paso Area Office
4849 North Mesa, Suite 200
El Paso, TX 79912
Phone: 915-534-6251 Fax: 915-534-6259



INVOICE / DEBT COLLECTION NOTICE

Company Name: D&D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936
Issuance Date: 07/10/2015

Summary of Penalties for Inspection Number	1018388
Citation 1, Serious	\$34650.00
Citation 2, Willful	\$207900.00
Citation 3, Other-than-Serious	\$990.00
TOTAL PROPOSED PENALTIES	\$243540.00

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.

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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.



Diego Alvarado, Jr.

Area Director

7/10/15

Date

U.S. Department of Labor

Occupational Safety and Health Administration
El Paso Area Office
4849 North Mesa, Suite 200
El Paso, TX 79912
Phone: 915-534-6251 Fax: 915-534-6259



Citation and Notification of Penalty

To:

D & D Manufacturing, Inc.
and its successors
1330 Pullman Dr.
El Paso, TX 79936

Inspection Number: 1055307

Inspection Date(s): 01/13/2015 - 04/15/2015

Issuance Date: 07/10/2015

Inspection Site:

1330 Pullman Dr.
El Paso, TX 79936

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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 07/10/2015. The conference will be held by telephone or at the OSHA office located at 4849 North Mesa, Suite 200, El Paso, TX 79912 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1055307

Company Name: D & D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936
Issuance Date: 07/10/2015

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, 4849 North Mesa, Suite 200, El Paso, TX 79912**

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

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

Inspection Number: 1055307
Inspection Date(s): 01/13/2015 - 04/15/2015
Issuance Date: 07/10/2015



Citation and Notification of Penalty

Company Name: D & D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

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

29 CFR 1910.22(a)(2): Floor(s) of workroom(s) were not maintained in a clean and, so far as possible, a dry condition:

In the production area employees were exposed to slippery conditions:

- a) The walkway located between of hydraulic press #1 and #2 had a large puddle of water and oil.
- b) Located to the side and behind press #110, the walking working surface was covered in oil.
- c) Located at the die storage area, the walking working surface was covered in oil.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/20/2015
Proposed Penalty:	\$6930.00

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 & D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

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

29 CFR 1910.95(i)(2)(i): The employer did not ensure hearing protectors were worn by employees exposed to sound levels exceeding those listed in Table G-16 of 29 CFR 1910.95(b)(1):

On the production floor, employees were exposed to sound pressure levels exceeding 85 decibels and were not wearing hearing protection in the following areas:

- (a) While mopping the floors between presses #111/#110, an employee was exposed to continuous noise levels of 93.3 decibels and was not wearing hearing protection.
- (b) While operating the 1000-ton press #110, an operator was exposed to continuous noise levels of 95 decibels and was not wearing hearing protection.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/16/2015
Proposed Penalty:	\$69300.00



Citation and Notification of Penalty

Company Name: D & D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936

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

29 CFR 1910.37(a)(4): Safeguard(s) designed to protect employees during an emergency (e.g., sprinkler systems, alarm systems, fire doors, exit lighting), were not in proper working order at all times:

In the production area, along the north and west sides of the building, exit lighting signs above the emergency exit doors along the east wall were not illuminated or working properly.

D&D Manufacturing Inc. was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.37(a)(4), which was contained in OSHA inspection number 979337, citation number 02, item number 001 and was affirmed as a final order on December 23, 2014, with respect to a workplace located at 1330 Pullman Dr. El Paso TX 79936.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 07/16/2015
Proposed Penalty: \$1980.00

Diego Alvarado, Jr.
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
El Paso Area Director
4849 North Mesa, Suite 200
El Paso, TX 79912
Phone: 915-534-6251 Fax: 915-534-6259



INVOICE / DEBT COLLECTION NOTICE

Company Name: D & D Manufacturing, Inc.
Inspection Site: 1330 Pullman Dr., El Paso, TX 79936
Issuance Date: 07/10/2015

Summary of Penalties for Inspection Number	1055307
Citation 1, Serious	\$6930.00
Citation 2, Willful	\$69300.00
Citation 3, Repeat	\$1980.00
TOTAL PROPOSED PENALTIES	\$78210.00

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.



Diego Alvarado, Jr.

Area Director

7/10/15

Date