

U.S. Department of Labor
Occupational Safety and Health Administration
9100 Bluebonnet Centre Blvd.
Suite 201
Baton Rouge, LA 70809
Phone: 225-298-5458 Fax: 225-298-5457



Citation and Notification of Penalty

To:
Diversified Foods and Seasonings, LLC
and its successors
109 Hwy 1085
Madisonville, LA 70447

Inspection Number: 1099140
Inspection Date(s): 10/16/2015 - 01/14/2016
Issuance Date: 04/08/2016

Inspection Site:
109 Hwy 1085
Madisonville, LA 70447

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 04/08/2016. The conference will be held by telephone or at the OSHA office located at 9100 Bluebonnet Centre Blvd., Suite 201, Baton Rouge, LA 70809 on _____ at _____, Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1099140

Company Name: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447
Issuance Date: 04/08/2016

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, 9100 Bluebonnet Centre Blvd., Suite 201, Baton Rouge, LA 70809**

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: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees. Employees were exposed to health hazards associated with anhydrous ammonia:

On or about 10/16/2015, in the ammonia refrigeration area, during an ammonia release event employees were exposed to anhydrous ammonia while using the GasAlert Extreme ammonia detector that had not been calibrated and bump-tested.

A feasible means of abatement includes, but is not limited to calibrating the meter and performing bump-testing per the instructions in the User Manual of the GasAlert Extreme.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/18/2016
Proposed Penalty:	\$5000.00



Citation and Notification of Penalty

Company Name: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees. Employees were exposed to an asphyxiation hazard associated with nitrogen:

On or about 10/16/2015, the employer did not implement proper controls inside the spiral freezer to ensure that the release of nitrogen did not result in the displacement of oxygen.

A feasible means of abatement includes, but is not limited to installing mechanical ventilation in the nitrogen freezer room as stated on pages 3-3 and 4-6 of the CES Nitrogen Freezer's Maintenance and Service Manual, using an isolation means for the liquid nitrogen line on the freezer such as blinding or double-block and bleed, and ensuring that oxygen sensors are regularly calibrated.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/22/2016
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees. Employees were exposed to a struck-by hazard associated with a collapsing storage rack.

On or about 10/16/2015, in the loading dock area, the employer allowed employees to operate forklifts and access walkways near storage racks with the following deficiencies: missing anchor bolts, corroded and damaged structural components, no posted load ratings, and out-of-straight support columns.

A feasible means of abatement includes, but is not limited to installing racks that meet ANSI MH 16.1 standard or repair existing racks so they meet the standard by having anchor bolts, straight columns, plaques with load ratings, and are free from damage.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/18/2016
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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

29 CFR 1910.23(a)(2): Ladderway floor opening(s) or platform(s) were not guarded by a standard railing with standard toeboard(s) on all exposed sides (except at the entrance to opening) with passage through the railing either provided with a swinging gate or so offset that a person could walk directly into the opening:

- a) On or about 10/16/2015, on the roof condenser platform, the employer allowed employees to conduct rounds and make repairs near a ladderway floor opening which lacked a swinging gate to guard the passage through the railing.
- b) On or about 10/16/2015, on the top of the emergency dump tank, the employer did not ensure that the passage through the railing of the ladderway floor opening was guarded by a swinging gate.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/18/2016
Proposed Penalty:	\$5000.00

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

Inspection Number: 1099140
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Issuance Date: 04/08/2016



Citation and Notification of Penalty

Company Name: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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

29 CFR 1910.23(a)(8): Every floor hole into which persons can accidentally walk were not guarded:

On or about 10/16/2015, on the second level platform in the liquid nitrogen freezer room, the employer allowed employees to work from the platform more than 10 feet above the lower level and did not ensure that a 10 inch opening behind the liquid nitrogen freezer was guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/22/2016
Proposed Penalty:	\$3000.00

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: 1099140
Inspection Date(s): 10/16/2015 - 01/14/2016
Issuance Date: 04/08/2016



Citation and Notification of Penalty

Company Name: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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

29 CFR 1910.23(b)(4): Every temporary wall opening did not have adequate guards:

On or about 10/16/2015, on the second level platform in the nitrogen freezer room, the employer allowed employees to work on the second level platform while placing the nitrogen freezer out-of-service and did not ensure that the freezer hatch was guarded when opened.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/22/2016
Proposed Penalty:	\$5000.00

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: 1099140
Inspection Date(s): 10/16/2015 - 01/14/2016
Issuance Date: 04/08/2016



Citation and Notification of Penalty

Company Name: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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

29 CFR 1910.24(b): Fixed stairs were not provided for access from one structure level to another where operations necessitated regular travel between levels, and for access to operating platforms at any equipment which requires attention routinely during operations:

On or about 10/16/2015, on the roof, the employer allowed employees to conduct daily inspections and routine maintenance of ammonia refrigeration equipment and did not provide fixed industrial stairs from the second floor to the roof or the ground to the roof.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/18/2016
Proposed Penalty:	\$5000.00

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: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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

29 CFR 1910.120(q)(2): The employer did not develop an emergency response plan for emergencies which addressed the following minimum requirements of this standard: 1910.120(q)(2)(i) through 1910.120(q)(2)(xii):

On or about 10/16/2015, at the facility located at 109 Highway 1085 in Madisonville, LA, the employer's emergency response plan did not include the following minimum requirements of the standard for an emergency release of nitrogen: Emergency recognition and prevention, safe distances and places of refuge, evacuation routes and procedures, emergency medical treatment and first aid, and PPE and emergency equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/18/2016
Proposed Penalty:	\$5000.00

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

Inspection Number: 1099140
Inspection Date(s): 10/16/2015 - 01/14/2016
Issuance Date: 04/08/2016



Citation and Notification of Penalty

Company Name: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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

29 CFR 1910.120(q)(9)(i): Members of an organized and designated HAZMAT team and hazardous materials specialist did not receive a baseline physical examination and/or was not provided with medical surveillance as required in 29 CFR 1910.120(f):

On or about 10/16/2015, at 109 Highway 1085 in Madisonville, LA, the employer did not ensure that members of the HAZMAT team received a baseline physical examination.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/22/2016
Proposed Penalty:	\$5000.00

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: 1099140
Inspection Date(s): 10/16/2015 - 01/14/2016
Issuance Date: 04/08/2016



Citation and Notification of Penalty

Company Name: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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

29 CFR 1910.132(a): Protective equipment was not maintained in a sanitary and reliable condition:

On or about 10/16/2015, at 109 Highway 1085 in Madisonville, LA, the employer provided Tychem 10000 protective chemical suits for emergency use, but did not ensure that the suits were inspected and leak tested annually.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/18/2016
Proposed Penalty:	\$4000.00

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: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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

29 CFR 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator, before the employee was fit tested or required to use the respirator in the workplace:

On or about 10/16/2015, at 109 Highway 1085 in Madisonville, LA, the employer required employees to wear respirators during emergencies and when changing compressor oil and did not ensure that employees had received medical evaluations.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/18/2016
Proposed Penalty:	\$5000.00

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

Inspection Number: 1099140
Inspection Date(s): 10/16/2015 - 01/14/2016
Issuance Date: 04/08/2016



Citation and Notification of Penalty

Company Name: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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

29 CFR 1910.134(f)(2): Employee(s) using tight-fitting facepiece respirators were not fit tested prior to initial use of the respirator:

On or about 10/16/2015, at facility located at 109 Highway 1085 in Madisonville, LA, the employer required employees to wear respirators with tight-fitting facepieces during emergencies and when changing compressor oil and did not ensure that employees received fit tests.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/18/2016
Proposed Penalty:	\$5000.00

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: 1099140
Inspection Date(s): 10/16/2015 - 01/14/2016
Issuance Date: 04/08/2016



Citation and Notification of Penalty

Company Name: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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

29 CFR 1910.253(b)(4)(iii): Oxygen cylinders in storage were not separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least one-half hour:

On or about 10/16/2015, in the maintenance shop, the employer allowed employees to conduct tasks such as operating a forklift in an area where oxygen and acetylene cylinders were stored next to each other without a fire resistant barrier.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/18/2016
Proposed Penalty:	\$3000.00

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: 1099140
Inspection Date(s): 10/16/2015 - 01/14/2016
Issuance Date: 04/08/2016



Citation and Notification of Penalty

Company Name: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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

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

On or about 12/15/2015, next to the roof access ladder on the second floor, unused openings in a breaker box were not effectively closed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/18/2016
Proposed Penalty:	\$3000.00

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: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

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 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

On or about 10/16/2015, at the facility located at 109 Highway 1085 in Madisonville, LA, the employer allowed employees to work in areas where liquid nitrogen is used to freeze food and did not provide effective information and training. The employer allowed employees to work in areas with asphyxiants such as nitrogen, flammable gases such as acetylene, compressed gases such as oxygen, caustics such as sodium hydroxide, and anhydrous ammonia and did not provide effective information and training at the time of their initial assignment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/18/2016
Proposed Penalty:	\$5000.00

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

Inspection Number: 1099140
Inspection Date(s): 10/16/2015 - 01/14/2016
Issuance Date: 04/08/2016



Citation and Notification of Penalty

Company Name: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.23(c)(1): Open-sided floors and/or platforms four feet or more above adjacent floor or ground level were not guarded with standard railings (or equivalent) and toeboards:

On or about 10/16/2015, on top of the roof condenser, the employer allowed employees to clean nozzles and did not ensure that railing was provided to prevent a fall of over 10' in height.

Note: Toeboards are only required when persons can pass, there is moving equipment or there is equipment with which falling materials could create a hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/18/2016
Proposed Penalty:	\$0.00



Dorinda Folsie
Area Director

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
9100 Bluebonnet Centre Blvd.
Suite 201
Baton Rouge, LA 70809
Phone: 225-298-5458 Fax: 225-298-5457



INVOICE / DEBT COLLECTION NOTICE

Company Name: Diversified Foods and Seasonings, LLC
Inspection Site: 109 Hwy 1085, Madisonville, LA 70447
Issuance Date: 04/08/2016

Summary of Penalties for Inspection Number	1099140
Citation 1, Serious	\$72000.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$72000.00

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.



for **Dorinda Folse**
Area Director



Date