

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1851 Executive Center Drive  
Suite 227  
Jacksonville, FL 32207  
Phone: 904-232-2895 Fax: 904-232-1294



## Citation and Notification of Penalty

**To:**  
Dixie Tank Company  
5349 Highway Avenue  
Jacksonville, FL 32254

**Inspection Number:** 945488  
**Inspection Date(s):** 11/01/2013 - 01/23/2014  
**Issuance Date:** 04/22/2014

**Inspection Site:**  
5349 Highway Avenue  
Jacksonville, FL 32254

*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](http://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 \$50,000 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](http://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 04/22/2014. The conference will be held by telephone or at the OSHA office located at 1851 Executive Center Drive, Suite 227, Jacksonville, FL 32207 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 945488**

Company Name: Dixie Tank Company  
Inspection Site: 5349 Highway Avenue, Jacksonville, FL 32254  
Issuance Date: 04/22/2014

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, 1851 Executive Center Drive, Suite 227, Jacksonville, FL 32207**

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.134(d)(1)(i): Selection of appropriate respirators was not based on the respiratory hazard(s) to which the worker was exposed and user factors that affect respirator performance and reliability:

a. On or about November 19, 2013, at the blasting area, two employees working together to blast a stainless steel pressure vessel with Starblast, an agent that contained 3% silica, went inside the tank to shovel the blasting agent out of the tank using a half face tight fitting respirator with Moldex 7600 cartridges that offered protection against organic vapors, ammonia, methylamine, chlorine, hydrogen chloride, sulfur dioxide, OR hydrogen fluoride, OR chlorine dioxide, OR formaldehyde, and OR hydrogen sulfide. The employer did not provide an air-purifying respirator equipped with a high efficiency particulate air (HEPA) filter to protect against particulates.

a. On or about November 1, 2013, at Shop No. 5, an employee working as a welder was exposed to chromium (VI) at a Time Weighted Average (TWA) of 59.2 micrograms per cubic meter, 11.8 times the limit of 5.0 micrograms per cubic meter while welding inside a stainless steel pressure vessel. The sampling was performed for 253 minutes during one shift. The employer did not select a respirator that maintained the employee's exposure to chromium (VI) at or below the maximum use concentration when measured outside the respirator.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	06/09/2014
Proposed Penalty:	\$7000.00

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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**Citation 1 Item 2** 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, whenever a different respirator facepiece (size, style, model or make) was use, and at least annually thereafter:

- a. On or about November 1, 2013, at Shop No. 5, an employee working as a welder was exposed to chromium (VI) at an 8-hour Time Weighted Average (TWA) of 59.2 micrograms per cubic meter, 11.8 times the limit of 5.0 micrograms per cubic meter while welding inside a stainless steel pressure vessel. The sampling was performed for 253 minutes during one shift. While welding inside stainless steel and carbon steel pressure vessels employees were required to wear a half face tight fitting respirator and the employer did ensure that employees were fit tested at initial use and annually thereafter.
- b. On or about November 1, 2013, at the paint shop, employees spray-painting pressure vessels and tanks were required to use a tight fitting full face respirator with cartridges and the employer did not ensure that employees were fit tested prior to its use and then annually thereafter.
- c. On or about November 1, 2013, at the blasting area, an employee was required to use a half face tight fitting respirator with cartridges while shoveling blasting agent out of the tank and the employer did not ensure that he was fit tested prior to its use and then annually thereafter.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	06/09/2014
Proposed Penalty:	\$7000.00

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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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 3 a** Type of Violation: **Serious**

29 CFR 1910.134(g)(1)(i)(A): Respirators with tight-fitting facepieces were worn by employees who had facial hair that came between the sealing surface of the facepiece and the face or that interfered with valve function:

- a. On or about November 1, 2013, at production shops, employees working as welders were required to use a tight fitting half face respirator while welding stainless steel and carbon steel pressure vessels and tanks to obtain protection against chromium (VI) and welding fumes, and the employer did not ensure that employees did not wear the respirators with facial hair that interfered with the seal of the respirator or the valve function.
  
- b. On or about November 21, 2013, at the paint shop, employees working as painters and blasters were required to use a tight fitting full face respirator while spray-painting tanks and a half face respirator while shoveling blasting agent out of the tanks, and the employer did not ensure that employees did not wear the respirator with facial hair that interfered with the seal of the respirator or the valve function.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	06/09/2014
Proposed Penalty:	\$7000.00

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.134(g)(1)(i)(B): Respirators with tight-fitting facepieces were worn by employees with a condition that interfered with the face-to-facepiece seal or valve function:

- a. On or about November 19, 2013, at the paint shop, employees spray painting inside and outside tanks wore a head sock underneath the full face tight fitting respirator that interfered with the face-to-facepiece seal.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

06/09/2014

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.134(i)(7): Oil lubricated compressor(s) used to supply breathing air did not have a high-temperature or carbon monoxide alarm(s) or both to monitor carbon monoxide levels. When only high-temperature alarms were use, the employer did not monitored the air supply at intervals sufficient to prevent carbon monoxide levels in the breathing air to exceed 10 parts per million:

a. On or about November 19, 2013, at the blasting area, the breathing air provided to the employees while using an air-supplied blasting helmet came from an oil lubricated compressor that only had a high-temperature alarm and the employer did not monitor the air supply to ensure that carbon monoxide in the breathing air did not exceed 10 parts per million.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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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 1910.134(k)(1): The employer did not ensure that each employee can demonstrate knowledge of items in (i)-(vii):

- a. On or about November 1, 2013, at the production shops, blast and paint areas, employees were required to use respirators while welding, blasting, and spray-paint inside pressure vessels and tanks and the employer did not ensure that employees could demonstrate knowledge of:
1. What are the limitations and capabilities of the respirator;
  2. How to use the respirator effectively in emergency situations in which the respirator malfunctions;
  3. How to inspect the respirators;
  4. What the procedures are for maintenance and storage of the respirator; and
  5. The general requirements of the respiratory protection standard.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 06/09/2014  
Proposed Penalty: \$7000.00

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.134(k)(5): Respiratory protection retraining was not conducted annually:

a. On or about November 1, 2013, at the production shops, blast and paint areas, employees were required to use respirators while welding, blasting, and spray-paint inside pressure vessels and tanks and the employer did not ensure that training on respiratory protection was conducted annually.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

06/09/2014

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.134(l)(1): Evaluations of the workplace were not conducted to ensure the written respiratory protection program was being effectively implemented:

a. On or about November 1, 2013, at the production shops, blast and paint areas, employees were required to use respirators while welding, blasting, and spray-paint inside pressure vessels and tanks and the employer did not evaluate the respiratory protection program to ensure that it was being effectively implemented.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	06/09/2014
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.141(a)(3)(i): Places of employment were not kept clean to the extent that the nature of the work allowed:

- a. On or about November 1, 2013, at the production shop, the toilet facilities were not maintained in a sanitary condition in that the sinks, urinals and walls were covered with brown filth that accumulated with time due to lack of cleaning and maintenance.
- b. On or about November 1, 2013, at the break room, the eating and drinking facility was not maintained in a sanitary condition that the outside and inside of the microwaves had accumulation of old food splatter and the walls and chairs were covered with brown filth that accumulated with time due to lack of cleaning and maintenance.
- c. On or about November 1, 2013, the offices were not maintained in a sanitary condition in that there was presence of fungi growth in the ceiling tiles due to continuous leaks from the air conditioning ducts and the walls and floors were covered with brown filth that accumulated with time due to lack of cleaning and maintenance.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	06/09/2014
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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.141(g)(2): Employees were permitted to consume food or beverage in area(s) exposed to toxic materials:

a. On or about November 1, 2013, the employer allowed employees to consume beverages, smoke and chew tobacco or gum in areas where employees were exposed to Chromium (VI) while welding on stainless steel pressure vessels and skin and/or eye contact with chromium (VI) may occurred and in the paint shop where the employees handled hazardous paints and coatings.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 06/09/2014  
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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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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 9 a** Type of Violation: **Serious**

29 CFR 1910.1026(c): Employees were exposed to an airborne concentration of chromium (VI) which exceeded 5 micrograms per cubic meter of air, as an 8-hour time-weighted average:

a. On or about November 1, 2013, at Shop No. 5, an employee working as a welder was exposed to chromium (VI) at an 8-hour Time Weighted Average (TWA) of 59.2 micrograms per cubic meter, 11.8 times the limit of 5.0 micrograms per cubic meter while welding inside a stainless steel tank. The sampling was performed for 253 minutes during one shift. The employer did not ensure that employees were not exposed to an airborne concentration that exceeded 5 micrograms per cubic meter as an 8-hour TWA.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	06/09/2014
Proposed Penalty:	\$7000.00

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.134(d)(3)(i)(B)(1): The employer did not select a respirator for employee use that maintained the employee's exposure to the hazardous substance, when measured outside the respirator, at or below the maximum use concentration:

a. On or about November 1, 2013, at Shop No. 5, an employee working as a welder was exposed to chromium (VI) at a Time Weighted Average (TWA) of 59.2 micrograms per cubic meter, 11.8 times the limit of 5.0 micrograms per cubic meter while welding inside a stainless steel pressure vessel. The sampling was performed for 253 minutes during one shift. The employer did not select a respirator that maintained the employee's exposure to chromium (VI) at or below the maximum use concentration when measured outside the respirator.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

05/16/2014

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.1026(f)(1)(i): Feasible engineering controls and work practices were not instituted to reduce and maintain employee exposures to chromium (VI) at or below the permissible exposure limit:

a. On or about November 1, 2013, at Shop No. 5, an employee working as a welder was exposed to chromium (VI) at an 8-hour Time Weighted Average (TWA) of 59.2 micrograms per cubic meter, 11.8 times the limit of 5.0 micrograms per cubic meter while welding inside a stainless steel pressure vessel. The sampling was performed for 253 minutes during one shift. The employer did not institute feasible engineering controls and work practices to reduce and maintain employees' exposure to chromium (VI) at or below 5 microgram per cubic meter as an 8-hour TWA.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

06/09/2014



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.1026(d)(1): The employer with a workplace or work operation covered by this standard did not determine the 8-hour time-weighted average exposure for each employee exposed to chromium (VI):

a. On or about November 1, 2013, at Shop No. 5, an employee working as a welder was exposed to chromium (VI) at an 8-hour Time Weighted Average (TWA) of 59.2 micrograms per cubic meter, 11.8 times the limit of 5.0 micrograms per cubic meter while welding inside a stainless steel pressure vessel. The sampling was performed for 253 minutes during one shift. The employer did not determine the 8-hour TWA exposure for each employee exposed to chromium (VI) either by conducting initial monitoring or using the performance-oriented option.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	06/09/2014
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.1026(k)(1)(i)(A): The employer did not make medical surveillance available for all employees who were or could be occupationally exposed to chromium (VI) at or above the action level for 30 or more days a year:

a. On November 1, 2013, an employee working as a welder was exposed to chromium (VI) at an 8-hour Time Weighted Average (TWA) of 59.2 micrograms per cubic meter, 11.8 times the limit of 5.0 micrograms per cubic meter while welding inside and outside a stainless steel pressure vessel. The sampling was performed for 253 minutes during one shift. The employer did not make medical surveillance available to those employees welding inside a stainless steel pressure vessel who were exposed to or could be occupationally exposed to chromium (VI) at the action level for 30 or more days a year.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	06/09/2014
Proposed Penalty:	\$7000.00

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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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 12 a      Type of Violation: **Serious**

29 CFR 1910.1026(l)(1)(iii): The employer did not include chromium (VI) in the hazard communication program established to comply with the Hazard Communication Standard (HCS), ensure that each employee had access to labels on containers of chromium (VI) and to safety data sheets, and was trained in accordance with the requirements of HCS and 29 CFR 1910.1026:

- a. On or about November 1, 2013, at Shop No. 5, employees were welding stainless steel pressure vessels and the employer did not trained the employees on:
1. The health hazards associated with chromium (VI) exposure;
  2. The location, manner of use and release of chromium (VI);
  3. Engineering controls and work practices associated with the employee's job assignment;
  4. Emergency procedures; and
  5. Measures employees were to take to protect themselves.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 06/09/2014  
Proposed Penalty: \$7000.00

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.1026(l)(2)(i): The employer did not provide training and information to ensure that employees could demonstrate knowledge of the 29 CFR 1910.1026 Hexavalent Chromium standard, and the purpose and description of the medical surveillance program required under this standard:

a. On or about November 1, 2013, at Shop No. 5, employees were welding stainless steel pressure vessels and the employer did not ensure that each employee could demonstrate knowledge of the contents of the hexavalent chromium standard nor the purpose and description of the medical surveillance program required under this standard.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 06/09/2014



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.1026(l)(2)(ii): The employer did not make a copy of the Chromium (VI) standard, 29 CFR 1910.1026, readily available to all employees who were exposed to chromium (VI):

a. On or about November 1, 2013, at Shop No. 5, employees were welding and grinding stainless steel pressure vessels and the employer did not ensure that there was a copy of the hexavalent chromium standard readily available to all employees.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

06/09/2014



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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Citation 1 Item 12 d      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:

- a. On or about November 1, 2013, at production shops, employees working as welders manufacturing carbon steel and stainless steel tanks were potentially being exposed to welding fumes, fluxes, electrodes and rods made of chromium, chromium alloys, iron oxide, and other hazardous components and the employer had not provided information and training on the health and physical hazards of these hazardous chemicals at the time of initial employment.
- b. On or about November 1, 2013, at the blasting area, employees were expose to respirable silica dust while blasting the tanks with Starblast and the employer had not provided information and training on the health hazards of being exposed to silica and the contributing health effect factor of smoking.
- c. On or about November 1, 2013, at the paint shop, employees working as painters used hazardous chemicals such as methyl ethyl ketone to clean the air guns, paints and thinners to spray-paint tanks and the employer had not provided information and training on the health and physical hazards of these hazardous chemicals.

Date By Which Violation Must be Abated:

Corrected During Inspection

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

---

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

29 CFR 1910.252(c)(1)(iv): The employer did not include the potentially hazardous materials employed in fluxes, coatings, coverings, and filler metals, all of which are potentially used in welding and cutting, in the program established to comply with Hazard Communication Standard (HCS) (sec. 1910.1200).

a. On or about November 1, 2013, at production shops, employees working as welders manufacturing carbon steel and stainless steel tanks were potentially being exposed to welding fumes, fluxes, cleaners, covered electrodes and filler metals containing chromium, and chromium alloys, iron oxide, fluorides, manganese and/or manganese alloys, nickel, copper, zinc and/or zinc oxides, and other hazardous components and the employer had not provided information and training on the health and physical hazards of these hazardous chemicals at the time of initial employment.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 06/09/2014



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

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

a. An employee working as a welder was exposed to a noise dose of 90.1%, or an equivalent dBA (decibels "A" scale) of 89.2 dBA. The sampling was performed for 373 minutes during one work shift on November 19, 2013. The employer did not obtain a new audiogram for the welders and fitters that were exposed at or above an 8-hour time-weighted average of 85 decibels at least annually.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	06/09/2014
Proposed Penalty:	\$0.00



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.95(k)(1): The employer did not train each employee who is exposed to noise at or above an 8-hour time-weighted average of 85 decibels in accordance with the requirements of 29 CFR 1910.95(k). The employer did not institute a training program and ensure employee participation in the program:

- a. An employee working as a welder was exposed to a noise dose of 90.1%, or an equivalent dBA (decibels, "A" scale) of 89.2 dBA. The sampling was performed for 373 minutes during one work shift on November 19, 2013. The employer did not institute a training program or trained the employees on the effects of noise on hearing, the purpose of hearing protectors, the advantages, disadvantages, and attenuation of various types, and instructions on selection, fitting, use, and care, and the purpose of audiometric testing, and an explanation of the test procedures.
- b. An employee working as a blaster was exposed to a noise dose of 182.5%, or an equivalent of 94.3 dBA. The sampling was performed for 241 minutes during one work shift on November 19, 2013. The employer did not institute a training program or trained the employees on the effects of noise on hearing, the purpose of hearing protectors, the advantages, disadvantages, and attenuation of various types, and instructions on selection, fitting, use, and care, and the purpose of audiometric testing, and an explanation of the test procedures.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	06/09/2014
Proposed Penalty:	\$0.00



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.1020(g)(1): The employer did not inform current employees upon first entering into employment, and at least annually thereafter, of (i) the existence, location, and availability of any employee exposure and medical records covered by this section; (ii) the person responsible for maintaining and providing access to these records; and (iii) each employee's rights of access to these records:

a. On or about November 1, 2010, the employer had not provided any informational training on (i) the existence, location, or availability of medical records and exposure information, such as air and noise monitoring, medical evaluations for the use of respirators, fit tests records, and audiograms, (ii) the person responsible for maintaining and providing access to these records; and (iii) each employees' rights to access to these records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 06/09/2014  
Proposed Penalty: \$0.00

A handwritten signature in black ink, appearing to read "Brian J. Sturtecky", written over a horizontal line.

**Brian J. Sturtecky**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1851 Executive Center Drive  
Suite 227  
Jacksonville, FL 32207  
Phone: 904-232-2895 Fax: 904-232-1294



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254  
**Issuance Date:** 04/22/2014

<b>Summary of Penalties for Inspection Number</b>	<b>945488</b>
<b>Citation 1, Serious</b>	<b>\$76000.00</b>
<b>Citation 2, Other-than-Serious</b>	<b>\$0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$76000.00</b>

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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](http://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 \$50,000 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

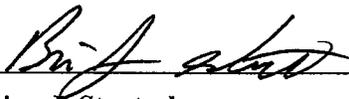
account, the bank will attempt to make the transfer up to 2 times.

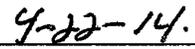
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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

  
\_\_\_\_\_  
**Brian J. Sturtecky**  
Area Director

  
\_\_\_\_\_  
Date

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1851 Executive Center Drive  
Suite 227  
Jacksonville, FL 32207  
Phone: 904-232-2895 Fax: 904-232-1294



## Citation and Notification of Penalty

**To:**  
Dixie Tank Company  
5349 Highway Avenue  
Jacksonville, FL 32254

**Inspection Number:** 944682  
**Inspection Date(s):** 10/24/2013 - 01/23/2014  
**Issuance Date:** 04/22/2014

**Inspection Site:**  
5349 Highway Avenue  
Jacksonville, FL 32254

*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](http://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 \$50,000 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](http://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 04/22/2014. The conference will be held by telephone or at the OSHA office located at 1851 Executive Center Drive, Suite 227, Jacksonville, FL 32207 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 944682**

Company Name: Dixie Tank Company  
Inspection Site: 5349 Highway Avenue, Jacksonville, FL 32254  
Issuance Date: 04/22/2014

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, 1851 Executive Center Drive, Suite 227, Jacksonville, FL 32207**

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

OSH ACT of 1970 Section (5)(a)(1): 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 the hazard of being struck-by material being lifted and or the rigging used to lift the material:

- a. On or about October 24, 2013, the load hook connected to the 10-Ton P&H overhead crane, was not equipped with a safety latch to prevent accidental disengagement of the load rigging, exposing employees to falling object and struck by hazards.
- b. On or about October 24, 2013, the load hook connected to the 5-Ton Cleveland overhead crane was equipped with a damaged safety latch and was not capable of preventing to prevent accidental disengagement of the load rigging, exposing employees to falling object and struck by hazards.
- c. On or about October 24, 2013, the load hook connected to the 5-Ton Cleveland Tramrail underhung crane was not equipped with a safety latch to prevent to prevent accidental disengagement of the load rigging, exposing employees to falling object and struck by hazards.
- d. On or about October 24, 2013, the load hook connected to the 5-Ton P&H South monorail crane was not equipped with a safety latch to prevent to prevent accidental disengagement of the load rigging, exposing employees to falling object and struck by hazards.

Instance a. and b.: Among other methods, feasible and acceptable methods to correct the hazardous condition for the 10-Ton P&H overhead crane and the 5-Ton Cleveland overhead crane may include: Following the requirements of the recognized industrial standard, American Society of Mechanical Engineers (ASME) B30.2-2011, 2-1.14.5 which states: Hooks; Latch-equipped hooks shall be used unless the application makes the use of the latch impractical or unnecessary. ASME B30-2-2011, 2-4.2.4(d) which states: Repairs or replacements shall be made as needed: (2) all critical parts that are cracked, broken, bent, excessively worn or missing.

Instance c: Among other methods, feasible and acceptable methods to correct the hazardous condition

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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for the 5-Ton Cleveland Tramrail underhung crane may include: Following the requirements of the recognized industrial standard, ASME B30-16-2012, 16-1.2.0 which states: Hooks; Hooks shall be equipped with latches unless the use of the latch creates a hazardous condition. ASME B30-16-2012, 16-4.3.4(c) which states: Adjustments, repairs or replacements shall be made to the following on an as-needed basis: (11) items that are determined to be missing.

Instance d.: Among other methods, feasible and acceptable methods to correct the hazardous condition for the 5-Ton P&H South monorail crane may include: Following the requirements of the recognized industrial standard, B30.11-2010: 11-1.10 which states: Hoisting Equipment: Manual or powered hoist units used as part of a monorail or underhung crane system shall comply with requirements as stated in ASME B30-16. ASME B30-16-2012, 16-1.2.0 states: Hooks; Hooks shall be equipped with latches unless the use of the latch creates a hazardous condition. ASME B30-11-2010, 11-4.2.4(d) which states: Repairs or replacements shall be made as needed: (3) all critical parts that are cracked, broken, bent, excessively worn or missing.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	06/09/2014
Proposed Penalty:	\$4900.00

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

OSH ACT of 1970 Section (5)(a)(1): 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 being struck by and crush hazards from a moving suspended load:

- a. On or about November 1, 2013, numerous safety deficiencies related to functional operating mechanisms, deteriorations and/or wearing of components, including but not limited to the hoist, trolley, bridge and electrical systems were identified with the 5-Ton Cleveland Tramrail underhung crane, exposing employees to falling object, shock, struck-by and crushing hazards.
- b. On or about November 1, 2013, numerous safety deficiencies related to functional operating mechanisms, deteriorations and/or wearing of components, including but not limited to the hoist, trolley, wire rope and load block systems were identified with the North 5-Ton P&H monorail crane, exposing employees to falling object, struck-by and crushing hazards.
- c. On or about November 1, 2013, numerous safety deficiencies related to functional operating mechanisms, deteriorations and/or wearing of components, including but not limited to the hoist, trolley and wire rope systems were identified with the South 5-Ton P&H monorail crane, exposing employees to falling object, shock, struck-by and crushing hazards.

Instance a.: Among other methods, feasible and acceptable methods to correct the hazardous condition for the 5-Ton Cleveland Tramrail underhung crane may include: Following the requirements of the recognized industrial standard, American Society of Mechanical Engineers (ASME) B30.16-2012, Chapter 16-2, Paragraph 16-2.1.4(a) which states: Periodic inspection shall be performed at intervals defined in para. 16-2.1.1(b)(3) and may be performed with the hoist at its normal location. ASME B30.16-2012, Chapter 16-4, Paragraph 16-4.3.4(a) which states: Any condition disclosed by the inspections performed in accordance with the requirements of Section 16-2.1 that is determined by a qualified person to be a hazard to continued operation shall be corrected by adjustment, repair, or replacement before continuing the use of the hoist.

Instance b. and c.: Among other methods, feasible and acceptable methods to correct the hazardous

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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condition for the 5-Ton P&H North monorail crane and the 5-Ton P&H South monorail crane may include: Following the requirements of the recognized industrial standard, ASME B30.11-2010, Chapter 11-2, Paragraph 11-2.1.5(c) which states: Equipment shall be inspected at intervals dependent on the use of the equipment as follows: (1) normal service - yearly, (2) heavy service - semiannually, (3) severe service - quarterly. ASME B30.11-2010, Chapter 11-4, Paragraph 11-4.2.4(a) which states: Any condition disclosed by the inspections performed in accordance with the requirements of Section 11-2.1 that is determined to be a hazard to continued operation shall be corrected by adjustment, repair, or replacement before continuing the use of the equipment.

Date By Which Violation Must be Abated: ..... Corrected During Inspection .....  
Proposed Penalty: ..... \$4900.00



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.179(g)(1)(v): Pendant control box(es) were not clearly marked for identification of functions:

a. On or about November 4, 2013, the pendant control box for the 10-Ton DeShazo overhead crane was not clearly marked for identification of functions, exposing employees to struck-by and crushing hazards.

**ABATEMENT CERTIFICATION AND DOCUMENTATION ARE NOT REQUIRED**

<b>Date By Which Violation Must be Abated:</b>	<b>Corrected During Inspection</b>
<b>Proposed Penalty:</b>	<b>\$4900.00</b>



### Citation and Notification of Penalty

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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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 4 a Type of Violation: **Serious**

29 CFR 1910.179(j)(2): Overhead cranes were not inspected for defects at intervals no greater than 1 month as defined in paragraph(j)(1)(ii)(a) for items including but not limited to; all functional operating mechanisms for maladjustment, deterioration or leakage of air or hydraulic systems and hooks:

- a. On or about October 24, 2013, the 25-Ton P&H overhead crane was not inspected daily for defects of items including but not limited to; all functional operating mechanisms for maladjustment, deterioration or leakage of air or hydraulic systems and hooks, exposing employees to falling object, electrical shock, struck-by and crushing hazards.
- b. On or about October 24, 2013, the 10-Ton P&H overhead crane was not inspected daily for defects of items including but not limited to; all functional operating mechanisms for maladjustment, deterioration or leakage of air or hydraulic systems and hooks, exposing employees to falling object, electrical shock, struck-by and crushing hazards.
- c. On or about October 24, 2013, the 10-Ton DeShazo overhead crane was not inspected daily for defects of items including but not limited to; all functional operating mechanisms for maladjustment, deterioration or leakage of air or hydraulic systems and hooks, exposing employees to falling object, electrical shock, struck-by and crushing hazards.
- d. On or about October 24, 2013, the 5-Ton Cleveland overhead crane was not inspected daily for defects of items including but not limited to; all functional operating mechanisms for maladjustment, deterioration or leakage of air or hydraulic systems and hooks, exposing employees to falling object, electrical shock, struck-by and crushing hazards.

### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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:** 944682  
**Inspection Date(s):** 10/24/2013 - 01/23/2014  
**Issuance Date:** 04/22/2014



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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Date By Which Violation Must be Abated: 06/09/2014  
Proposed Penalty: \$4900.00

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.179 (j)(3) :The items listed in subparagraphs (j)(3)(i) through (j)(3)(x) were not inspected for defects at intervals no greater than 12 months as defined in paragraph(j)(1)(ii)(b) of this section or as specifically indicated, and all deficiencies were not carefully examined and a determination made as to whether they constituted a safety hazard:

- a. On or about October 24, 2013, a complete periodic inspection of the 25-Ton P&H overhead crane was not conducted within the past 12 months to identify defects, exposing employees to falling object, electrical shock, struck-by and crushing hazards.
- b. On or about October 24, 2013, a complete periodic inspection of the 10-Ton P&H overhead crane was not conducted within the past 12 months to identify defects, exposing employees to falling object, electrical shock, struck-by and crushing hazards.
- c. On or about October 24, 2013, a complete periodic inspection of the 10-Ton DeShazo overhead crane was not conducted within the past 12 months to identify defects, exposing employees to falling object, electrical shock, struck-by and crushing hazards..
- d. On or about October 24, 2013, a complete periodic inspection of the 5-Ton Cleveland overhead crane was not conducted within the past 12 months to identify defects, exposing employees to falling object, electrical shock, struck-by and crushing hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE NOT REQUIRED

Date By Which Violation Must be Abated: Corrected During Inspection



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.179(k)(2): Rated load test reports were not placed on file where they were readily available to appointed personnel:

- a. On or about October 24, 2013, rate load test reports for the 25-Ton P&H overhead crane were not readily available to appointed personnel, exposing employees to falling object, struck-by and crushing hazards.
- b. On or about October 24, 2013, rate load test reports for the 10-Ton P&H overhead crane were not readily available to appointed personnel, exposing employees to falling object, struck-by and crushing hazards.
- c. On or about October 24, 2013, rate load test reports for the 10-Ton DeShazo overhead crane were not readily available to appointed personnel, exposing employees to falling object, struck-by and crushing hazards.
- d. On or about October 24, 2013, rate load test reports for the 5-Ton Cleveland overhead crane were not readily available to appointed personnel, exposing employees to falling object, struck-by and crushing hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

06/09/2014

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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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 1910.219(d)(1): Pulley(s) with part(s) seven feet or less from the floor or work platform were not guarded in accordance with the requirements specified in 29 CFR 1910.219(m) and (o):

- a. On or about October 21, 2013, at the hydro-pressure testing area of Shop 5, two pulleys on the hydro-pressure pump were not equipped with a guard, exposing an employee to caught-in hazards.
- b. On or about October 29, 2013, at the hydro-pressure testing area of Shop 5, two pulleys on the hydro-pressure pump were not equipped with a guard, exposing an employee to caught-in hazards.

**ABATEMENT CERTIFICATION AND DOCUMENTATION ARE NOT REQUIRED**

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$2800.00



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.219(d)(3): Pulley(s) with cracks, or pieces broken out of the rims were used:

- a. On or about October 21, 2013, at the hydro-pressure testing area of Shop 5, the hydro-pressure pump electric drive motor pulley was damaged, exposing an employee to struck-by and caught-in hazards.
- b. On or about October 29, 2013, at the hydro-pressure testing area of Shop 5, the hydro-pressure pump electric drive motor pulley was damaged, exposing an employee to struck-by and caught-in hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE NOT REQUIRED

Date By Which Violation Must be Abated:

Corrected During Inspection



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.219(e)(1)(i): Horizontal belts which had both runs 42 inches or less from the floor level were not fully enclosed by guards conforming to requirements specified in 29 CFR 1910.219(m) and (o)

- a. On or about October 21, 2013, at the hydro-pressure testing area of Shop 5, a belt connecting two drive pulleys on the hydro-pressure pump was not equipped with a guard, exposing an employee to caught-in hazards.
- b. On or about October 29, 2013, at the hydro-pressure testing area of Shop 5, a belt connecting two drive pulleys on the hydro-pressure pump was not equipped with a guard, exposing an employee to caught-in hazards.

**ABATEMENT CERTIFICATION AND DOCUMENTATION ARE NOT REQUIRED**

**Date By Which Violation Must be Abated:** **Corrected During Inspection**



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

29 CFR 1910.252(b)(2)(iii): Workers and other persons adjacent to the welding area were not protected from the rays by noncombustible or flameproof screens or shields:

a. On or about October 24, 2013, in Shop 5, adjacent to the welding area, employees were not protected from the rays by noncombustible or flameproof screens or shields, exposing them to ultraviolet radiation and intense visible light hazards.

Date By Which Violation Must be Abated: 06/09/2014  
Proposed Penalty: \$4200.00



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

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

a. On or about October 24, 2013, in Shop 6, the Detail Shop, 460 volt electrical power disconnect switch box for the Piranha P-50 Ironworker had two unused openings in the box that were not effectively closed, exposing employees to an electrical hazard.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE NOT REQUIRED

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$3500.00

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:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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

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

- a. On or about October 21, 2013, at the hydro-pressure testing area of Shop 5, the flexible cord connected to the electrical receptacle box used to power the hydro-pressure pump was not connected to devices and fittings so that tension would not be transmitted to joints or terminal screws and exposed an employee to electrical shock hazards.
- b. On or about October 21, 2013, at the hydro-pressure testing area of Shop 5, the flexible cord used to supply electrical power from the electrical receptacle box to the electric drive motor of the hydro-pressure pump was not connected to devices and fittings so that tension would not be transmitted to joints or terminal screws and exposed an employee to electrical shock hazards.
- c. On or about October 29, 2013, at the hydro-pressure testing area of Shop 5, the flexible cord connected to the electrical receptacle box used to power the hydro-pressure pump was not connected to devices and fittings so that tension would not be transmitted to joints or terminal screws and exposed an employee to electrical shock hazards.
- d. On or about October 29, 2013, at the hydro-pressure testing area of Shop 5, the flexible cord used to supply electrical power from the electrical receptacle box to the electric drive motor of the hydro-pressure pump was not connected to devices and fittings so that tension would not be transmitted to joints or terminal screws and exposed an employee to electrical shock hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE NOT REQUIRED

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$0.00

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:** 944682  
**Inspection Date(s):** 10/24/2013 - 01/23/2014  
**Issuance Date:** 04/22/2014



**Citation and Notification of Penalty**

**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254

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A handwritten signature in cursive script, reading "Brian J. Sturtecky", written over a horizontal line.

**Brian J. Sturtecky**  
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  
1851 Executive Center Drive  
Suite 227  
Jacksonville, FL 32207  
Phone: 904-232-2895 Fax: 904-232-1294



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Dixie Tank Company  
**Inspection Site:** 5349 Highway Avenue, Jacksonville, FL 32254  
**Issuance Date:** 04/22/2014

<b>Summary of Penalties for Inspection Number</b>	<b>944682</b>
<b>Citation 1, Serious</b>	<b>\$30100.00</b>
<b>Citation 2, Other-than-Serious</b>	<b>\$0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$30100.00</b>

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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](http://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 \$50,000 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.

  
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**Brian J. Sturtecky**

Area Director

  
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Date