

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1141 Montlimar Drive  
Suite 1006  
Mobile, AL 36609  
Phone: 251-441-6131 Fax: 251-441-6396



## Citation and Notification of Penalty

**To:**  
Dudley Lumber Company, Inc.  
and its successors  
P.O. BOX 7  
Salem, AL 36874

**Inspection Number:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
**Issuance Date:** 02/11/2014

**Inspection Site:**  
8575 HWY 280 East  
Salem, AL 36874

*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 02/11/2014. The conference will be held by telephone or at the OSHA office located at 1141 Montlimar Drive, Suite 1006, Mobile, AL 36609 on \_\_\_\_\_ at

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 934646**

Company Name: Dudley Lumber Company, Inc.  
Inspection Site: 8575 HWY 280 East, Salem, AL 36874  
Issuance Date: 02/11/2014

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, 1141 Montlimar Drive, Suite 1006, Mobile, AL 36609**

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

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

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

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

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

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

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

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

**Inspection Number:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
**Issuance Date:** 02/11/2014



**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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**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 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 struck-by and crush-by hazards:

a) Throughout the yard; On or about August 14, 2013 and at times prior thereto, the employer exposed his employees to struck-by and crush-by hazards in that employees were permitted to operate powered industrial trucks without being provided with and required to wear seatbelts.

One feasible and acceptable means of abatement to control this hazard, among others, is for the employer to equip all powered industrial trucks with seatbelts and require and enforce the use of seatbelts by all operators.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

02/18/2014  
\$4500.00

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:** 934646  
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**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
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**Citation 1 Item 2** Type of Violation: **Serious**

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

a) Boilers; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to slip and trip hazards in that employees were required to walk and work in standing water at the boilers area.

Date By Which Violation Must be Abated:  
Proposed Penalty:

02/18/2014  
\$2700.00

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:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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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 1910.147(c)(4)(ii)(B): The energy control procedure did not clearly and specifically specific procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy:

- a) Planer Mill - planer; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies and struck-by and caught-in hazards in that the machine specific procedure did not specify procedural steps for shutting down, isolating, blocking and securing machines or equipment to control the 480 VAC 3-phase electrical and 650 psi hydraulic energies when employees are clearing jams and cleaning around, under, and in the machine.
- b) Planer Mill - trim saw; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies and struck-by and caught-in hazards in that the machine specific procedure did not specify procedural steps for shutting down, isolating, blocking and securing machines or equipment to control the 115 psi pneumatic energy when employees are cleaning under and performing maintenance on the machine.
- c) Planer Mill - sorter; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies and struck-by and caught-in hazards in that the machine specific procedure did not specify procedural steps for shutting down, isolating, blocking and securing machines or equipment to control the 115 psi pneumatic energy when employees are cleaning/clearing lumber and sawdust from underneath the machine.
- d) Planer Mill - stacker; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies (including electrical, pneumatic, and hydraulic) and struck-by and caught-in hazards in that the machine specific procedure did not specify procedural steps for shutting down, isolating, blocking and securing machines or equipment to control the 115 psi pneumatic energy when employees are cleaning sticks of wood and debris from underneath the machine.

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:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
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**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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e) Sawmill - debarker; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies and struck-by and caught-in hazards in that the machine specific procedure did not specify procedural steps for shutting down, isolating, blocking and securing machines or equipment to control the 480 V electrical, 30 psi pneumatic, and 60 psi hydraulic energies when employees are performing maintenance/repairs on the equipment.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

02/18/2014  
\$6300.00

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



**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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

29 CFR 1910.147(c)(4)(ii)(C): The energy control procedure did not clearly and specifically outline the steps for placement, removal and transfer of lockout devices or tagout devices and the responsibility for them:

- a) Planer Mill - planer; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies (including electrical and hydraulic) and struck-by and caught-in hazards in that the machine specific procedure did not outline the steps for placement, removal and transfer of lockout or tagout devices when clearing jams and cleaning around, under, and in the machine.
- b) Planer Mill - trim saw; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies (including electrical and pneumatic) and struck-by and caught-in hazards in that the machine specific procedure did not outline the steps for placement, removal and transfer of lockout or tagout devices when cleaning under and performing maintenance on the machine.
- c) Planer Mill - sorter; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies (including electrical, pneumatic, and hydraulic) and struck-by and caught-in hazards in that the machine specific procedure did not outline the steps for placement, removal and transfer of lockout or tagout devices when cleaning/clearing lumber and sawdust from underneath the machine.
- d) Planer Mill - stacker; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies (including electrical, pneumatic, and hydraulic) and struck-by and caught-in hazards in that the machine specific procedure did not outline the steps for placement, removal and transfer of lockout or tagout devices when cleaning sticks of wood and debris from underneath the machine.
- e) Sawmill - debarker; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies (including electrical, pneumatic, and hydraulic) and struck-by and caught-in hazards in that the machine specific procedure did not outline the steps for placement,

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

**Inspection Number:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
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**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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removal and transfer of lockout or tagout devices when maintenance/repairs were being performed on the debarker.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

**02/18/2014**

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:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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

29 CFR 1910.147(c)(4)(ii)(D): The energy control procedures did not clearly and specifically outline the requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other energy control:

a) Planer Mill - planer; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies and struck-by and caught-in hazards in that the machine specific procedure did not contain the specific requirements for testing the machine or equipment to determine and verify the effectiveness of lockout devices for the 480 VAC 3-phase electrical and 650 psi hydraulic energies that were present on the equipment.

b) Planer Mill - trim saw; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies and struck-by and caught-in hazards in that the machine specific procedure did not contain the specific requirements for testing the machine or equipment to determine and verify the effectiveness of lockout devices for the 480 VAC 3-phase electrical and 115 psi pneumatic energies that were present on the equipment.

c) Planer Mill - sorter; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies and struck-by and caught-in hazards in that the machine specific procedure did not contain the specific requirements for testing the machine or equipment to determine and verify the effectiveness of lockout devices for the 480 VAC 3-phase electrical, 115 psi pneumatic, and 1250 psi hydraulic energies that were present on the equipment.

d) Planer Mill - stacker; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies and struck-by and caught-in hazards in that the machine specific procedure did not contain the specific requirements for testing the machine or equipment to determine and verify the effectiveness of lockout devices for the 480 VAC 3-phase electrical, 115 psi pneumatic, and 1250 psi hydraulic energies that were present on the equipment.

e) Sawmill - debarker; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies and struck-by and caught-in hazards in that the machine specific procedure did not contain the specific requirements for testing the machine or equipment to determine

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:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
**Issuance Date:** 02/11/2014



**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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and verify the effectiveness of lockout devices for the 480 V electrical, 30 psi pneumatic, and 60 psi hydraulic energies that were present on the machine.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

**02/18/2014**

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:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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

29 CFR 1910.147(c)(5)(i): Locks, tags, chains, wedges, key blocks, adapter pins, self-locking fasteners, or other hardware were not provided by the employer for isolating, securing, or blocking of machines or equipment from energy sources:

- a) Planer Mill - planer; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies (including electrical and hydraulic) and struck-by and caught-in hazards in that the employer had not provided locks for employees to use to lock out the planer prior to clearing jams and cleaning in/around/under the planer so the machine could not be accidentally started.
- b) Planer Mill - trim saw; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies (including electrical and pneumatic) and struck-by and caught-in hazards in that the employer had not provided locks for employees to use to lock out the trim saw prior to cleaning under the trim saw so the machine could not be accidentally started.
- c) Planer Mill - sorter; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies (including electrical, pneumatic, and hydraulic) and struck-by and caught-in hazards in that the employer had not provided locks for employees to use to lock out the sorter prior to clearing debris and cleaning underneath the sorter so the machine could not be accidentally started.
- d) Planer Mill - stacker; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to hazardous energies (including electrical, pneumatic, and hydraulic) and struck-by and caught-in hazards in that the employer had not provided locks for employees to use to lock out the stacker prior to cleaning under the stacker so the machine could not be accidentally started.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

02/18/2014

Proposed Penalty:

\$6300.00

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

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

**Inspection Number:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
**Issuance Date:** 02/11/2014



**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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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: 934646  
Inspection Date(s): 08/14/2013 - 09/19/2013  
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**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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

29 CFR 1910.147(c)(7)(i): The employer did not provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage, and removal of the energy controls are acquired by employees:

- a) Throughout the sawmill; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to potential hazardous energy(s) and caught-in and struck-by hazards in that authorized, affected, and other employees had not been provided with the level of training required that ensures that the purpose and function of the energy control program and the knowledge and skills required for the safe application, usage, and removal of the energy control device(s) were acquired by the employees.
- b) Throughout the Planer mill; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to potential hazardous energy(s) and caught-in and struck-by hazards in that authorized, affected, and other employees had not been provided with the level of training required that ensures that the purpose and function of the energy control program and the knowledge and skills required for the safe application, usage, and removal of the energy control device(s) were acquired by the employees.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

02/18/2014  
\$6300.00

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:** 934646  
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**Citation 1 Item 6** Type of Violation: **Serious**

29 CFR 1910.157(g)(1): Where the employer has provided portable fire extinguishers for employee use in the workplace, the employer did not provide an educational program to familiarize employees with the general principles of fire extinguisher use and the hazards involved with incipient stage firefighting:

a) Throughout the facility (sawmill, planer mill, forklifts in yard); On or about August 14, 2013 and at times prior thereto, the employer exposed employees to the hazards of fighting incipient stage fire without training the employees on how to adequately use the extinguishers and the hazards involved with incipient stage firefighting.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**Quick Fix Applied**  
**\$3825.00**

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

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

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**Company Name:** Dudley Lumber Company, Inc.  
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**Citation 1 Item 7** Type of Violation: **Serious**

29 CFR 1910.213(g)(1): Swing cutoff saw(s) were not provided with an automatically adjusting hood that completely enclosed the upper half of the saw, the arbor end, and the point of operation at all positions of the saw:

a) Planer Mill; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to amputation hazards in that employees were permitted to operate a chop saw (swing saw) that had the left-side of the guard removed exposing the entire left-side of the blade. The lower blade guard had also been removed.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**02/18/2014**  
**\$4500.00**

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:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
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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 8 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) Planer Mill; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to amputation hazards in that employees were permitted to operate a chop saw (swing saw) with unguarded pulleys.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Quick Fix Applied  
\$3825.00

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:** 934646  
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**Citation 1 Item 8 b Type of Violation: **Serious****

29 CFR 1910.219(e)(3)(i): Vertical or inclined belt(s) were not enclosed by guard(s) conforming to the requirements specified at 29 CFR 1910.219(m) and (o):

a) Planer Mill; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to amputation hazards in that employees were permitted to operate a chop saw (swing saw) with an unguarded inclined belt.

Date By Which Violation Must be Abated:

Quick Fix Applied

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

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

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**Inspection Date(s):** 08/14/2013 - 09/19/2013  
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**Citation 1 Item 9** Type of Violation: **Serious**

29 CFR 1910.265(c)(4)(iv): Elevated walk(s), runway(s), and platform(s) 4 feet or more from the floor level, were not provided with a standard railing:

- a) Sawmill (sorter area); On or about August 14, 2013 and at times prior thereto, the employer exposed employees to fall hazards up to 17'-1" in that employees were allowed to work on an elevated platform while unjamming lumber at the sorter that did not have standard railing.
- b) Sawmill (debarker area); On or about August 14, 2013 and at times prior thereto, the employer exposed employees to fall hazards up to 6'-3" in that employees were allowed to walk/work on an elevated walkway that did not have standard railing. Two sections of the walkway were unguarded: along the debarker itself and at the bottom of the stairs leading to the debarker.
- c) Sawmill (gang saw); On or about August 14, 2013 and at times prior thereto, the employer exposed employees to fall hazards up to 6'-3" in that employees were allowed to walk/work on an elevated work platform at the gang saw that did not have standard railing.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**02/18/2014**  
**\$4500.00**

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



**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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

29 CFR 1910.265(c)(18)(i): Construction, operation, and maintenance of conveyors were not in accordance with American National Standard B20.1-1957, which is incorporated by reference as specified in Sec. 1910.6. Section 602 Pulleys, Sprockets, Sheaves, Drums, Blocks, states that all of these when located in working area where operators (other than maintenance men) are present, shall be arranged to prevent the possibility of injury due to hands or parts of clothing being caught between the belt and pulley, chain and sprocket, or cable and sheave, drum or block.

- a) Planer Mill; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to amputation/caught-in hazards in that employees were required to work within 1' of an unguarded chain and sprocket at the grader table conveyor.
- b) Sawmill; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to amputation/caught-in hazards in that employees were allowed to work within 2'-3' of exposed rotating chains and sprockets at the outfeed roll case.
- c) Sawmill; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to amputation/caught-in hazards in that employees were allowed to work within 1'-3' of exposed rotating chains, sprockets, and shafts at the debarker.
- d) Sawmill; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to amputation/caught-in hazards in that employees were allowed to work within 1'-3' of exposed rotating chains, sprockets, and shafts at the re-entry roll case.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

02/18/2014  
\$6300.00

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:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
**Issuance Date:** 02/11/2014



**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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

29 CFR 1910.303(b)(7)(i): Unused openings in electrical cabinets were not effectively closed to provide substantially equivalent to wall of the equipment:

a) Planer Mill - Electrical panel for planer and fan; On or about August 14, 2013 and at times prior thereto, the employer exposed his employees to potential electrical shock hazards in that employees were allowed to access an electrical panel (480 VAC 3-phase) where unused openings were not effectively closed.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**02/18/2014**  
**\$4500.00**

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



**Citation and Notification of Penalty**

Company Name: Dudley Lumber Company, Inc.  
Inspection Site: 8575 HWY 280 East, Salem, AL 36874

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

29 CFR 1910.303(g)(2)(i): Live parts of electrical equipment operating at 50 volts or more were not guarded against accidental contact by use of approved cabinets or other forms of approved enclosures or other means listed under this provision:

- a) Planer Mill - Variable speed drive for planer; On or about August 14, 2013 and at times prior thereto, the employer exposed his employees to electrical hazards in that employees were required to access equipment and/or circuits which were energized (480 VAC 3-phase) and not guarded against accidental contact.
- b) Planer Mill - (VFD) Variable Frequency Drive speed drive for feed system at planer; On or about August 14, 2013 and at times prior thereto, the employer exposed his employees to electrical hazards in that employees were required to access equipment and/or circuits which were energized (480 VAC 3-phase) and not guarded against accidental contact.
- c) Sawmill - Starter for chipper head; On or about August 14, 2013 and at times prior thereto, the employer exposed his employees to electrical hazards in that employees were allowed to walk/work around equipment and/or circuits which were energized (480 VAC 3-phase) and not guarded against accidental contact.
- d) Sawmill - Electrical panel for lights; On or about August 14, 2013 and at times prior thereto, the employer exposed his employees to electrical hazards in that employees were required to access equipment and/or circuits which were energized (480 VAC 3-phase) and not guarded against accidental contact.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 02/18/2014  
Proposed Penalty: \$6300.00

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

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

**Inspection Number:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
**Issuance Date:** 02/11/2014



**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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

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

- a) Electrical panel in Planer Mill; On or about August 14, 2013 and at times prior thereto, the employer exposed his employees to electrical hazards in that employees were allowed to access equipment and/or circuits which were energized (480 VAC 3-phase) to change out fuses without first receiving training in safety - related work practices (electrical lockout tagout and use of testing equipment) to be employed to prevent electrical shock or other injuries from direct or indirect electrical contact.
  
- b) Trim saw in Planer Mill; On or about August 14, 2013 and at times prior thereto, the employer exposed his employees to electrical hazards in that employees were allowed to access equipment and/or circuits which were energized (480 VAC 3-phase) to unwire and rewire equipment without first receiving training in electrical safety - related work practices (electrical lockout tagout and use of testing equipment) to be employed to prevent electrical shock or other injuries from direct or indirect electrical contact.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**02/18/2014**  
**\$4500.00**

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:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
**Issuance Date:** 02/11/2014



**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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

29 CFR 1910.333(c)(2): The employer did not ensure that only qualified persons were working on energized circuits and that qualified persons were familiar with the proper use of special precautionary techniques, personal protective equipment, insulating and shielding materials, and insulated tools:

- a) Electrical panel in Planer Mill; On or about August 14, 2013 and at times prior thereto, the employer exposed his employees to electrical hazards in that unqualified employees were allowed to access equipment and/or circuits which were energized (480 VAC 3-phase) while changing out fuses in the planer mill electrical panel.
- b) Trim saw motor in Planer Mill; On or about August 14, 2013 and at times prior thereto, the employer exposed his employees to electrical hazards in that unqualified employees were allowed to access equipment and/or circuits which were energized (480 VAC 3-phase) while rewiring the trim saw motor.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**02/18/2014**  
**\$4500.00**

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:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
**Issuance Date:** 02/11/2014



**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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

29 CFR 1910.134(c)(2)(i): Respirator users were not provided with the information contained in Appendix D to 29 CFR 1910.134 when the employer determined that any voluntary respirator use was permissible:

a) Boilers; On or about August 14, 2013 and at times prior thereto, the employer allowed employees to voluntarily wear filtering face piece respirators (dust masks) without providing them with Appendix D of the Respiratory Protection Standard.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**02/18/2014**  
**\$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:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
**Issuance Date:** 02/11/2014



**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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

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

a) Boilers; On or about August 14, 2013 and at times prior thereto, the employer did not post danger signs or any other type of labeling indicating that the boilers were permit required confined spaces (classified as such by the employer).

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**Corrected During Inspection**  
**\$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:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
**Issuance Date:** 02/11/2014



**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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

29 CFR 1910.151(b): In the absence of an infirmary, clinic, or hospital in near proximity to the workplace which is used for the treatment of all injured employees, a person or persons were not adequately trained to render first aid. Adequate first aid supplies shall be readily available.

a) Throughout the facility; On or about August 14, 2013 and at times prior thereto, the employer failed to adequately train employees in CPR/first aid when the nearest clinic and hospital was not in near proximity to the facility.

Date By Which Violation Must be Abated:  
Proposed Penalty:

02/18/2014  
\$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:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
**Issuance Date:** 02/11/2014



**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

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**Citation 2 Item 4** Type of Violation: **Other-than-Serious**

29 CFR 1910.178(l)(6): The employer did not certify that each operator has been trained and evaluated as required by this paragraph (l):

a) Throughout the yard; On or about August 14, 2013 and at times prior thereto, the employer permitted employees to operate powered industrial trucks in the sawmill, planer mill, and yard prior to certifying that each operator had been trained and evaluated as required by the regulation.

Date By Which Violation Must be Abated:  
Proposed Penalty:

02/18/2014  
\$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:** 934646  
**Inspection Date(s):** 08/14/2013 - 09/19/2013  
**Issuance Date:** 02/11/2014



**Citation and Notification of Penalty**

**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874

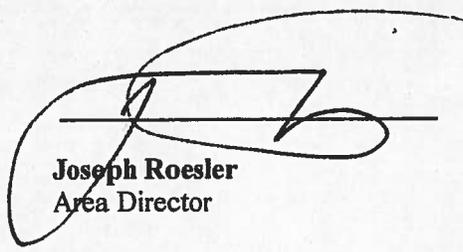
**Citation 2 Item 5** Type of Violation: **Other-than-Serious**

29 CFR 1910.305(b)(2)(i): Each outlet box in completed installations did not have a cover, faceplate, or fixture canopy:

a) Sawmill; On or about August 14, 2013 and at times prior thereto, the employer exposed employees to electrical hazards in that employees were allowed to walk/work around a 110 volt electrical outlet that did not have a cover over the exposed wiring.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Quick Fix Applied  
\$0.00

  
**Joseph Roesler**  
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  
1141 Montlimar Drive  
Suite 1006  
Mobile, AL 36609  
Phone: 251-441-6131 Fax: 251-441-6396



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Dudley Lumber Company, Inc.  
**Inspection Site:** 8575 HWY 280 East, Salem, AL 36874  
**Issuance Date:** 02/11/2014

<b>Summary of Penalties for Inspection Number</b>	<b>934646</b>
<b>Citation 1, Serious</b>	<b>\$68850.00</b>
<b>Citation 2, Other-than-Serious</b>	<b>\$0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$68850.00</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

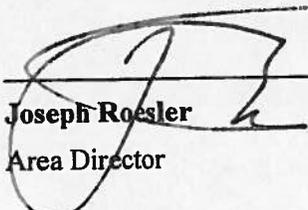
account, the bank will attempt to make the transfer up to 2 times.

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.

  
\_\_\_\_\_  
Joseph Roesler  
Area Director

2/11/2014  
\_\_\_\_\_  
Date