

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
46 E. Ohio Street  
Room 453  
Indianapolis, IN 46204  
Phone: 317-226-7290 Fax: 317-226-7292



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## Citation and Notification of Penalty

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**To:**  
Frick Services, Inc.  
800 Sun Drive  
Portage, IN 46368

**Inspection Number:** 992691  
**Inspection Date(s):** 08/28/2014 - 08/28/2014  
**Issuance Date:** 02/09/2015

**Inspection Site:**  
800 Sun Drive  
Portage, IN 46368

*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.*

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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 02/09/2015. The conference will be held by telephone or at the OSHA office located at 46 E. Ohio Street, Room 453, Indianapolis, IN 46204 on \_\_\_\_\_ at

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 992691**

Company Name: Frick Services, Inc.  
Inspection Site: 800 Sun Drive, Portage, IN 46368  
Issuance Date: 02/09/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 46 E. Ohio Street, Room 453, Indianapolis, IN 46204**

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:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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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 1 a** Type of Violation: **Serious**

29 CFR 1910.134(c)(1): A written respiratory protection program that included the provisions in 29 CFR 1910.134(c)(1)(i) - (ix) with worksite specific procedures was not established and implemented for required respirator use:

a) On or about August 28, 2014, in the mixing and bagging area, employees were wearing filter face pieces, tight fitting full face and half mask respirators in order to mix and bag diammonium sulfate, diammonium phosphate, urea, potassium chloride, prodiamine, and the insecticide, lambda cyhalthorin technical. The employer had not developed and implemented a written respirator program for the workplace.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
Proposed Penalty:	\$3500.00



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace; including a reasonable estimate of employee exposures to respiratory hazards and identification of the contaminant's chemical state and physical form:

a) On or about August 28, 2014, at the Sun Drive facility, the employees were required the wear 3M 8210 filtering face pieces and/or tight fitting full face and half mask respirators. The employees worked with lime, potash, potassium chloride, diammonium phosphate, diammonium sulfate, urea, lambda cyhalthorin technical (pesticide) and prodiamine. No evaluation had been made of the chemicals or the employee's exposure thereby exposing employees to potential lung damage or other related illnesses.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

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

a) On or about August 28, 2014, at the Sun Drive facility, the employees were required the wear 3M 8210 filtering face pieces and/or tight fitting full face and half mask respirators. The employees worked with lime, potash, potassium chloride, diammonium phosphate, diammonium sulfate, urea, lambda cyhalothrin technical (pesticide) and prodiamine. Employees had not been provided the annual medical evaluation, potentially exposing employees to lung related injuries or illnesses.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1910.134(f)(2): Employee(s) using a tight-fitting face piece respirator were not annually fit tested:

a) On or about August 28, 2014, at the Sun Drive facility, the employer explained that they required the use of the 3M 8210 filtering face pieces; however, employees were also wearing tight fitting full face and half mask respirators. The employees were exposed to lime, potash, potassium chloride, diammonium phosphate, diammonium sulfate, urea, lambda cyhalthorin technical (pesticide) and prodiamine. The employees had not received annual fit testing and were thereby exposed to inhalation hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1910.134(k)(3): Training was not provided prior to requiring employees to use a respirator in the workplace:

a) On or about August 28, 2014, at the Sun Drive facility, the employer explained that they required the use of the 3M 8210 filtering face pieces; however, employees were also wearing tight fitting full face and half mask respirators. The employees were exposed to lime, potash, potassium chloride, diammonium phosphate, diammonium sulfate, urea, lambda cyhalthorin technical (pesticide) and prodiamine. Employees had not been provided the initial or annual respirator training, thereby exposing employees to inhalation hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

03/25/2015

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

Inspection Number: 992691  
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Issuance Date: 02/09/2015



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
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**Citation 1 Item 2** Type of Violation: **Serious**

29 CFR 1910.178(l)(1)(ii): The employer did not ensure that each operator had successfully completed the training required by paragraph (l), except as permitted by paragraph (l)(5), prior to permitting an employee to operate a powered industrial vehicle:

a) On or about August 28, 2014, employees using powered industrial vehicles to move bags and other goods throughout the facility, had not been trained on the safe operation of using the vehicles. Employees were exposed to struck by and impact injuries.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
Proposed Penalty:	\$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:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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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 1910.1200(e)(1): The employer had not developed or implemented a written hazard communication program, and it did not include the requirements outlined in 29 CFR 1910.1200(e)(1)(i) and (e)(1)(ii):

a) On or about August 28, 2014, throughout the facility, the employees unload, load, bag and mix chemicals which include, but are not limited to: diammonium phosphate, diammonium sulfate, potassium chloride, urea, and lambda cyhalothrin technical. The employer had not developed a written hazard communication program to meet the elements of 29 CFR 1910.1200(f),(g) and (h), nor was a hazardous chemical list developed as required by 29 CFR 1910.1200(e)(1)(I). Employees were exposed to dermal, inhalation and absorption hazards from exposure to said chemicals.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
Proposed Penalty:	\$3500.00

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

**Inspection Number:** 992691  
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**Issuance Date:** 02/09/2015



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1910.1200(g)(1): Employers did not have a safety data sheet in the workplace for each hazardous chemical which they use:

a) On or about August 28, 2014, the employer did not maintain material safety data sheets for chemicals such as but not limited to liquid propane gas and oxygen (cylinders). Employees were exposed to inhalation and absorption hazards when performing welding operations.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

03/25/2015

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

**Inspection Number:** 992691  
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**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
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**Citation 1 Item 3 c** Type of Violation: **Serious**

29 CFR 1910.1200(h)(3): The employee training did not include the requirements of 29 CFR 1910.1200(h)(3)(i) through (h)(3)(iv):

a) On or about August 28, 2014, the employer had not trained employees on the hazards of the chemicals such as but not limited to: diammonium phosphate, diammonium sulfate, potassium chloride, urea, and lambda cyhalothrin technical. Employees were exposed to possible dermal, inhalation, and absorption hazards from exposure to the chemicals.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

03/25/2015

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

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

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**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1917.26(b): A first aid kit and at least one person holding a valid first aid certificate were not at the terminal when work was in progress:

a) On or about August 28, 2014, at the facility, first aid providers were not present at the terminal. Employees had sustained injuries such as, but not limited to electrical shocks and no first responder was present when work was in progress.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
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.

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

**Inspection Number:** 992691  
**Inspection Date(s):** 08/28/2014 - 08/28/2014  
**Issuance Date:** 02/09/2015



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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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 1917.30(a)(1): The employer did not develop and implement an emergency action plan:

a) On or about August 28, 2014, at the 800 Sun Drive facility, the employer had not developed or implemented an emergency action plan. Employees were exposed to hazards such as but not limited to burns, smoke and potential ammonia inhalation.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
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.

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

**Inspection Number:** 992691  
**Inspection Date(s):** 08/28/2014 - 08/28/2014  
**Issuance Date:** 02/09/2015



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1917.30(a)(3): Alarm system. The employer shall establish an employee alarm system that provides warning for necessary emergency action and for reaction time for safe escape of employees from the workplace or the immediate work area.

a) On or about August 28, 2014, at the 800 Sun Drive facility, the employer had not developed or implemented an alarm system to warn employees of emergencies. Employees were exposed to hazards such as but not limited to burns, smoke and possible ammonia inhalation.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

03/25/2015

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

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

**Inspection Number:** 992691  
**Inspection Date(s):** 08/28/2014 - 08/28/2014  
**Issuance Date:** 02/09/2015



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1917.30(a)(5)(ii)(A): The employer did not initially review the emergency action plan with each employee covered by the plan at the time the plan was developed:

a) On or about August 28, 2014, at the 800 Sun Drive facility, the employer had not trained employees on emergency action or evacuation procedures. Employees were exposed to inhalation, burns and other hazards that could occur/exist during an emergency.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

03/25/2015

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



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1917.43(c)(5): Powered industrial trucks were not maintained in safe working order:

a) On or about August 28, 2014, Dump Truck 107, which was used for material handling, was not maintained in a safe condition. There was severe corrosion of the exhaust, under the truck, of the pedals and interior controls. The vehicle controls were not all labeled; the glass in the front windshield was broken; the steering mechanism was not guarded; there was trash located near the pedals that could affect safety; the electrical was not placed in conduit or protected by panels and the rubber was missing off of a pedal. The lack of adequate maintenance could result in impact injuries or struck by injuries to the driver, and those who worked near the vehicle.

b) On or about August 28, 2014, at the facility, the controls for the Komatsu front end loader were not labeled. The lack of labeling could result in impact injuries or struck by injuries to the driver and those who work near the vehicle.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
Proposed Penalty:	\$4200.00

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

**Inspection Number:** 992691  
**Inspection Date(s):** 08/28/2014 - 08/28/2014  
**Issuance Date:** 02/09/2015



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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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 7 a** Type of Violation: **Serious**

29 CFR 1917.111(a): The structural integrity of docks, wharves, piers, terminals and/or working surfaces was not maintained:

a) On or about August 28, 2014, at the chemical storage warehouse, the building, wooden interior stairs, wooden exterior stairs near the rail shed, and the catwalk were damaged from defibration/ rot. Employees were exposed to a fall hazard due to the damaged wood.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
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.

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

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**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1917.111(d): All walking and working surfaces in the terminal areas were not maintained in good repair:

a) On or about August 28, 2014, at the chemical storage warehouse, the building, wooden interior stairs, wooden exterior stairs near the rail shed, and the catwalk were damaged from defibrillation/rot. No housekeeping or other preventive actions, such as applying preservative coatings, were performed.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

03/25/2015

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**Company Name:** Frick Services, Inc.  
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**Citation 1 Item 8** Type of Violation: **Serious**

29 CFR 1917.120(b)(6): Fixed stairways were obstructed:

a) On or about August 28, 2014, at the steps near the rail shed, plastic piping was found running between two steps which were located approximately 5 feet from the ground. This exposed employees to a trip hazard which could result in broken bones and bruises.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
Proposed Penalty:	\$2100.00

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**  
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**Company Name:** Frick Services, Inc.  
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**Citation 1 Item 9** Type of Violation: **Serious**

29 CFR 1917.125: Ditches, pits, excavations and surfaces in poor repair were not guarded by readily visible barricades, rails or other equally effective means:

a) On or about August 28, 2014, in the rail shed, a grate covering an in-floor drainage channel was missing. The missing grate resulted in an area measuring 37 inches by nine inches being open. Employees were exposed to a slip/trip/fall hazard.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
Proposed Penalty:	\$2100.00

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**  
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**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
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**Citation 1 Item 10** Type of Violation: **Serious**

29 CFR 1917.128(b)(4): The marine terminal did not have signs conspicuously posted indicating the locations of firefighting equipment, emergency equipment, and fire exits:

a) On or about August 28, 2014, in the chemical storage warehouse, the fire extinguishers were not marked so that they could be easily located. A used fire extinguisher was found laying on the ground, and a non-used fire extinguisher was mounted on an unmarked, recessed wall area. Employees were exposed to possible flames, smoke and/or other fire related hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
Proposed Penalty:	\$3500.00

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

29 CFR 1917.152(d)(1)(vii): Compressed gas cylinders were not secured in an upright position except when hoisted or carried:

a) On or about August 28, 2014, in the shop maintenance doorway, the LP gas and oxygen cylinders were found unsecured and the oxygen and LP gas were stored together. Employees were exposed to an explosion hazard.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/25/2015  
\$3500.00

A handwritten signature in black ink, appearing to read "Vanessa L. Martin". The signature is written in a cursive, flowing style.

Vanessa L. Martin  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
46 E. Ohio Street  
Room 453  
Indianapolis, IN 46204  
Phone: 317-226-7290 Fax: 317-226-7292



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368  
**Issuance Date:** February 9, 2015

<b>Summary of Penalties for Inspection Number</b>	<b>992691</b>
<b>Citation 1, Serious</b>	<b>\$40600.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$40600.00</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.

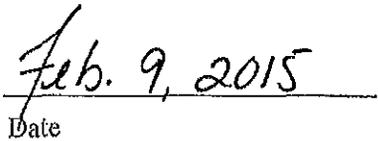
**Delinquent Charges:** A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) 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.



Vanessa L. Martin

Area Director



Date

## U.S. Department of Labor

Occupational Safety and Health Administration  
46 E. Ohio Street  
Room 453  
Indianapolis, IN 46204  
Phone: 317-226-7290 Fax: 317-226-7292



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# Citation and Notification of Penalty

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**To:**  
Frick Services, Inc.  
800 Sun Drive  
Portage, IN 46368

**Inspection Number:** 992696  
**Inspection Date(s):** 08/28/2014 - 08/28/2014  
**Issuance Date:** February 9, 2015

**Inspection Site:**  
800 Sun Drive  
Portage, IN 46368

*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.*

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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:

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**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 02/09/2015. The conference will be held by telephone or at the OSHA office located at 46 E. Ohio Street, Room 453, Indianapolis, IN 46204 on \_\_\_\_\_ at

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 992696**

Company Name: Frick Services, Inc.  
Inspection Site: 800 Sun Drive, Portage, IN 46368  
Issuance Date: 02/09/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 46 E. Ohio Street, Room 453, Indianapolis, IN 46204**

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:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1910.303(b)(1): Electrical equipment was not free from recognized hazards that were likely to cause death or serious physical harm to employees:

- a) On or about August 28, 2014, in the chemical storage warehouse at the mixer/bagger, a junction box had 3 power cables running into it. The upper left hand cable was damaged and wrapped in electrical cable, potentially exposing employees to an electrical hazard.
- b) On or about August 28, 2014, at the panel board located by the outside lime conveyor, a cable plugged into the panel board was damaged and wrapped in electrical tape, potentially exposing employees to an electrical hazard.
- c) On or about August 28, 2014, at the lime conveyor, a line to the conveyor was found damaged and wrapped in electrical tape, potentially exposing employees to an electrical hazard.
- d) On or about August 28, 2014, at the panel board, the 480 volt SO cable to the panel board was found to have been ran over by a vehicle, flattened, and wrapped in electrical tape, potentially exposing employees to an electrical hazard.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 03/25/2015  
Proposed Penalty: \$4900.00



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

a) On or about August 28, 2014, in the chemical storage warehouse mixing and bagging area, an outdoor GFI plugin receptacle was found hanging pendant style against the exterior wall. The receptacle had not been mounted and braced on the wall as designed, potentially exposing employees to electrical current due to the improper installation.

b) On or about August 28, 2014 in the chemical storage warehouse mixing and bagging area, a junction box on the machine was being held in place by three cables entering the junction box instead of being mounted into place onto a solid surface, potentially exposing employees to electrical current due to the improper installation.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
Proposed Penalty:	\$3500.00

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

**Inspection Number:** 992696  
**Inspection Date(s):** 08/28/2014 - 08/28/2014  
**Issuance Date:** 02/09/2015



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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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 1910.303(b)(6): There were conductors or equipment located in damp or wet locations; where exposed to gases, fumes, vapors, liquids, or other agents that have a deteriorating effect on the conductors or equipment; or where exposed to excessive temperatures that were not identified for this purpose:

a) On or about August 28, 2014, in the chemical storage warehouse, the employer had 178 tons of diammonium sulfate, which is mixed and bagged in the warehouse. The metals used for electrical were not protected by location, by materials or by encapsulation from the corrosive salt. The 480 volt transformer box, 9T21J9001, was corroded to the point it was collapsing and cracking, making it likely that stray voltage could occur and potentially expose employees to burns or death.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/12/2015
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:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1910.303(b)(7)(iv): There were damaged parts that may adversely affect safe operation or mechanical strength of electric equipment, such as parts that were broken, bent, cut or deteriorated by corrosion, chemical action, or overheating:

- a) On or about August 28, 2014, in the chemical storage warehouse, the employer had 178 tons of diammonium sulfate, which is mixed and bagged in the warehouse. The metals used for electrical were not protected by location, by materials or by encapsulation from the corrosive salt. The 480 volt transformer box, 9T21J9001, was corroded to the point it was collapsing and cracking, making it likely that stray voltage could occur and potentially expose employees to burns or death.
- b) On or about August 28, 2014, in the maintenance shop, a corroded plugin receptacle was found. The receptacle was not completely closed, which increases the likelihood that the corrosion was also occurring inside the receptacle. The employer uses diammonium sulfate as well as other salts. The corrosion could cause stray voltage and potentially expose employees to burns or other electrical related injuries.
- c) On or about August 28, 2014, around the chemical storage warehouse, a rusted Solberg air compressor was found which produces 120 psi air. The compressor, which is an area where it is exposed to the corrosive diammonium sulfate, other salts and water, could potentially expose employees to an explosion and electrical hazards, potentially causing burns, impact injuries or death.
- d) On or about August 28, 2014 at the Sun Drive facility, Dump Truck 107 was found to have extensive corrosion of the controls, pedals and exhaust, which could potentially operators of the dump truck and pedestrians near the dump truck to struck by, impact or inhalation injuries.

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

Date By Which Violation Must be Abated:

03/12/2015

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

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

**Inspection Number:** 992696  
**Inspection Date(s):** 08/28/2014 - 08/28/2014  
**Issuance Date:** 02/09/2015



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1910.303(b)(8)(iii): Electric equipment provided with ventilating openings was installed so that walls or other obstructions prevent the free circulation of air through the equipment:

a) On or about August 28, 2014, at the lime conveyor on the outside railroad tracks, the ventilation on the motor of the lime conveyor was sealed shut except in a few areas by the lime which encased the exterior motor. This could cause overheating of the motor which could potentially expose employees to an electrical fire hazard.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
Proposed Penalty:	\$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:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1910.303(g)(1)(vii)(B): The employer did not ensure that outdoor electrical equipment was protected from accidental contact by vehicular traffic:

a) On or about August 28, 2014, at the lime conveyor located outside between the railroad and a plant road, a panel board supplied by a 480 volt SO type power line was present. The panel board was not protected from vehicular traffic, and there were multiple vehicle tracks present, potentially exposing the operators of the vehicles and the operator of the lime conveyor to electrical hazards which could cause severe burns or death.

b) On or about August 28, 2014, at the lime conveyor located outside between the railroad and a plant road, a 480 volt power line was found on the ground. It had been ran over by a vehicle. The line was flattened and wrapped in electrical tape. The vehicle tracks could still be seen. Employees had been exposed to severe electrical burns or death.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
Proposed Penalty:	\$4900.00

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

**Inspection Number:** 992696  
**Inspection Date(s):** 08/28/2014 - 08/28/2014  
**Issuance Date:** 02/09/2015



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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**Citation 1 Item 6** 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 August 28, 2014, on the exterior wall of the chemical storage warehouse in the mixing/bagging area, a transformer box, 9T21J9001, had two openings on the lower right hand side that had not been effectively closed, potentially exposing employees to electrical burns or death.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
Proposed Penalty:	\$2800.00

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:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords were being used as a permanent source for wiring:

a) On or about August 28, 2014, in the chemical storage warehouse, the employer was using flexible cords and cables as a source of permanent wiring of a structure. Flexible cords and cables were seen coming from the ceiling, the walls, and the floor. They were used for lighting, conveyors, mixing and bagging at the facility. The employees were potentially exposed to electrical hazards from the unprotected wiring.

b) On or about August 28, 2014, in the Maintenance Shop, the employer had ran wiring from an old thermostat to a newer one. The wiring was attached to the outside of the metal conduit, potentially exposing employees to electrical hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
Proposed Penalty:	\$4900.00

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

Inspection Number: 992696  
Inspection Date(s): 08/28/2014 - 08/28/2014  
Issuance Date: 02/09/2015



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

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

a) On or about August 28, 2014, on the lime conveyor, a junction box had a cable connection with inadequate strain relief, which caused the wiring to be exposed thereby exposing employees to potential electrical hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/25/2015
Proposed Penalty:	\$2100.00

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: 992696  
Inspection Date(s): 08/28/2014 - 08/28/2014  
Issuance Date: 02/09/2015



**Citation and Notification of Penalty**

**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368

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

29 CFR 1910.305(j)(1)(i): Fixtures, lampholders, lamps, rosettes, and receptacles located within 8 feet of the floor had live parts exposed to employee contact:

a) On or about August 28, 2014, outside the chemical storage warehouse, a temporary light with no guard to protect the bulb was found positioned three feet above the ground, which exposed employees to potential electrical hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

03/25/2015  
\$2100.00

A handwritten signature in black ink that reads "Vanessa L. Martin". The signature is written in a cursive style and is positioned above the printed name and title.

Vanessa L. Martin  
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  
46 E. Ohio Street  
Room 453  
Indianapolis, IN 46204  
Phone: 317-226-7290 Fax: 317-226-7292



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Frick Services, Inc.  
**Inspection Site:** 800 Sun Drive, Portage, IN 46368  
**Issuance Date:** February 9, 2015

<b>Summary of Penalties for Inspection Number</b>	<b>992696</b>
<b>Citation 1, Serious</b>	<b>\$33600.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$33600.00</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.

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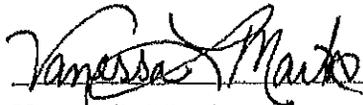
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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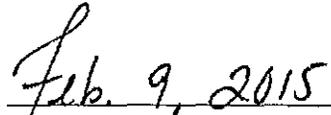
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**Administrative Costs:** Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Vanessa L. Martin

Area Director

  
Date