



**Citation and Notification of Penalty**

**Company Name:** Gardner Equipment Company, Inc.  
**Inspection Site:** W959 Hwy 16, Columbus, WI 53925

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

29 CFR 1910.23(d)(1)(iii): Flight(s) of stairs with 4 or more risers, less than 44 inches wide and having both sides open were not equipped with one standard stair railing on each side:

Flights of stairs with 4 or more risers with two open sides were not equipped with one standard stair railing on each side.

- a) The stairs used to access the parts washer machine had no railings.
- b) The stairs used to access the paint booth had only one railing.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:	11/14/2011
Proposed Penalty:	\$ 2100.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Gardner Equipment Company, Inc.  
Inspection Site: W959 Hwy 16, Columbus, WI 53925

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

29 CFR 1910.95(c)(1): A continuing, effective hearing conservation program as described in 29 CFR 1910.95(c) through (n) was not instituted when employee noise exposures equaled or exceeded an 8 hour time weighted average sound level (TWA) of 85 dBA:

The employer did not have a hearing conservation program where employees working in a paint booth were exposed to noise levels exceeding an 8 hour time weighted average of 85 dBA.

- a) A painter was exposed to noise levels in excess of 85 dBA. The painter was exposed to an 8-hour time weighted average of 88.2 dBA.
- b) A painter was exposed to noise levels in excess of 85 dBA. The painter was exposed to an 8-hour time weighted average of 88.7 dBA.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:	12/05/2011
Proposed Penalty:	\$ 4900.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Gardner Equipment Company, Inc.  
Inspection Site: W959 Hwy 16, Columbus, WI 53925

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

CFR 1910.107(l)(1): Electrical equipment and other sources of ignition did not conform to the requirements of paragraphs (c)(1)(i)-(iv), (8) and (9)(i) of this section and in subpart S of this part:

A portable halogen lamp was located in the manual access door of the powder paint booth.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

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

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

29 CFR 1910.107(l)(4)(ii): Surfaces were not cleaned in a manner to prevent the scattering of dust to other areas or creating dust clouds:

Compressed air and a dry squeegee were used to clean paint booth walls and ceiling as well as employee clothes.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:	11/14/2011
Proposed Penalty:	\$ 3500.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Gardner Equipment Company, Inc.  
Inspection Site: W959 Hwy 16, Columbus, WI 53925

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

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

29 CFR 1910.134(c)(1): The employer did not establish and implement a written respiratory protection program with worksite specific procedures when respirators were necessary to protect the health of the employee or whenever respirators were required by the employer:

Where employees are required to wear half mask respirators while painting, the employer did not establish and implement a written respiratory protection program.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:	12/05/2011
Proposed Penalty:	\$ 4900.00

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

29 CFR 1910.134(d)(1)(iii): The employer shall identify and evaluate the respiratory hazard(s) in the workplace: this evaluation shall include a reasonable estimate of employee exposures to respiratory hazard(s) and identification of the contaminant's chemical state and physical form. Where the employer cannot identify or reasonably estimate the employee exposure, the employer shall consider the atmosphere to be IDLH:

The employer did not identify and evaluate the respiratory hazards associated with the use of Americoats Powder Paint.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:	Corrected During Inspection
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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Gardner Equipment Company, Inc.  
Inspection Site: W959 Hwy 16, Columbus, WI 53925

**Citation 1 Item 5c** 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:

Where employees are required to wear half mask respirators, the employer did not provide a medical evaluation to determine the employee's ability to use a respirator.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated: 11/14/2011

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

29 CFR 1910.134(f)(2): The employer did not ensure that employees using a tight-fitting face piece respirator were fit tested prior to initial use of the respirator, whenever a different respirator facepiece (size, style, model, or make) was used, and at least annually thereafter:

Where employees are required to wear half mask respirators, the employer did not ensure that employees were fit tested prior to initial use of the respirator.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated: 11/14/2011

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Gardner Equipment Company, Inc.  
Inspection Site: W959 Hwy 16, Columbus, WI 53925

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

29 CFR 1910.134(g)(1)(i)(A): The employer shall not permit respirators with tight-fitting facepieces to be worn by employees who have facial hair that comes between the sealing surface of the facepiece and the face or that interferes with valve function:

On May 9, 2011, a painter performing painting operations in the paint booth was wearing a half mask respirator with a beard.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated: 11/10/2011

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

29 CFR 1910.134(h)(1): The employer did not ensure that respirators were cleaned, disinfected, and in good working order using the procedures in Appendix B-2 of this section:

On May 19, 2011, a painter's half mask respirator was contaminated with TGIC.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated: 11/14/2011

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Gardner Equipment Company, Inc.  
Inspection Site: W959 Hwy 16, Columbus, WI 53925

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

29 CFR 1910.134(h)(2)(i): Respirators were not stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals, nor were they packed or stored to prevent deformation of the facepiece and exhalation valve:

Where employees are required to wear half mask respirators, the employer did not ensure respirators were not stored to protect them from contamination, damage, and dust. The employees respirator is stored on top of the PPE cabinet and is not stored in any protective case thus powder paint in surrounding areas can cause contamination.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated: 11/14/2011

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

29 CFR 1910.134(k)(1): The employer did not provide effective training to employees who were required to wear respirators:

Employees required to use half mask respirators were not provided training.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated: 11/14/2011  
Proposed Penalty: \$ 4900.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities:



**Citation and Notification of Penalty**

Company Name: Gardner Equipment Company, Inc.  
Inspection Site: W959 Hwy 16, Columbus, WI 53925

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

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

The employer did not prevent employees from consuming food and beverages in areas containing 1,3,5 Triglycidyl Isocyanurate including but not limited to the lunchroom.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:	11/14/2011
Proposed Penalty:	\$ 4900.00

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

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

29 CFR 1910.146(c)(1): The employer did not evaluate the workplace to determine if any spaces were permit-required confined spaces:

The employer did not evaluate the workplace to determine if any spaces are permit-required confined spaces. Examples of permit required confined spaces in the workplace include but are not limited to the parts washer and curing oven.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:	11/14/2011
Proposed Penalty:	\$ 4900.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Gardner Equipment Company, Inc.  
Inspection Site: W959 Hwy 16, Columbus, WI 53925

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

The curing oven was not posted as a permit required confined space.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated: 11/14/2011

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

29 CFR 1910.146(c)(4): When the employer decided that its employees would enter permit spaces, the employer did not develop and implement a written permit space entry program that complied with 29 CFR 1910.146:

Upon deciding employees would enter permit required confined spaces such as but not limited to the parts washer and curing oven, the employer did not develop and implement a written permit space entry program.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated: 12/05/2011  
Proposed Penalty: \$ 4900.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Gardner Equipment Company, Inc.  
Inspection Site: W959 Hwy 16, Columbus, WI 53925

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

29 CFR 1910.146(g)(1): The employer did not provide training so that all employees whose work was regulated by 29 CFR 1910.146, Permit required confined spaces, acquired the understanding, knowledge, and skills necessary for the safe performance of the duties assigned:

Where employees enter permit required confined spaces including but not limited to, the parts washer and curing oven, the employer did not provide employees training on permit required confined spaces.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated: 11/14/2011  
Proposed Penalty: \$ 4900.00

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

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

29 CFR 1910.147(c)(1): The employer did not establish an energy control program consisting of energy control procedures, employee training and periodic inspections to ensure that before any employee performed any servicing or maintenance on a machine or equipment where the unexpected energizing, start up or release of stored energy could occur and cause injury, the machine or equipment would be isolated, and rendered inoperative:

The employer did not establish an energy control program for equipment in the workplace such as but not limited to, the paint booth and curing oven.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated: 11/14/2011  
Proposed Penalty: \$ 3500.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Gardner Equipment Company, Inc.  
Inspection Site: W959 Hwy 16, Columbus, WI 53925

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

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section:

The employer did not develop procedures for the control of potentially hazardous energy. Equipment in the workplace which would require such procedures would include but are not limited to, the paint booth and curing oven.

a) The employer did not implement energy control procedures before allowing employees to enter the paint booth.

(b) The employer did not implement energy control procedures before allowing employees to enter the curing oven.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated: 11/14/2011

**Citation 1 Item 11c** 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:

The employer did not provide locks and tags for isolating machines from energy sources.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated: 11/14/2011

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Gardner Equipment Company, Inc.  
Inspection Site: W959 Hwy 16, Columbus, WI 53925

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

29 CFR 1910.147(c)(7)(i): The employer did not provide training to ensure: 1) that the purpose and function of the energy control program was understood by the employees and 2) that the knowledge and skills required for the safe application, usage and removal of the energy controls was acquired by the employees:

The employer did not provide employees training on the energy control program.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated: 11/14/2011

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

29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use:

The employer did not provide suitable facilities for quick drenching or flushing of the eyes and body when employees are exposed to corrosive material including but not limited to CrysCoat 2707.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated: 11/14/2011  
Proposed Penalty: \$ 4900.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

**Company Name:** Gardner Equipment Company, Inc.  
**Inspection Site:** W959 Hwy 16, Columbus, WI 53925

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

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

Where employees work with chemicals such as, but not limited to, CrysCoat 2707 and AmeriCoats Polyester TGIC powder paint, the employer did not develop a written program.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:	12/05/2011
Proposed Penalty:	\$ 4900.00

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

29 CFR 1910.1200(h)(1): Employees were not provided information and training as specified in 29 CFR 1910.1200(h)(2) and (3) on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard was introduced into their work area:

Where employees work with chemicals such as, but not limited to, Cryscoat 2707 and AmeriCoats Polyester TGIC powder paint, employees were not provided information and training.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:	11/14/2011
Proposed Penalty:	\$ 4900.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Gardner Equipment Company, Inc.  
Inspection Site: W959 Hwy 16, Columbus, WI 53925

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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

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

1910.132(a): Protective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers was not provided, used, and/or maintained:

- a) The employer did not ensure that employees were wearing protective clothing available for protection against powder paint.
- b) The employer did not ensure that the personal protective equipment, including but not limited to cotton gloves and protective clothing, were maintained in a sanitary condition.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:	11/14/2011
Proposed Penalty:	\$ 44000.00

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

29 CFR 1910.132(f)(1): The employer did not provide training to each employee who is required by this section to use PPE:

Where employees are wearing personal protective equipment including but not limited to, tyvek suits and cotton gloves, the employer did not provide training to each employee.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:	11/14/2011
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**Citation and Notification of Penalty**

Company Name: Gardner Equipment Company, Inc.  
Inspection Site: W959 Hwy 16, Columbus, WI 53925

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

29 CFR 1910.133(a)(1): Protective eye and face equipment was not required where there was a reasonable probability of injury that could be prevented by such equipment:

The employer did not require employees to use protective eye and face equipment when working with Americoats Powder Paint and Cryscoat 2707.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated: 11/14/2011

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

29 CFR 1910.138(a): Employers shall select and require employees to use appropriate hand protection when employees' hands are exposed to hazards such as those from skin absorption to harmful substances; severe cuts or lacerations; severe abrasion; punctures; chemical burns; thermal burns; and harmful temperature extremes:

The employer did not ensure that employees were wearing gloves available for protection against powder paint.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated: 11/14/2011

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**Citation and Notification of Penalty**

Company Name: Gardner Equipment Company, Inc.  
Inspection Site: W959 Hwy 16, Columbus, WI 53925

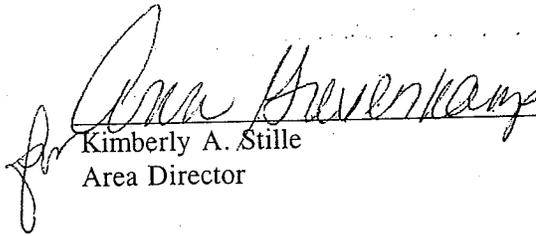
**Citation 3 Item 1** Type of Violation: **Other**

29 CFR 1910.132(d)(2): The employer did not verify that the required workplace hazard assessment has been performed through a written certification that identifies the workplace; the person certifying that the evaluation has been performed; the date(s) of the hazard assessment; and, which identifies the document as a certification of hazard assessment:

The employer did not verify that the required workplace hazard assessment had been performed through a written certification.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:	11/14/2011
Proposed Penalty:	\$ 0.00

  
Kimberly A. Stille  
Area Director

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.