

U.S. Department of Labor
Occupational Safety and Health Administration
1648 Tri Park Way
Appleton, WI 54914
Phone: 920-734-4521 Fax: 920-734-2661



Citation and Notification of Penalty

To:
Imperial Industries Inc.
P.O. Box 1685
Wausau, WI 54402

Inspection Number: 1007781
Inspection Date(s): 11/12/2014 - 12/04/2014
Issuance Date: 05/11/2015

Inspection Site:
505 Industrial Park Ave.
Rothschild, WI 54474

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 you either call to schedule an informal conference (see paragraph below) or you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you must provide ***abatement certification*** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that ***abatement documentation*** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 05/11/2015. The conference will be held by telephone or at the OSHA office located at 1648 Tri Park Way, Appleton, WI 54914 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1007781

Company Name: Imperial Industries Inc.
Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474
Issuance Date: 05/11/2015

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, 1648 Tri Park Way, Appleton, WI 54914**

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: Imperial Industries Inc.

Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

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 fall hazards:

(a) Employees in Building #3-Industrial Parts were utilizing an extension ladder incorrectly by only utilizing one half of the ladder when it specifically stated it was not to be used independently. Additionally, the top section of the ladder was cut to a shorter size and the bottom section of the ladder had structural damage.

(b) Employees in Building #3-Upper and Lower bays separated self-supporting fiberglass ladders to use as single ladders.

(c) Employees in Building #3-Upper and Lower bays at the manipulator machines utilized extension ladders that were modified with wheels to ride on the rotating tanks and had two platforms attached on the bottom and top to allow the ladder to slide laterally.

Among other methods, one feasible and acceptable method to correct this hazard is to follow the American National Standard Institute A14.5-2000 Portable Reinforced Plastic-Safety requirements Section 9 Rules for Selection, Care, and Use by using ladders as intended and inspecting ladders for structural damage or other hazardous defects before each use.

Date By Which Violation Must be Abated:

06/30/2015

Proposed Penalty:

\$4500.00



Citation and Notification of Penalty

Company Name: Imperial Industries Inc.

Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

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 2 a Type of Violation: **Serious**

29 CFR 1910.178(a)(4): Modifications or additions which affect capacity and safe operation of powered industrial trucks were performed by the employer without the manufacturer's prior written approval:

- (a) The employer utilized unapproved extendable boom attachments in the industrial upper bay of building #3 that did not have a load chart, weight, labeling, or the forklift manufacturer's approval.
- (b) The employer utilized unapproved plate basket attachments in the industrial upper bay of building #3 to move tank sections without the forklift manufacturer's approval.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/30/2015

Proposed Penalty:

\$6300.00

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

Inspection Number: 1007781
Inspection Date(s): 11/12/2014 - 12/04/2014
Issuance Date: 05/11/2015



Citation and Notification of Penalty

Company Name: Imperial Industries Inc.
Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

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

29 CFR 1910.178(a)(6): The employer did not ensure that all nameplates or markings were not maintained in a legible condition:

The employer did not ensure the nameplates on the Hyster #4 and Clark #5 forklifts were maintained in a legible condition.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/30/2015

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: 1007781
Inspection Date(s): 11/12/2014 - 12/04/2014
Issuance Date: 05/11/2015



Citation and Notification of Penalty

Company Name: Imperial Industries Inc.

Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

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 1910.178(m)(2): Employee(s) stood under or passed under the elevated portion of a powered industrial truck(s):

Employees in the industrial upper bay of building #3 worked under the plate basket resting on the elevated forks of a power industrial truck to weld the seam of a tank section after it was rolled through the roll former, exposing employees to crushed by and struck by hazards.

Date By Which Violation Must be Abated:

06/30/2015

Proposed Penalty:

\$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: 1007781
Inspection Date(s): 11/12/2014 - 12/04/2014
Issuance Date: 05/11/2015



Citation and Notification of Penalty

Company Name: Imperial Industries Inc.

Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

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

29 CFR 1910.178(m)(5)(iii): Powered industrial truck(s), with the operator dismounted and within 25 feet of the truck still in his view, did not have the load engaging means fully lowered:

Forklift operators in the industrial upper bay of building #3 dismounted from the powered industrial truck and worked under the plate basket resting on the elevated forks to weld the seam of a tank section after it was rolled through the roll former without fully lowering the load engaging means.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/30/2015

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: 1007781
Inspection Date(s): 11/12/2014 - 12/04/2014
Issuance Date: 05/11/2015



Citation and Notification of Penalty

Company Name: Imperial Industries Inc.
Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

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

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

A Messer PlateMaster CNC operated plasma cutter located in Building #1-Guardrails/Plasma Cutter room did not have any method of machine guarding to prevent employees from being exposed to crushed by and struck by hazards created by the carriage movement.

Date By Which Violation Must be Abated:
Proposed Penalty:

06/30/2015
\$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: Imperial Industries Inc.

Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

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

29 CFR 1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

- (a) A Pacific hydraulic brake press located in Building #3-Industrial Parts did not have effective machine guarding to prevent the operator from accessing the point of operation. The press was equipped light curtains; however they were positioned above the point of operation, exposing the operator to the pinch point between the dies.
- (b) A Pullmax duplicator machine located in Building #3-Industrial Parts did not have machine guarding to prevent the operator from accessing the pinch point created by point of operation.
- (c) A Hassleholm PS-310 roll-forming machine located in Building #3-Industrial Parts did not have machine guarding to prevent the operator from accessing the ingoing nip point created by the point of operation between the rollers.
- (d) A Hydrapower SH3014 shear located in Building #3-Industrial Upper Bay did not have adequate machine guarding to prevent the operator from accessing the pinch point created by the point of operation and material clamps.
- (e) A Hassleholm PS-205 roll-forming machine located in Building #5 did not have machine guarding to prevent the operator from accessing the ingoing nip point created by the point of operation between the rollers.
- (f) A Sertom flanging machine located in Building #6-Head Machine Room did not have machine guarding to prevent the operator from accessing the ingoing nip point created by the point of operation between the flanging rollers.
- (g) A Sertom head press machine located in Building #6-Head Machine Room did not have adequate machine guarding to prevent the operator from accessing the danger zones created by the carriage movement and the pinch point created by the head press.

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: 1007781
Inspection Date(s): 11/12/2014 - 12/04/2014
Issuance Date: 05/11/2015



Citation and Notification of Penalty

Company Name: Imperial Industries Inc.
Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/30/2015
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: 1007781
Inspection Date(s): 11/12/2014 - 12/04/2014
Issuance Date: 05/11/2015



Citation and Notification of Penalty

Company Name: Imperial Industries Inc.

Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

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 6 a Type of Violation: **Serious**

29 CFR 1910.303(g)(1): Sufficient access and working space was not provided and maintained about all electric equipment (operating at 600 volts, nominal, or less to ground) to permit ready and safe operation and maintenance of such equipment:

Sufficient access and working space was not provided for an electrical panel located in Building #3-Industrial Parts directly behind the Pullmax duplicator machine.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$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: 1007781
Inspection Date(s): 11/12/2014 - 12/04/2014
Issuance Date: 05/11/2015



Citation and Notification of Penalty

Company Name: Imperial Industries Inc.

Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

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

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

Unused openings in an electrical panel located in Building #3-Industrial Parts were not closed, exposing electrical conductors to dust and debris.

Date By Which Violation Must be Abated:

Corrected During Inspection

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

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

Inspection Number: 1007781
Inspection Date(s): 11/12/2014 - 12/04/2014
Issuance Date: 05/11/2015



Citation and Notification of Penalty

Company Name: Imperial Industries Inc.
Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

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

29 CFR 1910.305(b)(1)(i): Openings through which conductors entered cutout boxes, cabinets, or fittings were not effectively closed:

Conductors entering an electrical box under the sheet table for the roll former in Building #3-Industrial Upper Bay were exposed to abrasion as the fitting was not effectively closed.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$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: 1007781
Inspection Date(s): 11/12/2014 - 12/04/2014
Issuance Date: 05/11/2015



Citation and Notification of Penalty

Company Name: Imperial Industries Inc.

Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

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 1910.305(g)(1)(iv): Flexible cords and/ or cables were used for purposes prohibited by paragraphs (A) through (F) of 29 CFR 1910.305(g)(1)(iv):

(a) An extension cord in Building #3 Industrial Tool Room was ran through the wall to charge PAPR pumps.

(b) An extension cord in Building #3 Industrial Upper bay was used as permanent type power for the shear workstation table as it was zip tied to the conduit attached to the building.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$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: 1007781
Inspection Date(s): 11/12/2014 - 12/04/2014
Issuance Date: 05/11/2015



Citation and Notification of Penalty

Company Name: Imperial Industries Inc.
Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

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

29 CFR 1910.334(a)(2)(ii): There was a defect or evidence of damage that could have exposed an employee to injury and the defective or damaged item was not removed from service:

An extension cord located in Building #3 Industrial Parts was not removed from service after the insulation became damaged with bent internal conductors.

Date By Which Violation Must be Abated:

Corrected During Inspection

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

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

Inspection Number: 1007781
Inspection Date(s): 11/12/2014 - 12/04/2014
Issuance Date: 05/11/2015



Citation and Notification of Penalty

Company Name: Imperial Industries Inc.
Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

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

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

29 CFR 1910.332(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:

Maintenance personnel exposed to potential electrical hazards while troubleshooting equipment were not trained to use the required personal protective equipment appropriate for the specific parts of the body exposed.

Among others, one feasible and acceptable means of abatement would be to comply with the 2012 Edition of the National Fire Protection Association (NFPA) 70E, Standard for Electrical Safety in the Workplace, Article 130, Work Involving Electric Hazards, Section 130.1

Date By Which Violation Must be Abated:	06/30/2015
Proposed Penalty:	\$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: 1007781
Inspection Date(s): 11/12/2014 - 12/04/2014
Issuance Date: 05/11/2015



Citation and Notification of Penalty

Company Name: Imperial Industries Inc.
Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474

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

29 CFR 1910.335(a)(1)(i): Employees working in areas where there were potential electrical hazards were not using electrical protective equipment that was appropriate for the specific parts of the body to be protected and for the work to be performed:

Maintenance personnel troubleshooting electrical equipment and machinery were working in areas with the potential of electrical hazards without utilizing any form of personal protective equipment.

Among others, one feasible and acceptable means of abatement would be to comply with the 2012 Edition of the National Fire Protection Association (NFPA) 70E, Standard for Electrical Safety in the Workplace, Article 130, Work Involving Electric Hazards, Section 130.1

Date By Which Violation Must be Abated:

06/30/2015

A handwritten signature in black ink, reading "Robert J. Bonack", written over a horizontal line.

Robert J. Bonack
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
1648 Tri Park Way
Appleton, WI 54914
Phone: 920-734-4521 Fax: 920-734-2661



INVOICE / DEBT COLLECTION NOTICE

Company Name: Imperial Industries Inc.
Inspection Site: 505 Industrial Park Ave., Rothschild, WI 54474
Issuance Date: 05/11/2015

Summary of Penalties for Inspection Number	1007781
Citation 1, Serious	\$44100.00
TOTAL PROPOSED PENALTIES	\$44100.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

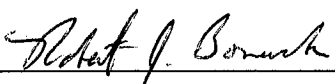
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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

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

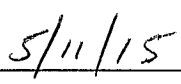
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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

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



Robert J. Bonack
Area Director



Date