

U.S. Department of Labor

Occupational Safety and Health Administration
401 New Karner Road
Suite 300
Albany, NY 12205
Phone: 518-464-4338 Fax: 518-464-4337



Citation and Notification of Penalty

To:
International Paper Company
and its successors
568 Shore-Airport Road
Ticonderoga, NY 12883

Inspection Number: 1020528
Inspection Date(s): 01/24/2015 - 03/25/2015
Issuance Date: 07/22/2015

Inspection Site:
568 Shore-Airport Road
Ticonderoga, NY 12883

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

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

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

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

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

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

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. 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.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/22/2015. The conference will be held by telephone or at the OSHA office located at 401 New Karner Road, Suite 300, Albany, NY 12205 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1020528

Company Name: International Paper Company
Inspection Site: 568 Shore-Airport Road, Ticonderoga, NY 12883
Issuance Date: 07/22/2015

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, 401 New Karner Road, Suite 300, Albany, NY 12205

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: International Paper Company
Inspection Site: 568 Shore-Airport Road, Ticonderoga, NY 12883

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 combustible dust deflagration, explosion, and other fire hazards from the deficient design and/or implementation of preventative and/or protective measures in the Power House fly ash conveying system:

- a) Power House Fly Ash Conveying System - On or about January 23, 2015, the explosion relief lid of the fly ash silo was located inside and so that it would vent to an employee occupancy area. The explosion relief lid was below grated platforms, fixed ladders and below the material air separator that was being serviced by employees.
- b) Power House Fly Ash Conveying System - On or about January 23, 2015, system components, including but not limited to, the Delta Ducon Perma Flo Rotary Feeder (PO#8900434467) located between the material air separator and the ash silo was not maintained as designed. The distance between the shoe and the rotor was approximately 0.23 inches. The manufacturer designed set clearance is 0.004 inches. Not maintaining the set manufacture distance allows for air movement within the vessel and can provide the oxygen needed for fire.
- c) Power House Fly Ash Conveying System - On or about January 23, 2105, system components, including but not limited to, the Knappco Vacuum Pressure Relief Vent (K-720AA) was not maintained as designed. Deficiencies of the vent, included but were not limited to, missing neoprene gasket(s), broken and missing bolts for the lid, and a deformed and dislodged internal plate. Not maintaining the set manufacture distance allows for air movement within the vessel and can provide the oxygen needed for fire.
- d) Power House Fly Ash Conveying System - On or about January 23, 2105, the system components did not prevent an ignition source from entering the material air separator that contained a combustible fly ash dust. Burning fly ash and/or embers entered the system through the ash line from the upstream hoppers.

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: International Paper Company
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Among other methods, one feasible and acceptable abatement method to correct this hazard is to comply with relevant provisions of applicable consensus standards:

Evaluate the impact zone for a deflagration and restrict personnel access to that area while the system is in operation.

Establish and implement written procedures to allow access to the fly ash conveying system area for servicing.

Refer to NFPA 654 Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing and Handling of Combustible Particulate Solids, 2013

- Chapter 7 Process Equipment requires compliance with NFPA 68 Standard on Explosion Protection by Deflagration Venting
- Section 7.1.6.1 Where an explosion hazard exists, isolation devices shall be provided to prevent deflagration propagation between connected equipment in accordance with NFPA 69
- Chapter 12 Inspection and Maintenance requires the establishment of an inspection, testing and maintenance program to ensure that the fire and explosion protection systems and related process controls and equipment perform as designed, and this includes dust control equipment.
- Section 9.1.3 Inherently ignitable process streams, means shall be provided to minimize the hazard as described in section 7 (process equipment) and 10 (fire protection).

Refer to NFPA 68 Standard on Explosion Protection by Deflagration Venting, 2013

- Section 8.6.1 Vent existing explosion lid to a safe location outside.
- Section 8.9 Define unsafe areas by dimensionally characterizing the potential fireball and pressure wave employing the calculations in this section. Define by signage the unsafe area proximate to the explosion relief lid where employees could be exposed to venting hazards.

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: 1020528
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Citation and Notification of Penalty

Company Name: International Paper Company
Inspection Site: 568 Shore-Airport Road, Ticonderoga, NY 12883

Refer to NFPA 69 Standard on Explosion Prevention Systems, 2014

- Section 12.2.4.5.1 requires a clearance gap of 0.0079 inches between the valve body and the vanes of the rotary valve to prevent passage of flame through the rotary valve.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 07/29/2015
Proposed Penalty: \$7000.00

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



Citation and Notification of Penalty

Company Name: International Paper Company
Inspection Site: 568 Shore-Airport Road, Ticonderoga, NY 12883

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

29 CFR 1910.269(d)(2)(iv)(B): The energy control procedures did not include specific procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy:

a) Power House - On or about January 23, 2015, the procedure to control hazardous energy for "FlyAsh Bag House" did not include steps for, including but not limited to, the lock out the pneumatic slide gate, ash silo bin vibrator, and the control of the burning fly ash dust and filter bags as energy source. The hazards for this deficiency include, but are not limited to, release of combustible fly ash dust exposing employees to fire and explosion hazards.

Note: Lockout and tagging procedures that comply with paragraphs (c) through (f) of 1910.147 will also be deemed to comply with paragraph (d) of this section if the procedures address the hazards covered by paragraph (d) of this section.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/29/2015
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: International Paper Company
Inspection Site: 568 Shore-Airport Road, Ticonderoga, NY 12883

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

29 CFR 1910.261(a)(3)(ix): Installation of blower and exhaust systems for dust, stock, and vapor removal or conveying was not in accordance with American Standards Association Z33.1 - 1961 (National Fire Protection Association 91), which is incorporated by reference as specified in 29 CFR 1910.6:

- a) Power House Fly Ash Conveying System - On or about January 23, 2015, the system containing combustible fly ash dust did not have an automatic fire suppression protection.
- b) Power House Fly Ash Conveying System - On or about January 23, 2015, the material air separator (baghouse) and ash cyclone containing combustible fly ash dust did not have explosion venting.
- c) Power House Fly Ash Conveying System - On or about January 23, 2015, the room for the fly ash conveying system, containing combustible fly ash, did not have automatic fire suppression.
- d) Cyclone Room Paper Dust Collection System - On or about March 24, 2015, the green cyclone containing combustible paper dust did not have explosion venting that directed to the outside.
- e) Cyclone Room Paper Dust Collection System - On or about March 24, 2015, the amber cyclone containing combustible paper dust did not have explosion venting that directed to the outside.
- f) Cyclone Room Paper Dust Collection System - On or about March 24, 2015, the red cyclone containing combustible paper dust did not have explosion venting that directed to the outside.

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: 1020528
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Citation and Notification of Penalty

Company Name: International Paper Company
Inspection Site: 568 Shore-Airport Road, Ticonderoga, NY 12883

Abatement:

National Fire Protection Association 91/American Standards Association Z33.1 1961: Blower Exhaust Systems 1961

See part 463 for the requirement for automatic extinguishing system for the fly ash conveying system

See part 453 for the requirement for explosion venting on air material separator and ash cyclone

See part 461 for the requirement for fire suppression system in the room for the fly ash conveying system

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/29/2015
Proposed Penalty:	\$7000.00

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



Citation and Notification of Penalty

Company Name: International Paper Company
Inspection Site: 568 Shore-Airport Road, Ticonderoga, NY 12883

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

29 CFR 1910.132(a): Protective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers, were not provided, used, and maintained in a sanitary and reliable condition wherever it is necessary by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact:

a) Power House - On and prior to January 23, 2015, the employer did not provide fire resistant clothing for the task of removing burned filter bags in the fly ash dust collector to replace them with new filter bags. The task involved opening a dust collector containing combustible fly ash dust, handling the filter bag steel ring frame that could be in excess of 375 degrees Fahrenheit, and handling filter bags that were on fire or smoldering.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/29/2015
Proposed Penalty:	\$70000.00



Citation and Notification of Penalty

Company Name: International Paper Company
Inspection Site: 568 Shore-Airport Road, Ticonderoga, NY 12883

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

29 CFR 1910.1200(h)(3)(ii): Employee training did not include the physical and health hazards of the chemicals in the work area:

a) Power House - On or about January 23, 2015, the employer did not provide training on the specific hazards associated with fly ash (combustible dust) for the maintenance employees replacing burned filter bags that were smoldering in the fly ash conveying system. International Paper safety data sheet for "Boiler Ashes" states the following:

- NFPA Flammability 1
- Dust/air mixture may ignite or explode
- Avoid heat, flames, sparks and other sources of ignition

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/29/2015
Proposed Penalty:	\$70000.00



Citation and Notification of Penalty

Company Name: International Paper Company
Inspection Site: 568 Shore-Airport Road, Ticonderoga, NY 12883

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

29 CFR 1910.269(d)(2)(v): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the provisions of paragraph (d) of this section are being followed:

a) Power House - On or about January 23, 2015, the employer did not conduct the annual inspection of the procedure to control hazardous energy for "FlyAsh Bag House". The most recent inspection was on April 4, 2013. Hazardous energy sources include electric, steam, air and combustible fly ash dust. Hazards for the service and maintenance of the "FlyAsh Bag House" include, but are not limited to, release of combustible fly ash dust exposing employees to fire and explosion hazards.

International Paper Company was previously cited for a violation of this equivalent occupational safety and health standard which was contained in OSHA inspection number 315156059, citation number 1, item number 3, and was affirmed as a final order on July 25, 2011, with respect to a workplace located at 6850 West 62nd Street, Chicago, IL.

International Paper Company was previously cited for a violation of this equivalent occupational safety and health standard which was contained in OSHA inspection number 314593484, citation number 1, item number 3, and was affirmed as a final order on May 27, 2011, with respect to a workplace located at 1851 Tamarack Road, Newark, OH 43055.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$50000.00

A handwritten signature in black ink, appearing to read "Kim Castillon", written over a horizontal line.

Kimberly Castillon, CIH
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
401 New Karner Road
Suite 300
Albany, NY 12205
Phone: 518-464-4338 Fax: 518-464-4337



INVOICE / DEBT COLLECTION NOTICE

Company Name: International Paper Company
Inspection Site: 568 Shore-Airport Road, Ticonderoga, NY 12883
Issuance Date: 07/22/2015

Summary of Penalties for Inspection Number	1020528
Citation 1, Serious	\$21000.00
Citation 2, Willful	\$140000.00
Citation 3, Repeat	\$50000.00
TOTAL PROPOSED PENALTIES	\$211000.00

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

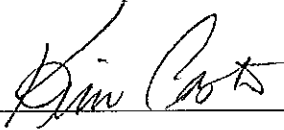
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.



Kimberly Castillon, CIH
Area Director

7-22-15

Date