

U.S. Department of Labor
Occupational Safety and Health Administration
1995 North Park Place
Suite 525
Atlanta, GA 30339
Phone: 678-903-7301 Fax: 770-984-8855



Citation and Notification of Penalty

To:
JCG Farms of Alabama, LLC, dba Koch Farms of
Collinsville
and its successors
1750 Rome Hwy.
Rockmart, GA 30153

Inspection Site:
1750 Rome Hwy.
Rockmart, GA 30153

Inspection Number: 1123539
Inspection Date(s): 02/08/2016 - 02/08/2016
Issuance Date: 07/22/2016

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 07/22/2016. The conference will be held by telephone or at the OSHA office located at 1995 North Park Place, Suite 525, Atlanta, GA 30339 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1123539

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Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153
Issuance Date: 07/22/2016

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, 1995 North Park Place, Suite 525, Atlanta, GA 30339**

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

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Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153

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 fire and explosion hazards:

Plant, basement tunnel pellet mill: The employer exposed employees to fire and explosion hazards such as severe burns and/or death caused by conveyor covers being left off. This condition allows combustible dust to build-up on floors, machinery and walls.

Among other methods, one feasible and acceptable means of abatement to correct the hazards is to follow the requirements of NFPA 654, 2000 Edition, Chapter 4 section 4.2.1 which states "Equipment shall be maintained and operated in a manner that minimizes the escape of dust."

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7000.00

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

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Occupational Safety and Health Administration

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Company Name: JCG Farms of Alabama, LLC, dba Koch Farms of Collinsville
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Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.145(c)(3): Safety instruction sign(s) were not used where there was a need for general instructions and suggestions relative to safety measure(s):

(a) Throughout the mill- On or about February 7, 2016 and times prior, combustible dust warning signs were not posted to inform employees of the hazards such as, but not limited to, fire and explosion associated with combustible dust.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5000.00

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

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

(a) Plant, Basement beneath the Hammer Mill: Employees were exposed to caught-in hazards because areas such as the auger beneath the hammer mill was not evaluated and identified as permit required confined spaces.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7000.00

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Occupational Safety and Health Administration

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Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153

Citation 1 Item 3 b 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:

In The Alternative

29 CFR 1910.146(c)(3): If the employer decides that its employees will not enter permit spaces, the employer shall take effective measures to prevent its employees from entering the permit spaces and shall comply with paragraphs (c)(1), (c)(2), (c)(6), and (c)(8) of this section.

a) Plant, Basement beneath the Hammer Mill: On or about February 8, 2016, and times prior, caused by employees being exposed to caught-in hazards from the Auger which the employer did not mark to inform employees of the danger of entering the space.

Date By Which Violation Must be Abated:

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Occupational Safety and Health Administration

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

29 CFR 1910.272(d): The employer did not develop and implement an emergency action plan meeting the requirements contained in 1910.38:

(a) Throughout the plant: On or about February 8, 2016, and times prior employees were exposed to possible explosive and burn hazards caused by the employer not developing or implementing an Emergency Action Plan in that it was lacking the basic elements such as:

1. It was not written
2. It did not contain procedures for reporting a fire or other emergency
3. It did not contain procedures to be followed by employees who must remain to operate critical plant operations before they evacuate
4. It did not contain procedures to account for all employees after an evacuation
5. It did not contain procedures to be followed by employees performing rescue or medical duties
6. It did not contain an employee alarm system using a distinctive signal for each purpose or comply with the requirements in 1910.165.
7. It did not contain designated and trained employees to assist in a safe and orderly evacuation of other employees.

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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 1910.272(e)(1)(i): Current employees, and new employees prior to starting work in the grain handling facility were not trained in the general safety precautions, including recognition and preventive measures for the hazards related to dust accumulation and common ignition sources such as smoking:

(a) Throughout the mill- On or about February 7, 2016, and times prior, employees were not trained on the recognition and known hazards such as, fire and explosions, of combustible dust produced during the manufacture of chicken feed.

Date By Which Violation Must be Abated:
Proposed Penalty:

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\$7000.00

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Citation and Notification of Penalty

Company Name: JCG Farms of Alabama, LLC, dba Koch Farms of Collinsville
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Citation 1 Item 5 b Type of Violation: **Serious**

29 CFR 1910.272(e)(1)(ii): Current employees and new employees prior to starting work in the grain handling facility were not trained in the specific procedures and safety practices applicable to their job tasks including but not limited to cleaning procedures for grinding equipment, clearing procedures for choked legs, housekeeping procedures, hot work procedures, preventive maintenance procedures and lock out tag out procedures:

(a) Throughout the mill- On or about February 7, 2016, and times prior, employees were exposed to fire and explosion hazards in that no training was provided on the safe procedures for clearing choked/packed-out augers, troughs, bins and legs as evidenced by supervisor, employee, and contractor employee statements regarding the use of steel sledge hammers which were not non-sparking tools to beat the metal sides of the structures to loosen the material inside.

(b) Throughout the mill- On or about February 7, 2016, and times prior, employees were exposed to fire and explosion hazards in that no training was provided on safe housekeeping procedures as evidenced by employee statements regarding the use of compressed air for cleaning while equipment was running and dust being allowed to accumulate for long periods of time.

(c) Throughout the mill- On or about February 7, 2016, and times prior, employees were exposed to fire and explosion hazards in that no training on safe hot work procedures was provided as evidenced by supervisor and employee statements regarding the use of grinding, torches, and/or welding equipment to repair machinery and cut holes in auger troughs to clear chokes/pack-outs.

(d) Throughout the mill- On or about February 7, 2016, and times prior, employees were exposed to fire and explosion hazards in that no training on preventive maintenance procedures and the importance thereof was provided as evidenced by supervisor and employee interviews that sensors designed to alert control room operators of equipment hazards such as over-heated bearings were known to be inoperable and/or were giving false readings.

(e) Throughout the mill- On or about February 7, 2016, and times prior, employees were exposed to amputation hazards due to inadequate lockout/tagout training as evidenced by employee statements regarding clearing chokes/pack-outs from auger troughs while standing on bars just above the auger

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Occupational Safety and Health Administration

Inspection Number: 1123539
Inspection Date(s): 02/08/2016 - 02/08/2016
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Citation and Notification of Penalty

Company Name: JCG Farms of Alabama, LLC, dba Koch Farms of Collinsville
Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153

without being allowed to place their own lock on the auger controls.

(f) Throughout the mill- On or about February 7, 2016, and times prior, employees were exposed to caught-in/amputation hazards in that no training on safe confined space entry procedures was provided as evidenced by supervisor and employee statements regarding being allowed to enter a bin portal for the purpose of clearing a choke/pack-out in an auger trough without following confined space entry procedures.

Date By Which Violation Must be Abated:

Corrected During Inspection

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

Inspection Number: 1123539
Inspection Date(s): 02/08/2016 - 02/08/2016
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Company Name: JCG Farms of Alabama, LLC, dba Koch Farms of Collinsville
Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153

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

29 CFR 1910.272(i)(1): The employer did not inform contractors of the applicable safety rules of the grain handling facility including known potential fire and explosion hazards related to the contractor's work and work area:

(a) Throughout the mill- On or about February 7, 2016 and times prior, a cleaning contractor performing work, such as, but not limited to cleaning, painting handrails, and helping to clear pack-outs by using sledge hammers to beat augers and bins at the feed mill were not informed of known fire and explosion hazards associated with that type work around combustible dust produced during the manufacture of chicken feed.

(b) Throughout the mill- On or about February 7, 2016 and times prior, an electrical contractor performing work, such as, but not limited to installing dust collectors including electrical wiring, responding to power outages at the mill for repairs, and trouble shooting and repairing machinery, at the feed mill were not informed of known fire and explosion hazards associated with that type work around combustible dust produced during the manufacture of chicken feed.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7000.00

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Citation and Notification of Penalty

Company Name: JCG Farms of Alabama, LLC, dba Koch Farms of Collinsville
Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153

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

29 CFR 1910.272(j)(1): The employer did not develop and implement a written housekeeping program that established the frequency and the method(s) determined best to reduce accumulations of fugitive grain dust on ledges, floors, equipment, and other exposed surfaces:

Employees engaged in grain handling activities were exposed to fire and explosion hazards in that the employer had not developed and implemented a written housekeeping program sufficient to reduce accumulations of fugitive grain dust(combustible dust), resulting in the following instances:

- (a) On the mezzanine floor above the pellet mill- On or about February 10, 2016 and times prior, combustible dust was on the mezzanine floor on both sides of the feed screw auger #3.
- (b) In the basement below the hammer mills - On or about February 15, 2016 and times prior, combustible dust was found on the floor under the screw auger that moves ground corn mill to the elevator and under the old screw auger for the hammer mills that have been removed.
- (c) On the screw deck above mixing - On or about February 26, 2016 and times prior, the floor under the screw augers was covered with both combustible dust and raw feed.
- (d) In the receiving pit - On or about February 12, 2016 and times prior, the floor between the two drag conveyors had piles of combustible dust that was swept into piles but not picked up.
- (e) On the mezzanine above the pellet mill- On or about February 10, 2016 and times prior, the screw feed augers to pelletizers 2 and 3 were covered with combustible dust.
- (f) Above the roof of the hammer mill room - On or about February 10, 2016 and times prior, the exhaust duct from the hammer mill room to the dust collector and the electric blower pulling air from the dust collector had accumulation of Class II combustible dust.
- (g) In the basement below the hammer mills at the bottom of the stairs - On or about February 15, 2016 and times prior, the electric conduit had accumulation of Class II combustible dust.

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: JCG Farms of Alabama, LLC, dba Koch Farms of Collinsville
Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153

(h) In the basement below the hammer mills - On or about February 15, 2016 and times prior, the screw auger moving the corn meal from the hammer mills to the elevator had accumulation of Class II combustible dust on the electric motor cooling fins and the elevator boot.

(i) In the tunnel under the elevators- On or about February 15, 2016 and times prior, the screw auger moving the corn meal from the hammer mills to the elevator had accumulation of Class II combustible dust on the elevator boot, and the equipment under the motor and gearbox drive.

(j) On the screw deck above mixing - On or about February 26, 2016 and time prior, the top cover of the screw augers and the cooling fins of an electric motor had accumulation of Class II combustible dust.

(k) In the pellet mill room - On or about February 9, 2016 and times prior, the pelletizers had an accumulation of Class II combustible dust on the motor cooling fins on #3 and in the motor terminal box of #2.

(l) In the hammer mill room - On or about February 12, 2016 and times prior, there was accumulation of Class II combustible dust on the hammer mills under the motor of #1, in the motor terminal box of #1, on and in the terminal boxes on the back of #2.

Date By Which Violation Must be Abated:
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Corrected During Inspection
\$7000.00

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

Inspection Number: 1123539
Inspection Date(s): 02/08/2016 - 02/08/2016
Issuance Date: 07/22/2016



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

29 CFR 1910.272(j)(3): Compressed air was used to blow dust from ledges, walls, and other areas in grain handling facilities when machinery presenting ignition sources was not shut down, and/or when all other known potential ignition sources in the area were removed or controlled:

(a) Throughout the mill- On or about February 7, 2016, and times prior, employees were exposed to fire and explosion hazards from combustible dust in that the employer failed to ensure compressed air was not utilized for cleaning walls and floors while machinery such as Hammer mills, drag and screw conveyors, bucket elevators, pellet mills, electric motors, and motor terminal boxes were in operation. This presented potential ignition sources from overheated motors, drive belts, overheated bearings, and electrical sparks.

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Corrected During Inspection
\$7000.00

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U.S. Department of Labor
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Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.272(k): Receiving pit feed openings in the grain handling facility, such as truck or railcar receiving pits, were not covered by grates which had a maximum opening width of 2 1/2 inches:

Plant, Receiving Area: On or about February 8, 2016 and times prior, employees were exposed to tripping and fall hazards caused by grates in the receiving area being 4 inches wide by up to 8 inches long.

Date By Which Violation Must be Abated:
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\$6000.00

U.S. Department of Labor
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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 10 a Type of Violation: **Serious**

29 CFR 1910.272(m)(1)(i): Preventive maintenance procedures in the grain handling facility were not implemented to provide regularly scheduled inspections of the mechanical and safety control equipment associated with dryers, grain stream processing equipment, dust collection equipment including filter collectors, and bucket elevators:

(a) Throughout the plant: On or about February 8, 2016 and times prior, employees were exposed to explosive dust injuries because preventative maintenance inspections were not conducted.

- 1) Control Room Operators indicated only 4 to 6 monitors out of 28 on the grain elevators worked
- 2) Employees stated covers for conveyors were off to help keep packouts down causing dust buildup.

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

29 CFR 1910.272(m)(3): The employer did not maintain a certification record of each preventive maintenance inspection, performed in accordance with this paragraph (m), containing the date of the inspection, the name of the person who performed the inspection and the serial number, or other identifier, of the equipment specified in paragraph (m)(1)(i) of this section that was inspected.

(a) 1750 Rome Hwy Rockmart Ga. 30153 On or about February 8, 2016 and times prior, the company did not have certification records on preventative maintenance that had been accomplished. Twice it appears maintenance inspections may have been missed that could expose employees to combustible dust hazards in that;

- 1) Control Room Operators indicated only 4 to 6 monitors out of 28 on the grain elevators worked.
- 2) Employees stated covers for conveyors were left off to help keep pack-outs down.

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

29 CFR 1910.272(m)(2): The employer shall promptly correct dust collection systems which are malfunctioning or which are operating below designed efficiency. Additionally, the employer shall promptly correct, or remove from service, overheated bearings and slipping or misaligned belts associated with inside bucket elevators.

a) Throughout the mill The employer exposed employees to fire and explosion hazards in that the dust collection system was inoperative for the past 22 months.

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\$7000.00



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

29 CFR 1910.272(m)(4): The employer did not implement procedures in the grain handling facility for the use of tags and locks which would prevent the inadvertent application of energy or motion to equipment being repaired, serviced, or adjusted, which could result in employee injury:

(a) Throughout the mill- On or about February 7, 2016 and times prior, employees were exposed to amputation and electric shock hazards because the company did not develop or use written machine specific lockout/tagout procedures while working on machinery such as but not limited to augers, pellet mills and hammer mills.

The program did not include machine specific procedures such as:

- 1) A specific statement of the intended use of the procedure;
- 2) Specific procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy;
- 3) Specific procedural steps for the placement, removal and transfer of lockout devices or tagout devices and the responsibility for them;
- 4) Specific requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other energy control measures.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7000.00

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

Inspection Number: 1123539
Inspection Date(s): 02/08/2016 - 02/08/2016
Issuance Date: 07/22/2016



Citation and Notification of Penalty

Company Name: JCG Farms of Alabama, LLC, dba Koch Farms of Collinsville
Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153

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 13 a Type of Violation: **Serious**

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

(a) 1750 Rome Hwy Rockmart Ga 30153 On or about February 8, 2016 and times prior, employees were exposed to dust explosion hazards caused by a two inch plug that was missing on the number two pellet mill which allowed the entire electrical connection area to fill with explosive dust.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7000.00

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

Inspection Number: 1123539
Inspection Date(s): 02/08/2016 - 02/08/2016
Issuance Date: 07/22/2016



Citation and Notification of Penalty

Company Name: JCG Farms of Alabama, LLC, dba Koch Farms of Collinsville
Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153

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

29 CFR 1910.305(b)(2)(i): Pull boxes, junction boxes, and fittings were not provided with covers approved for the purpose:

(a) Plant, Mezzanine and Pellet Mill: On or about February 8, 2016 and times prior, employees were exposed to dust explosions and electric shock from electric boxes that were missing covers.

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: 1123539
Inspection Date(s): 02/08/2016 - 02/08/2016
Issuance Date: 07/22/2016



Citation and Notification of Penalty

Company Name: JCG Farms of Alabama, LLC, dba Koch Farms of Collinsville
Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153

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

29 CFR 1910.307(c)(2): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not safe for the hazardous (classified location), nor approved for the hazardous (classified) location or the ignitable or combustible properties of the specific gas, vapor, dust or fiber that was present

In The Alternative:

29 CFR 1910.303(b)(2): Installation and use. Listed or labeled equipment shall be installed and used in accordance with any instructions included in the listing or labeling.

Plant, Hammer Mill: On or about February 8, 2016 and times prior, employees were exposed to explosive dust hazards due to the employer not having intrinsically safe electrical equipment installed correctly for the hazardous location in that;

- (a) Mill 1 the cover of the motor terminal box (peckerhead) & proof that it was off prior to the explosion.
- (b) Hammer Mill 2 the control box on the rear of the machine.
- (c) The Chain and Sprocket on Hammer Mill 2
- (d) Although not operational the control box for Hammer mill number 3 was also open

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7000.00

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: 1123539
Inspection Date(s): 02/08/2016 - 02/08/2016
Issuance Date: 07/22/2016



Citation and Notification of Penalty

Company Name: JCG Farms of Alabama, LLC, dba Koch Farms of Collinsville
Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153

Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.334(c)(1): Use. Only qualified persons may perform testing work on electric circuits or equipment.

a) Plant, Control Room: Employees are exposed to electric shock changing fuses on 440 Volts 3 Phase with no training, personal protective equipment or specific lockout/tagout procedures to accomplish this tasking.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7000.00

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: 1123539
Inspection Date(s): 02/08/2016 - 02/08/2016
Issuance Date: 07/22/2016



Citation and Notification of Penalty

Company Name: JCG Farms of Alabama, LLC, dba Koch Farms of Collinsville
Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153

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

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

(a) Plant, Employees who were trained in forklift operation at their previous workplace were not certified at this plant in that there was no documentation showing the name of the operator, the date of his training or evaluation or the identity of the person doing the training and evaluation.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$1000.00

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: 1123539
Inspection Date(s): 02/08/2016 - 02/08/2016
Issuance Date: 07/22/2016



Citation and Notification of Penalty

Company Name: JCG Farms of Alabama, LLC, dba Koch Farms of Collinsville
Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153

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

29 CFR 1910.272(f)(1): The employer did not issue a permit for all hot work performed in the grain handling facility:

(a) Plant, Pellet Mill: On or about February 8, 2016, and times prior employees were using a stick welder and grinder in the Pellet Mill without filling out a hot work permit.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$1000.00

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: 1123539
Inspection Date(s): 02/08/2016 - 02/08/2016
Issuance Date: 07/22/2016



Citation and Notification of Penalty

Company Name: JCG Farms of Alabama, LLC, dba Koch Farms of Collinsville
Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153

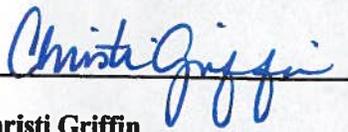
Citation 2 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1910.1200(g)(1): Chemical manufacturers and importers did not obtain or develop a safety data sheet for each hazardous chemical and for each chemical that posed a hazard not otherwise classified that they produce or import:

(a) Throughout the mill- On or about February 7, 2016 and times prior, the employer did not maintain or develop a safety data sheet for the various chicken feeds produced at the facility.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$1000.00


Christi Griffin
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
1995 North Park Place
Suite 525
Atlanta, GA 30339
Phone: 678-903-7301 Fax: 770-984-8855



INVOICE / DEBT COLLECTION NOTICE

Company Name: JCG Farms of Alabama, LLC, dba Koch Farms of Collinsville
Inspection Site: 1750 Rome Hwy., Rockmart, GA 30153
Issuance Date: 07/22/2016

Summary of Penalties for Inspection Number	1123539
Citation 1, Serious	\$102000.00
Citation 2, Other-than-Serious	\$3000.00
TOTAL PROPOSED PENALTIES	\$105000.00

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

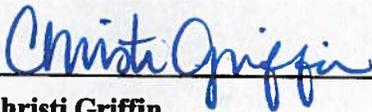
account, the bank will attempt to make the transfer up to 2 times.

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.

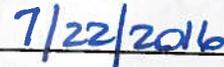
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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



Christi Griffin

Area Director



Date