

U.S. Department of Labor
Occupational Safety and Health Administration
William Cotter Federal Building
135 High Street, Suite 361
Hartford, CT 06103
Phone: 860-240-3152 Fax: 860-240-3155



Citation and Notification of Penalty

To:
The J.J. Ryan Corporation Rex Forge Division
and its successors
P.O. BOX 39
Plantsville, CT 06479

Inspection Number: 941230
Inspection Date(s): 09/27/2013 - 11/19/2013
Issuance Date: 11/26/2013

Inspection Site:
355 Atwater Street
Plantsville, CT 06479

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 \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

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

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

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

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. 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 11/26/2013. The conference will be held by telephone or at the OSHA office located at William Cotter Federal Building, 135 High Street, Suite 361, Hartford, CT 06103 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Company Name: The J.J. Ryan Corporation Rex Forge Division
Inspection Site: 355 Atwater Street, Plantsville, CT 06479
Issuance Date: 11/26/2013

Inspection Number: 941230

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, William Cotter Federal Building, 135 High Street, Suite 361, Hartford, CT 06103

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

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

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Issuance Date: 11/26/2013



Citation and Notification of Penalty

Company Name: The J.J. Ryan Corporation Rex Forge Division
Inspection Site: 355 Atwater Street, Plantsville, CT 06479

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

29 CFR 1910.305(a)(2)(ix): Lamps for general illumination were not protected from accidental contact or breakage by a suitable fixture or lampholder with a guard:

a) Maxi- Press - adjacent to managers office near induction heating press # 11: On or about September 27, 2013, a lamp permanently affixed to a Safety-Kleen Parts Washer was not protected from breakage by a guard or lampholder.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

01/15/2014
\$3960.00

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: The J.J. Ryan Corporation Rex Forge Division
Inspection Site: 355 Atwater Street, Plantsville, CT 06479

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

29 CFR 1910.95(k)(2): The training program was not repeated annually for each employee included in the hearing conservation program:

On or about September 27, 2013, employees included in the hearing conservation program were not provided annual training.

a) Cleaning: An employee operating wheelabrator #1 was exposed to continuous noise level of 144.4 percent of the PEL dose. The equivalent dBA for 144.4 % of the dose is approximately 92.65 dBA calculated as the 8 hour time weighted average sound pressure level. The monitoring was conducted on September 27, 2013 for 400 minutes. Zero exposure was assumed for the remaining 80 minutes of the day.

b) Cleaning: An employee operating wheelabrator # 2 was exposed to continuous noise level of 215 % of the PEL dose. The equivalent dBA for 215 % of the dose is approximately 95.5 dBA calculated as the 8 hour time weighted average sound pressure level. The monitoring was conducted on September 27, 2013 for 337 minutes. Zero exposure was assumed for the remaining 143 minutes of the day.

c) Final Inspection: An employee inspecting parts at conveyor # 7 was exposed to continuous noise level of 110 % of the action level dose. The equivalent dBA for 110 % of the dose is approximately 90.69 dBA calculated as the 8 hour time weighted average sound pressure level. The monitoring was conducted on September 27, 2013 for 300 minutes. Zero exposure was assumed for the remaining 180 minutes of the day.

d) Maxi: An employee operating forge press # 44 was exposed to continuous noise level of 538 % of the PEL dose. The equivalent dBA for 538 % of the PEL dose is approximately 102.14 dBA calculated as the 8 hour time weighted average sound pressure level. The monitoring was conducted on September 27, 2013 for 419 minutes. Zero exposure was assumed for the remaining 61 minutes of the day.

e) Maxi: An employee operating forge press # 46 was exposed to continuous noise levels of 260.0 % of the PEL dose. The equivalent dBA for 260.0% of the dose is approximately 96.89 dBA calculated as the 8 hour time weighted average sound pressure level. The monitoring was conducted on September

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

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Issuance Date: 11/26/2013



Citation and Notification of Penalty

Company Name: The J.J. Ryan Corporation Rex Forge Division
Inspection Site: 355 Atwater Street, Plantsville, CT 06479

27, 2013 for 240 minutes. Zero exposure was assumed for the remaining 240 minutes of the day.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2014
Proposed Penalty:	\$4950.00

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: The J.J. Ryan Corporation Rex Forge Division
Inspection Site: 355 Atwater Street, Plantsville, CT 06479

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

29 CFR 1910.95(g)(8)(ii)(B): Unless a physician determines that the standard threshold shift is not work-related or aggravated by occupational noise exposure, the employer did not ensure, when a standard threshold shift occurs, that for employees already using hearing protectors, employees be refitted and retrained in the use of hearing protectors and provided with hearing protectors offering greater attenuation if necessary:

a) On or about September 27, 2013: A maxi press operator identified as having a standard threshold shift in 2012 had not been refitted for hearing protection once the standard threshold shift occurred.

An employee operating forge press # 44 in the maxi department was exposed to continuous noise level of 538 % of the PEL dose. The equivalent dBA for 538 % of the PEL dose is approximately 102.14 dBA calculated as the 8 hour time weighted average sound pressure level. The monitoring was conducted on September 27, 2013 for 419 minutes. Zero exposure was assumed for the remaining 61 minutes of the day.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2014
Proposed Penalty:	\$6930.00

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

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Issuance Date: 11/26/2013



Citation and Notification of Penalty

Company Name: The J.J. Ryan Corporation Rex Forge Division
Inspection Site: 355 Atwater Street, Plantsville, CT 06479

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

29 CFR 1910.252(b)(2)(iii): Workers and other persons adjacent to the welding area were not protected from the rays by noncombustible or flameproof screens or shields:

a) Welding Department: On or about September 27, 2013, noncombustible or flameproof screens or shields were not used to protect adjacent employees from radiant light generated from welding operations.

Date By Which Violation Must be Abated:

01/15/2014

Proposed Penalty:

\$2970.00

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

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

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Issuance Date: 11/26/2013



Citation and Notification of Penalty

Company Name: The J.J. Ryan Corporation Rex Forge Division
Inspection Site: 355 Atwater Street, Plantsville, CT 06479

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

29 CFR 1910.215(a)(4): Work rest(s) on grinding machinery were not adjusted closely to the wheel with a maximum opening of one eighth inch:

Maxi-Press Area - On or about September 27, 2013, the work rest installed on the Baldor Abrasive Grinder- Buffer, serial number X0504157174, spec. number 65-165-60, was improperly adjusted:

- a) The work rest installed on the right peripheral member was adjusted to within 1/2 inch of the abrasive wheel.
- b) The work rest installed on the left peripheral member was adjusted to within 3/4 inch of the abrasive wheel.

The J.J. Ryan Corporation, Rex Forge Division was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.215(a)(4) which was contained in OSHA inspection number 314402165, Citation Number 1, Item Number 5a, issued on November 29, 2010 with respect to a workplace located 355 Atwater Street, Plantsville, Connecticut. The final order date for the citation was December 17, 2010.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7920.00

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

U.S. Department of Labor
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Citation and Notification of Penalty

Company Name: The J.J. Ryan Corporation Rex Forge Division
Inspection Site: 355 Atwater Street, Plantsville, CT 06479

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

29 CFR 1910.215(b)(9): The distance between the abrasive wheel periphery(s) and the adjustable tongue or the end of the safety guard peripheral member at the top exceeded one fourth inch:

Maxi-Press Area - On or about September 27, 2013, the tongue guards installed on the Baldor Abrasive Grinder- Buffer, serial number X0504157174, spec. number 65-165-60, was improperly adjusted in that:

- a) The tongue guard installed on the right peripheral member was adjusted to within 1 inch of the abrasive wheel.
- b) The tongue guard installed on the left peripheral member was adjusted to within 3/4 inch of the abrasive wheel.

The J.J. Ryan Corporation, Rex Forge Division was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.215(b)(9), which was contained in OSHA inspection number 314402165, Citation Number 1, Item Number 5b, issued on November 29, 2010 with respect to a workplace located 355 Atwater Street, Plantsville, Connecticut. The final order date for the citation was December 17, 2010.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7920.00

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: 941230
Inspection Date(s): 09/27/2013 - 11/19/2013
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Citation and Notification of Penalty

Company Name: The J.J. Ryan Corporation Rex Forge Division
Inspection Site: 355 Atwater Street, Plantsville, CT 06479

Citation 2 Item 3 Type of Violation: **Repeat**

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

a) Facility - On or about September 13, 2013 the employer failed to develop and implement a written hazard communication program. Employees worked with hazardous chemicals including, but not limited to flammable propane gas, flammable argon-carbon compressed gasses, ALR 142 Mineral Spirits and EDM Fluid No. 330, which contained hydrotreated light paraffinic distillate and is a skin irritant.

The J.J. Ryan Corporation, Rex Forge Division was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.1200(e)(1), which was contained in OSHA inspection number 314397720, Citation Number 1, Item Number 6, issued on June 6, 2010, with respect to a workplace located at 355 Atwater Street, Plantsville, Connecticut. The final order for this case was on June 17, 2010.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2014
Proposed Penalty:	\$7920.00

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

U.S. Department of Labor
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Citation and Notification of Penalty

Company Name: The J.J. Ryan Corporation Rex Forge Division
Inspection Site: 355 Atwater Street, Plantsville, CT 06479

Citation 3 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.95(m)(2)(ii)(A): The employee audiometric test records did not include the name and job classification of each employee:

a) Facility: On or about September 27, 2013, employee audiometric test records dated November 6, 2012 did not include the job classification of each employee.

Date By Which Violation Must be Abated:
Proposed Penalty:

01/15/2014
\$0.00

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: 941230
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Issuance Date: 11/26/2013



Citation and Notification of Penalty

Company Name: The J.J. Ryan Corporation Rex Forge Division
Inspection Site: 355 Atwater Street, Plantsville, CT 06479

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

29 CFR 1910.1200(f)(5)(i): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the identity of the hazardous chemical(s) contained therein:

a) EDM - On or about September 13, 2013, an EDM tank reported to contain EDM Fluid NO. 330, which contains hydrotreated light paraffinic distillate was not labeled with its contents contained therein. EDM Fluid No. 330 is flammable and is a skin irritant.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2014
Proposed Penalty:	\$0.00

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: 941230
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Issuance Date: 11/26/2013



Citation and Notification of Penalty

Company Name: The J.J. Ryan Corporation Rex Forge Division
Inspection Site: 355 Atwater Street, Plantsville, CT 06479

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

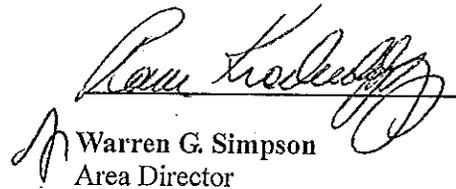
29 CFR 1910.1200(f)(5)(ii): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the appropriate hazard warnings:

a) EDM - On or about September 13, 2013, an EDM tank reported to contain EDM Fluid N0. 330, which contains hydrotreated light paraffinic distillate was not labeled with an appropriate hazard warning. EDM Fluid No. 330 is flammable and is a skin irritant.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

01/15/2014
\$0.00


Warren G. Simpson
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
William Cotter Federal Building
135 High Street, Suite 361
Hartford, CT 06103
Phone: 860-240-3152 Fax: 860-240-3155



INVOICE / DEBT COLLECTION NOTICE

Company Name: The J.J. Ryan Corporation Rex Forge Division
Inspection Site: 355 Atwater Street, Plantsville, CT 06479
Issuance Date: 11/26/2013

Summary of Penalties for Inspection Number	941230
Citation 1, Serious	\$18810.00
Citation 2, Repeat	\$23760.00
Citation 3, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$42570.00

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 \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

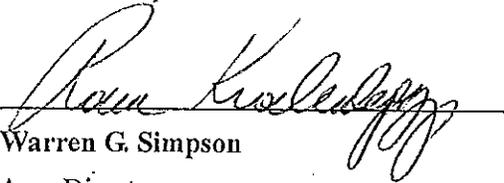
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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

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

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

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


Warren G. Simpson
Area Director

11/26/13
Date