

U.S. Department of Labor Occupational Safety and Health Administration
6393 Oak Tree Blvd,
Suite 203
Independence, OH 44131
Phone: 216-447-4194 Fax: 216-520-1624



May 13, 2014

KOBELCO STEWART BOLLING, INC.
1600 TEREX RD.
Hudson, OH 44236

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000) revised 1990, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of the date together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

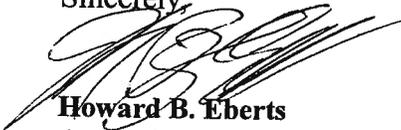
As indicated on page 8 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During an informal conference, you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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.

Sincerely,



Howard B. Eberts
Area Director

Enclosures

U.S. Department of Labor
Occupational Safety and Health Administration
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131
Phone: 216-447-4194 Fax: 216-520-1624



Citation and Notification of Penalty

To:
KOBELCO STEWART BOLLING, INC.
1600 TEREX RD.
Hudson, OH 44236

Inspection Number: 948383
Inspection Date(s): 11/14/2013 - 11/14/2013
Issuance Date: 05/13/2014

Inspection Site:
1600 TEREX RD.
Hudson, OH 44236

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 05/13/2014. The conference will be held by telephone or at the OSHA office located at 6393 Oak Tree Blvd, Suite 203, Independence, OH 44131 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 948383

Company Name: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236
Issuance Date: 05/13/2014

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, 6393 Oak Tree Blvd, Suite 203, Independence, OH 44131**

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

Inspection Number: 948383
Inspection Date(s): 11/14/2013 - 11/14/2013
Issuance Date: 05/13/2014



Citation and Notification of Penalty

Company Name: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236

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

29 CFR 1910.106(d)(5)(i): Flammable liquids, including stock for sale, were stored in a location that limited the use of exits, stairways, or areas normally used for the safe egress of people:

On or about November 14, 2013, the employer was storing approximately 200 gallons of flammable liquids including lacquer thinner, solvents, cleaners, degreasers, and oils near man door exit #2. In the situation of a fire the flammable chemicals would prevent the evacuation of employees. Man door exit #2 is the only man door in this area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/31/2014
\$5500.00

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: 948383
Inspection Date(s): 11/14/2013 - 11/14/2013
Issuance Date: 05/13/2014



Citation and Notification of Penalty

Company Name: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236

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

29 CFR 1910.132(d)(1)(i): When the employer had assessed the workplace hazard(s) and determined that hazard(s) were present, the employer did not select and/or use the types of personal protective equipment that would protect the affected employee:

On or about November 14, 2013, the employer did not identify the type of gloves employees should wear when handling chemicals such as lacquer thinner, safety-kleen premium solvent, and spotcheck cleaner/remover. Injuries could occur from permeation and degradation of the gloves used which can lead to increased risk of skin absorption and consequent toxicity. Injuries could range from severe dermatitis to chemical toxicity.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/09/2014
Proposed Penalty:	\$5500.00

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: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236

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

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

On or about November 14, 2013, employees required to wear personal protective equipment have not been trained on its use. Employees are working with lacquer thinner, safety-kleen premium solvent, and spotcheck cleaner/remover. Employees are required to wear gloves and safety glasses during these work activities. Employees were not aware what gloves should be worn when handling certain chemicals. Training consisted of being told to wear gloves. However, the identity of which gloves was not communicated to the employees or identified in the company's job hazard analysis.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/31/2014
Proposed Penalty:	\$5500.00

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

Inspection Number: 948383
Inspection Date(s): 11/14/2013 - 11/14/2013
Issuance Date: 05/13/2014



Citation and Notification of Penalty

Company Name: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236

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

29 CFR 1910.138(a): The employer did not select and require employee(s) to use appropriate hand protection when employees' hands were exposed to hazards such as those from skin absorption of harmful substances; severe cuts or lacerations; severe abrasion; punctures; chemical burns; thermal burns; and harmful temperature extremes:

On or about November 14, 2013, the employer did not provide chemical resistant gloves for employees who handle chemicals such as lacquer thinner, safety-kleen premium solvent, and spotcheck cleaner/remover. The gloves provided were not suitable for the chemicals handled. Injuries could occur from permeation and degradation of the gloves provided which can lead to increased risk of skin absorption and consequent toxicity. Injuries could range from severe dermatitis to tumors.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/21/2014
Proposed Penalty:	\$5500.00

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: 948383
Inspection Date(s): 11/14/2013 - 11/14/2013
Issuance Date: 05/13/2014



Citation and Notification of Penalty

Company Name: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236

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

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed:

On or about November 14, 2013, periodic inspections were not conducted of lockout/tagout procedures necessary to control the hazardous energy of machines such as, but not limited to, the CNC Lathe #1, King Vertical Boring Mill #2 and Morando Vertical Boring Mill#1. The lockout/tagout procedures for this equipment failed to meet the requirements of the standard, exposing employees to injury during servicing and maintenance.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/31/2014
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.

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

Inspection Number: 948383
Inspection Date(s): 11/14/2013 - 11/14/2013
Issuance Date: 05/13/2014



Citation and Notification of Penalty

Company Name: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236

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

29 CFR 1910.157(g)(2): The educational program to familiarize employees with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting was not provided to all employees upon initial employment, and at least annually thereafter:

On or about November 14, 2013, the employer did not provide annual training for portable fire extinguishers when available for employee use. Employees have not been trained on what to do in the situation of a fire or what an incipient stage fire is. Employees can be exposed to 3rd degree burns or smoke inhalation if they attempt to fight a fire beyond the incipient stage.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/31/2014
Proposed Penalty:	\$5500.00

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: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236

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

29 CFR 1910.147(c)(4)(ii): The energy control procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, including, but not limited to items of this section:

On November 13, 2013, lockout/tagout procedures did not clearly and specifically identify how to release the equipment from lockout/tagout. Procedures include equipment such as, but not limited to; the CNC Lathe #1, King Vertical Boring Mill #2 and Morando Vertical Boring Mill#1.

KOBELCO STEWART BOLLING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, (1910.147(c)(4)(i)), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER (315443614), CITATION NUMBER 01, ITEM NUMBER 5, AND WAS AFFIRMED AS A FINAL ORDER ON (11/07/2011), WITH RESPECT TO A WORKPLACE LOCATED AT (1600 TEREX RD. HUDSON, OHIO 44236).

- a. Include the steps for removing the lockout or tagout device.
- b. Include steps for inspecting the machine and their components to assure that they are operationally intact before being placed back into service.
- c. Include steps to assure that everyone is positioned safely away from machines before powering back up.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/31/2014
Proposed Penalty:	\$38500.00

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: 948383
Inspection Date(s): 11/14/2013 - 11/14/2013
Issuance Date: 05/13/2014



Citation and Notification of Penalty

Company Name: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236

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

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

On or about November 14, 2013, the King Vertical Boring Mill #2 in the manufacturing area was not properly guarded. Employees were exposed to an amputation hazard at the point of operation.

KOBELCO STEWART BOLLING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, (1910.212(a)(1)), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER (315443614), CITATION NUMBER 01, ITEM NUMBER 9, AND WAS AFFIRMED AS A FINAL ORDER ON (11/07/2011), WITH RESPECT TO A WORKPLACE LOCATED AT (1600 TEREX RD. HUDSON, OHIO 44236).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/31/2014
Proposed Penalty:	\$38500.00

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: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236

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

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:

On or about November 14, 2013, the employer did not ensure that each container of hazardous chemicals was labeled.

- a) The Safety Kleen Premium Solvent Tank was unlabeled and employees were exposed to contact dermatitis hazard.
- b) Spray bottles of Lacquer Thinner were unlabeled and employees were exposed to contact dermatitis hazard.

KOBELCO STEWART BOLLING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, (1910.1200(f)(5)(i)), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER (315443614), CITATION NUMBER 02, ITEM NUMBER 1(b), AND WAS AFFIRMED AS A FINAL ORDER ON (11/07/2011), WITH RESPECT TO A WORKPLACE LOCATED AT (1600 TEREX RD. HUDSON, OHIO 44236).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/21/2014
Proposed Penalty:	\$27500.00

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

Inspection Number: 948383
Inspection Date(s): 11/14/2013 - 11/14/2013
Issuance Date: 05/13/2014



Citation and Notification of Penalty

Company Name: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236

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

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

On or about November 14, 2013, the workplace hazard assessment had not been certified with the person conducting the evaluation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/21/2014
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: 948383
Inspection Date(s): 11/14/2013 - 11/14/2013
Issuance Date: 05/13/2014



Citation and Notification of Penalty

Company Name: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236

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

29 CFR 1910.179(j)(2): The following items were not inspected for defects at intervals as defined in paragraph (j)(1)(ii) of this section or as specifically indicated, including observation during operation for any defects which might appear between regular inspections:

On or about November 14, 2013, the company was not performing frequent inspections (daily) of the company's overhead cranes, located throughout the facility.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/21/2014
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: 948383
Inspection Date(s): 11/14/2013 - 11/14/2013
Issuance Date: 05/13/2014



Citation and Notification of Penalty

Company Name: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236

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

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

On or about November 14, 2013, the Oil Separator located at CNC #1 in the manufacturing area was not properly guarded. Employees were exposed to the inverting parts when working near and around the equipment. Employees could suffer severe lacerations or impalement if they should fall on the separator.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/09/2014
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: 948383
Inspection Date(s): 11/14/2013 - 11/14/2013
Issuance Date: 05/13/2014



Citation and Notification of Penalty

Company Name: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236

Citation 3 Item 4 Type of Violation: **Other-than-Serious**

29 CFR 1910.1200(e)(1)(i): The written hazard communication program did not include a list of the hazardous chemicals known to be present, using an identity that was referenced on the appropriate material safety data sheet:

On or about November 14, 2013, the employer did not have a chemical inventory list available for employees to reference to identify the appropriate material safety data sheet.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/31/2014

Proposed Penalty:

\$0.00

A handwritten signature in black ink, appearing to read "H. Eberts", is written over a horizontal line.

Howard B. Eberts
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
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131
Phone: 216-447-4194 Fax: 216-520-1624



INVOICE / DEBT COLLECTION NOTICE

Company Name: KOBELCO STEWART BOLLING, INC.
Inspection Site: 1600 TEREX RD., Hudson, OH 44236
Issuance Date: 05/13/2014

Summary of Penalties for Inspection Number	948383
Citation 1, Serious	\$34500.00
Citation 2, Repeat	\$104500.00
Citation 3, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$139000.00

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.



Howard B. Eberts
Area Director

5-13-2014
Date