

## U.S. Department of Labor

Occupational Safety and Health Administration  
1310 W. Clairemont Avenue  
Eau Claire, WI 54701  
Phone: 715-832-9019 Fax: 715-832-1147



## Citation and Notification of Penalty

**To:**  
Koser Iron Works, Inc.  
150 North 18th St  
Barron, WI 54812

**Inspection Number:** 998042  
**Inspection Date(s):** 10/01/2014 - 10/08/2014  
**Issuance Date:** 03/18/2015

**Inspection Site:**  
150 North 18th St  
Barron, WI 54812

*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](http://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](http://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 03/18/2015. The conference will be held by telephone or at the OSHA office located at 1310 W.

Clairemont Avenue, Eau Claire, WI 54701 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 998042**

Company Name: Koser Iron Works, Inc.  
Inspection Site: 150 North 18th St, Barron, WI 54812  
Issuance Date: 03/18/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 1310 W. Clairemont Avenue, Eau Claire, WI 54701**

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:** 998042  
**Inspection Date(s):** 10/01/2014 - 10/08/2014  
**Issuance Date:** 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

29 CFR 1910.101(b): The in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks were not in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in 29 CFR 1910.6:

- (a) Production Building near Paint Line Spray Booth; Compressed gas cylinders were not secured from displacement.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$3080.00

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

Inspection Number: 998042  
Inspection Date(s): 10/01/2014 - 10/08/2014  
Issuance Date: 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

29 CFR 1910.106(d)(4)(iii): Electrical wiring and equipment located in inside storage rooms used for Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100 °F (37.8 °C), shall be approved under subpart S of this part for Class I, Division 2 Hazardous Locations and for Category 3 flammable liquids with a flashpoint at or above 100 °F (37.8 °C) were not approved as required:

- (a) Dip Tank Paint Building, Flammable Storage Room; Electrical wiring was not properly classified for the inside storage room containing approximately 30, 55 gallon drums, of flammable paint and other chemicals.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	05/28/2015
Proposed Penalty:	\$3080.00

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:** 998042  
**Inspection Date(s):** 10/01/2014 - 10/08/2014  
**Issuance Date:** 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

29 CFR 1910.106(d)(4)(iv): Ventilation. Every inside storage room was not provided with either a gravity or a mechanical exhaust ventilation system; designed to provide for a complete change of air within the room at least six times per hour:

- (a) Dip Tank Paint Building, Flammable Storage Room; The ventilation system in place did not complete a change of air within the room at least six times per hour, in the inside storage room, containing approximately 30, 55 gallon drums, of flammable paint (flashpoints ranged from 95 F to 102 F) and other chemicals.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	05/28/2015
Proposed Penalty:	\$3080.00

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:** 998042  
**Inspection Date(s):** 10/01/2014 - 10/08/2014  
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**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

29 CFR 1910.107(e)(2): The quantity of flammable or combustible liquids kept in the vicinity of spraying operation(s) exceeded the minimum required for operation:

- (a) Production Building, Paint Line Spray Booth; The quantity of flammable or combustible liquids kept in the spray booth exceeded the quantity needed for one day or one shift.

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/01/2015  
\$2200.00

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:** 998042  
**Inspection Date(s):** 10/01/2014 - 10/08/2014  
**Issuance Date:** 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

29 CFR 1910.107(f)(1): The automatic sprinkler system in rooms containing spray finishing operations did not conform to the requirements of 1910.159:

- (a) Production Building, Paint Line Spray Booth; Sprinklers provided for use were not maintained to ensure effectiveness.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/01/2015
Proposed Penalty:	\$2200.00

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

**Inspection Number:** 998042  
**Inspection Date(s):** 10/01/2014 - 10/08/2014  
**Issuance Date:** 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

29 CFR 1910.125(e)(1)(i): All electrical wiring and equipment in each vapor area and any adjacent area did not conform to the applicable hazardous (classified) area requirements of subpart S:

- (a) Dip Tank Paint Building; Electrical outlets and boxes, adjacent to the blue dip tank, were not approved for the ignitable properties of flammable vapors; flammable paint utilized in this area had a flashpoint of 95 degrees Fahrenheit.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	05/28/2015
Proposed Penalty:	\$3080.00

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

Inspection Number: 998042  
Inspection Date(s): 10/01/2014 - 10/08/2014  
Issuance Date: 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles:

- (a) Throughout the facility; The employer did not ensure that employees wore safety glasses, when exposed to flying metal particles and other foreign objects, when performing grinding operations and various other tasks.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/08/2015
Proposed Penalty:	\$3080.00

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:** 998042  
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**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
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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 8 a Type of Violation: **Serious****

29 CFR 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator, before the employee was fit tested or required to use the respirator in the workplace:

- (a) Production Building, Paint Line Spray Booth; Employee(s) required to wear half-mask elastomeric respirators while painting were not provided medical evaluations prior to use.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	05/28/2015
Proposed Penalty:	\$1760.00

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:** 998042  
**Inspection Date(s):** 10/01/2014 - 10/08/2014  
**Issuance Date:** 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

29 CFR 1910.134(f)(1): The employer did not ensure that employee(s) required to use a tight-fitting facepiece respirator passed the appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT):

(a) Production Building, Paint Line Spray Booth; Employee(s) required to wear half-mask elastomeric respirators while painting were not provided fit tests prior to use.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

05/28/2015

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

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

Inspection Number: 998042  
Inspection Date(s): 10/01/2014 - 10/08/2014  
Issuance Date: 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

29 CFR 1910.178(b)(12): The atmosphere or location was not classified as to whether it was hazardous or nonhazardous prior to the consideration of industrial trucks being used therein and the type of industrial truck required was not provided as in paragraph (d) of this section for such location:

- (a) Dip Tank Paint Building; The Clark Electric forklift and the Hyster Gasoline (s/n L005V05667C) forklift were not approved for use in atmospheres containing flammable liquids.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/15/2015
Proposed Penalty:	\$3080.00

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:** 998042  
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**Issuance Date:** 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

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:

- (a) Production Building, 142 Floor Grinder; The floor grinder did not have an appropriate tongue guard.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/15/2015
Proposed Penalty:	\$2200.00

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: 998042  
Inspection Date(s): 10/01/2014 - 10/08/2014  
Issuance Date: 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

29 CFR 1910.254(d)(9)(iii): Cables with damaged insulation or exposed bare conductors were not replaced:

- (a) Production Building, Miller arc welder; Welding cable(s) had damaged insulation and were covered with electrical tape.
- (b) Production Building, backside of Miller arc welder; Exposed bare conductors were not repaired.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/01/2015
Proposed Penalty:	\$2640.00

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

**Inspection Number:** 998042  
**Inspection Date(s):** 10/01/2014 - 10/08/2014  
**Issuance Date:** 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

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

(a) Production Building, Channel Cut-off Line; Knockouts were missing on control box.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/01/2015
Proposed Penalty:	\$2640.00

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:** 998042  
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**Issuance Date:** 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

29 CFR 1910.147(d)(4)(i): Lockout or tagout devices were not affixed to each energy isolating device by authorized employees:

- (a) Production Building; The employees did not affix lockout or tagout devices to energy isolation devices prior to performing die changes on the 150 ton Cyril Bath Punch Press.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/01/2015
Proposed Penalty:	\$30800.00

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: 998042  
Inspection Date(s): 10/01/2014 - 10/08/2014  
Issuance Date: 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

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

- (a) Production Building; The employer did not ensure the 175 ton Master-Fab press brake was adequately guarded when employee(s) were exposed to the point of operation.
- (b) Production Building; The employer did not ensure the 110 ton Promecam press brake was adequately guarded when employee(s) were exposed to the point of operation.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/08/2015
Proposed Penalty:	\$24200.00

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:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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

29 CFR 1910.178(l)(1)(i): The employer did not ensure that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (l):

- (a) Throughout facility; Temporary employees operated powered industrial vehicles, such as but not limited to, the Allis Chalmers LP forklift, the Hyster 80, and the 70 Komatsu, and were not trained on safe operation including classroom training and hands on training under observation.

Koser Iron Works, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.178(l)(1)(i), which was contained in OSHA inspection number 829781, citation number 1, item 3a and was affirmed as final order on June 11, 2013, with respect to a workplace located at 150 North 18th Street in Barron, WI.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/01/2015
Proposed Penalty:	\$6160.00

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

Inspection Number: 998042  
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Issuance Date: 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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**Citation 3 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:

- (a) Production Building, Maintenance Shop; The South Bend lathe was operated without guarding the rotating chuck.
- (b) Production Building, Maintenance Shop; The Rockford lathe was operated without guarding the rotating chuck.

Koser Iron Works, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.212(a)(1), which was contained in OSHA inspection number 829781, citation number 1, item 4 and was affirmed as final order on June 11, 2013, with respect to a workplace located at 150 North 18th Street in Barron, WI.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/01/2015
Proposed Penalty:	\$4400.00

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: 998042  
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**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
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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 3 Item 3 a** Type of Violation: **Repeat**

29 CFR 1910.219(d)(1): Pulley(s) with part(s) seven feet or less from the floor or work platform were not guarded in accordance with the requirements specified in 29 CFR 1910.219(m) and (o):

- (a) Production Building, Maintenance Shop; The South Bend lathe does not have an adequate guard on the drive pulley.

Koser Iron Works, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.219(d)(1), which was contained in OSHA inspection number 829781, citation number 1, item 8a and was affirmed as final order on June 11, 2013, with respect to a workplace located at 150 North 18th Street in Barron, WI.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/01/2015
Proposed Penalty:	\$4400.00

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

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**Citation and Notification of Penalty**

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

29 CFR 1910.219(e)(1)(i): Horizontal belts which had both runs 42 inches or less from the floor level were not fully enclosed by guards conforming to requirements specified in 29 CFR 1910.219(m) and (o):

- (a) Production Building, Maintenance Shop; The South Bend lathe does not have an adequate guard on the drive belt.

Koser Iron Works, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.219(e)(1)(i), which was contained in OSHA inspection number 829781, citation number 1, item 8b and was affirmed as final order on June 11, 2013, with respect to a workplace located at 150 North 18th Street in Barron, WI.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

04/01/2015

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

**Inspection Number:** 998042  
**Inspection Date(s):** 10/01/2014 - 10/08/2014  
**Issuance Date:** 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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**Citation 3 Item 4** Type of Violation: **Repeat**

29 CFR 1910.178(q)(7): Industrial trucks were not examined before being placed in service:

- (a) Throughout facility; Employees did not perform inspections prior to operating powered industrial vehicles, such as but not limited to, the Allis Chalmers LP forklift, the Clark Electric forklift, the Hyster 80, and the 70 Komatsu.

Koser Iron Works, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.178(q)(7), which was contained in OSHA inspection number 829781, citation number 1, item 3b and was affirmed as final order on June 11, 2013, with respect to a workplace located at 150 North 18th Street in Barron, WI.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/01/2015
Proposed Penalty:	\$100.00

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

**Inspection Number:** 998042  
**Inspection Date(s):** 10/01/2014 - 10/08/2014  
**Issuance Date:** 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

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Citation 4 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.22(d)(1): On every building or other structure, or part thereof, used for mercantile, business, industrial or storage purposes, the loads approved by the building official were not marked on plates of approved design and securely affixed in a conspicuous place in each space to which they relate:

- (a) Production Building; The mezzanine over the tool crib and the maintenance shop was used for storage, no load rating was specified.
- (b) Dip Tank Paint Building; The mezzanine over the bathroom and the office was used for storage, no load rating was specified.

Date By Which Violation Must be Abated:  
Proposed Penalty:

05/28/2015  
\$0.00

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

Inspection Number: 998042  
Inspection Date(s): 10/01/2014 - 10/08/2014  
Issuance Date: 03/18/2015



**Citation and Notification of Penalty**

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812

**Citation 4 Item 2** Type of Violation: **Other-than-Serious**

29 CFR 1910.178(a)(6): The employer did not ensure that all nameplates and markings were in place:

- (a) Dip Tank Paint Building; The Clark Electric forklift had no nameplate.
- (b) Production Building; The Allis Chalmers LP forklift had no nameplate.

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/15/2015  
\$0.00

A handwritten signature in black ink, appearing to read "Mark Hysell". The signature is written over a horizontal line.

Mark Hysell  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1310 W. Clairemont Avenue  
Eau Claire, WI 54701  
Phone: 715-832-9019 Fax: 715-832-1147



## INVOICE / DEBT COLLECTION NOTICE

**Company Name:** Koser Iron Works, Inc.  
**Inspection Site:** 150 North 18th St, Barron, WI 54812  
**Issuance Date:** 03/18/2015

<b>Summary of Penalties for Inspection Number</b>	<b>998042</b>
<b>Citation 1, Serious</b>	<b>\$32,120.00</b>
<b>Citation 2, Willful</b>	<b>\$55,000.00</b>
<b>Citation 3, Repeat</b>	<b>\$15,060.00</b>
<b>Citation 4, Other-than-Serious</b>	<b>\$0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$102,180.00</b>

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](http://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.

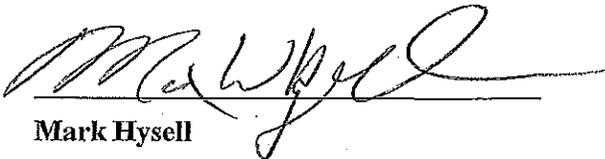
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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.



Mark Hysell  
Area Director

03/18/15  
Date