

## U.S. Department of Labor

Occupational Safety and Health Administration  
2183 Northlake Parkway  
Building 7, Suite 110  
Tucker, GA 30084  
Phone: (770)493-6644 FAX: (770)493-7725



### Citation and Notification of Penalty

**To:**  
Koswire, Inc.  
and its successors  
4600 Cantrell Road  
Flowery Branch, GA 30542

**Inspection Number:** 315742239  
**Inspection Date(s):** 03/03/2012-04/20/2012  
**Issuance Date:** 08/23/2012

**Inspection Site:**  
4600 Cantrell Road  
Flowery Branch, GA 30542

*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. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form.

**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. The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.

**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.

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

**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 page 4 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.

**Notification of Corrective Action** - For each violation which you do not contest, you are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the OSHA office issuing the citation and identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful and Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification.

Where the citation is classified as **Serious** and the citations state that the abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All Abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on front page); 3) the citation and the citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The Law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

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 your inspection will be available 30 calendar days after the Citation Issuance Date. 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.

**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.



IN THE EVENT THAT YOU REQUEST AN INFORMAL CONFERENCE  
PLEASE FILL OUT AND POST THIS NOTICE

## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/23/2012. The conference will be held at the OSHA office located at 2183 Northlake Parkway, Building 7, Suite 110, Tucker, GA, 30084 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Company Name: Koswire, Inc.  
Inspection Site: 4600 Cantrell Road, Flowery Branch, GA 30542  
Inspection Number: 315742239  
Issuance Date: 08/23/2012

List the specific method of correction for each item on this citation in the package that does not read "Corrected During Inspection" and return this page with the signed Informal Settlement Agreement to: **U.S. Department of Labor - Occupational Safety and Health Administration, 2183 Northlake Parkway, Building 7, Suite 110, Tucker, GA 30084**

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\_\_\_\_\_  
Name of the Company Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
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 for not more than six months or both.

**Posting:** A copy of the completed Corrective Action Worksheet should be posted for employee review.



**Citation and Notification of Penalty**

Company Name: Koswire, Inc.  
Inspection Site: 4600 Cantrell Road, Flowery Branch, GA 30542

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

29 CFR 1910.23(a)(2): Ladderway floor opening(s) or platform(s) were not provided with swinging gates or were not so offset that a person could not walk directly into the opening:

On or about 3/3/12, at the 1st Draw pit area (2 pits), employees were exposed to 12' fall hazards at the ladder openings to the pits as the openings were protected with a single plastic chain.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:	09/18/2012
Proposed Penalty:	\$ 4950.00

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

29 CFR 1910.23(a)(5): Infrequently used pit or trap door floor opening(s) were not guarded by floor opening covers of standard strength and construction or was not attended by someone:

On or about 3/3/12, in the Single Block area at the upper platform above the PH tanks, employees were exposed to trip hazards as dryer pipe openings measuring 19 1/2" wide and 1'4" deep and were not protected with floor opening covers and were not attended by someone. The dryer pipes that ran through the openings were 5" in diameter.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:	09/18/2012
Proposed Penalty:	\$ 5940.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Koswire, Inc.  
Inspection Site: 4600 Cantrell Road, Flowery Branch, GA 30542

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

29 CFR 1910.23 (c)(1): Standard guardrails were not provided for every open-sided floor or platform 4 feet or more above adjacent floor or ground level.

On or about 3/3/12, at the Single Block area, operator platforms for the 1B2401 and 1B2402 lines were 4'33" above lower levels on the spooler pit side and were equipped with a single guard rail that measured 31 1/2" from the platform.

**In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).**

Date By Which Violation Must be Abated:	09/18/2012
Proposed Penalty:	\$ 5940.00

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

29 CFR 1910.24(e): Fixed stairs were not installed at angles to the horizontal between 30 and 50 degrees:

On or about 3/3/12, in the Single Block area, employees were exposed to trip and fall hazards as the set of stairs leading to the work platform located above the PH tank were set to an angle of 58.57 degrees.

**In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).**

Date By Which Violation Must be Abated:	09/18/2012
Proposed Penalty:	\$ 5940.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Koswire, Inc.  
Inspection Site: 4600 Cantrell Road, Flowery Branch, GA 30542

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

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 (a) through (d) of this section:

On or about 3/3/2012, the employer has not created specific written LOTO procedures for employees providing service and maintenance work to various equipment at the facility. Equipment includes drawing machines, pumps, motors, electrical equipment, coilers and spoolers.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:	10/09/2012
Proposed Penalty:	\$ 6930.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Koswire, Inc.  
Inspection Site: 4600 Cantrell Road, Flowery Branch, GA 30542

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

29 CFR 1910.147(c)(7)(i)(A): Each authorized employee did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation and control:

On or about 3/3/2012, the employer did not ensure each authorized employee received training in that some employees performing "authorized" work did not receiving training at all and other employees that received training did not receive information in the recognition of applicable energy sources, the type and magnitude of the energy available, and the methods and means necessary for energy isolation and control.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:	10/09/2012
Proposed Penalty:	\$ 6930.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Koswire, Inc.  
Inspection Site: 4600 Cantrell Road, Flowery Branch, GA 30542

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

29 CFR 1910.147(f)(3)(ii): Group lockout or tagout devices were not used in accordance with procedures required by 29 CFR 1910.147(C)(4), including, but not limited to, items (a) through (d) of this section:  
On or about 3/14/2012, at the Flowery Branch facility, when multiple employees performed "authorized" work the employer did not ensure all employees affixed their own lock to ensure all energies remained isolated through the course of their work. i.e. Two maintenance employees changing out a dust collector motor on the roof were performing the work with a single lock applied to the 480 volt electrical energy source controlling the equipment.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:	09/18/2012
Proposed Penalty:	\$ 6930.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Koswire, Inc.  
Inspection Site: 4600 Cantrell Road, Flowery Branch, GA 30542

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

29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use:

On or about 3/3/12, in the Annealing area, employees were exposed to corrosives at the degreasing tank (holding a degreaser SD-7) and were not provided an eye wash that was immediately available.

**In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.**

Date By Which Violation Must be Abated:	09/18/2012
Proposed Penalty:	\$ 6930.00

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

29 CFR 1910.184(d): Sling(s) and fastenings were not inspected by a competent person each day, before being used, for damage or defects:

On or about 3/3/12, in the production area, the employer did not ensure sling inspections were conducted by a competent person each day, before being used, for damage and defects. Slings showing evidence of damage and wear continued to remain in use.

**In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).**

Date By Which Violation Must be Abated:	09/18/2012
Proposed Penalty:	\$ 5940.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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**Citation and Notification of Penalty**

**Company Name:** Koswire, Inc.  
**Inspection Site:** 4600 Cantrell Road, Flowery Branch, GA 30542

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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 resulting from an accident.

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

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 at 29 CFR 1910.219(m) & (o):

On or about 3/3/12, in the production area, employees were exposed to amputation hazards as pulleys (and belts) were left exposed and not guarded. Instances included:

- 1 - Single Block area on line 1B2401 - 2 locations at the spooler
- 2 - Annealing mezzanine - 12 count along the 50' long mezzanine

**In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).**

Date By Which Violation Must be Abated:	09/18/2012
Proposed Penalty:	\$ 4950.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Koswire, Inc.  
Inspection Site: 4600 Cantrell Road, Flowery Branch, GA 30542

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

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):

On or about 3/3/12, in the production area, employees were exposed to amputation hazards as belts (and pulleys) were left exposed and not guarded. Instances included:

1 - Single Block area on line 1B2401 - 2 locations at the spooler

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated: 09/18/2012

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

29 CFR 1910.219(e)(3)(i): Vertical or inclined belt(s) were not enclosed by guard(s) conforming to the requirements specified at 29 CFR 1910.219(m) and (o):

On or about 3/3/12, in the production area, employees were exposed to amputation hazards as VERTICAL belts (and pulleys) were left exposed and not guarded. Instances included:

1 - Single Block area on line 1B2401 - 1 location at the spooler  
2 - Annealing mezzanine - 12 count along the 50' long mezzanine

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated: 09/18/2012

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Koswire, Inc.  
Inspection Site: 4600 Cantrell Road, Flowery Branch, GA 30542

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

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazard(s) created by ingoing nip points and rotating parts.

On or about 3/3/2012, employees were exposed to amputation and decapitation hazards as the employer did not guard and/or did not enforce available guarding on all ingoing pinch points and rotating parts on all machines. Multiple amputation hazards existed on the following machines at the facility and in multiple locations on each machine:

- 1st Draw Lines - 1D2401 and 1D2402
- Annealing Lines - AF1001 and AF1002
- 2nd Draw Lines - 1201, 1202, 1601, 1203, 1204, 1205
- Single Block Lines - 1B2401, 1B2402, 1B2403, 1601, 1602 including spooler pits located at lines 1B2401 & 1B2402

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:	10/09/2012
Proposed Penalty:	\$ 69300.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

Company Name: Koswire, Inc.  
Inspection Site: 4600 Cantrell Road, Flowery Branch, GA 30542

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

29 CFR 1910.179(j)(2)(iii): Monthly inspections of hooks, with signed reports, were not performed:

On or about 3/3/12, in the production area, employees were using hooks on overhead cranes on a daily basis and the employer did not ensure monthly documented inspections were performed on those hooks. Hooks used at the Single Block line and the 1st Draw lines were from Korea and had never been tested or inspected by the employer. Hooks were marked 5 ton and 3 ton.

**In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).**

Date By Which Violation Must be Abated:	09/18/2012
Proposed Penalty:	\$ 0.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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**Citation and Notification of Penalty**

Company Name: Koswire, Inc.  
Inspection Site: 4600 Cantrell Road, Flowery Branch, GA 30542

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

29 CFR 1910.305(b)(2)(i): All pull boxes, junction boxes, and fittings were not provided with covers identified for the purpose. In completed installations each outlet box shall have a cover.

On or about 3/3/12, in the Single Block area at the 1B2401 line, employees were exposed to electrical hazards as an electrical junction box was left uncovered exposing the 230 volt inner wiring.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:	09/18/2012
Proposed Penalty:	\$ 0.00

  
\_\_\_\_\_  
William C. Falcher  
Area Director

See pages 1 through 5 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  
2183 Northlake Parkway  
Building 7, Suite 110  
Tucker, GA 30084  
Phone: (770)493-6644 FAX: 770-493-7725



## INVOICE/ DEBT COLLECTION NOTICE

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**Company Name:** Koswire, Inc.  
**Inspection Site:** 4600 Cantrell Road, Flowery Branch, GA 30542  
**Issuance Date:** 08/23/2012

**Summary of Penalties for Inspection Number 315742239**

<b>Citation 1, Serious</b>	<b>= \$ 61380.00</b>
<b>Citation 2, Willful</b>	<b>= \$ 69300.00</b>
<b>Citation 3, Other</b>	<b>= \$ 0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>= \$ 130680.00</b>

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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.

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

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 4%. 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.



William C. Fulcher  
Area Director

08/23/2012

Date