

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
4802 E. Broadway  
Madison, WI 53716  
Phone: 608-441-5388 Fax: 608-441-5400



## Citation and Notification of Penalty

**To:**  
L C United Painting Co.  
and its successors  
3525 Barbara Drive  
Sterling Heights, MI 48310

**Inspection Number:** 1068239  
**Inspection Date(s):** 06/03/2015 - 06/03/2015  
**Issuance Date:** 11/30/2015

**Inspection Site:**  
405 Mine Road  
Baraboo, WI 53913

*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 \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

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

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

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

**Inspection Activity Data** – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at [www.osha.gov](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 11/30/2015. The conference will be held by telephone or at the OSHA office located at 4802 E. Broadway, Madison, WI 53716 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1068239**

Company Name: L C United Painting Co.  
Inspection Site: 405 Mine Road, Baraboo, WI 53913  
Issuance Date: 11/30/2015

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, 4802 E. Broadway, Madison, WI 53716**

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  
\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
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 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: 1068239  
Inspection Date(s): 06/03/2015 - 06/03/2015  
Issuance Date: 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

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

OSH ACT of 1970 Section (5)(a)(1): Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that caused or were likely to cause death or serious physical harm in that employees were exposed to fall hazards:

Wire rope used to rig the ladders inside the bowl were exposed to sharp edges where the wire rope passed through holes cut in the steel near the top of the bowl.

Among other methods, one feasible and acceptable abatement method to correct this hazard is to pad or protect any sharp corners the sling is in contact with.

Padding wire ropes when in contact with sharp edges.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$5390.00

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

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

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**Company Name:** L C United Painting Co.  
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**Citation 1 Item 2**    Type of Violation: **Serious**

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

The employer did not ensure that each powered industrial truck operator was competent to operate a powered industrial truck safely.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**12/29/2015**  
**\$3850.00**

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: 1068239  
Inspection Date(s): 06/03/2015 - 06/03/2015  
Issuance Date: 11/30/2015



**Citation and Notification of Penalty**

Company Name: L C United Painting Co.  
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**Citation 1 Item 3** Type of Violation: **Serious**

29 CFR 1926.20(b)(2): The employer did not initiate and maintain a safety program which provides for frequent and regular inspections of jobsites, materials, and equipment to be made by a competent person:

A competent person did not conduct frequent and regular of jobsite inspections, such as but not limited to, ladders and electrical cords.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$5390.00

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

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

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**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
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**Citation 1 Item 4** Type of Violation: **Serious**

29 CFR 1926.251(c)(5)(i): The U section of U-bolt wire rope clip(s) used to form eyes was not in contact with the dead end of the rope:

In rigging the containment the employer had 19 U-bolt wire rope clip eyes that were not in contact with the dead end of the rope.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

12/08/2015  
\$4620.00

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: 1068239  
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Issuance Date: 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
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**Citation 1 Item 5**    Type of Violation: **Serious**

29 CFR 1926.302(b)(1): Pneumatic power tool(s) were not secured to the hose or whip by some positive means to prevent the tool from becoming accidentally disconnected:

On or about June 2, 2015, pneumatic power tools were used in the bowl section of the water tower and were not secured to the hose or whipped by some positive means to prevent the tool from becoming accidentally disconnected.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$5390.00

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

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

**Company Name:** L C United Painting Co.  
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**Citation 1 Item 6** Type of Violation: **Serious**

29 CFR 1926.302(b)(7): Compressed air hose(s) exceeding 1/2 inch inside diameter, did not have a safety device at the source of supply or branch line to reduce pressure in case of hose failure.

On or about June 2, 2015, safety devices were not installed at the Ingersoll-Rand air compressor to reduce pressure in case of a hose failure.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**12/08/2015**  
**\$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**  
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**Inspection Number:** 1068239  
**Inspection Date(s):** 06/03/2015 - 06/03/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

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

29 CFR 1926.351(b)(4): Welding cable(s) in use were in need of repair:

Employees were using welding leads that were damaged exposing them to electrical hazards, such as but not limited to, electrical shock.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$3850.00

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

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

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**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
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**Citation 1 Item 8** Type of Violation: **Serious**

29 CFR 1926.403(b)(1): Employer did not ensure that electrical equipment is free from recognized hazards that are likely to cause death or serious physical harm to employees:

The employer was using electrical equipment that was not free from recognized hazards.

a) On or about June 10, 2015, employees mixing paint and walking around the water tower were exposed to electrical hazards due to a damaged green extension cord that was powering the Black & Decker hand grinder.

b) On or about June 10, 2015 employees working on top of the water tower were exposed to electrical hazards due to using a Black & Decker grinder that had a damaged electrical cord.

Employees working in the paint mixing area were exposed to electrical hazards due to using a Rigid Drill that had a damaged electrical cord.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$5390.00

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:** 1068239  
**Inspection Date(s):** 06/03/2015 - 06/03/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

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

29 CFR 1926.404(b)(1)(i): Employer did not use either ground fault circuit interrupters as specified in paragraph (b)(1)(ii) of this section, or an assured equipment grounding conductor program as specified in paragraph (b)(1)(iii) of this section to protect employees on construction sites.

The employer did not utilize ground fault circuit interrupters nor did they have an assured grounding program in place while using temporary wiring.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**Corrected During Inspection**  
**\$5390.00**

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

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

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**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

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

29 CFR 1926.405(a)(2)(ii)(I): Flexible cords and cables used for temporary wiring were not protected from damage.

On or about June 10, 2015, electrical cords were running through the water tower base door and were not protected from damage.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$3850.00

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:** 1068239  
**Inspection Date(s):** 06/03/2015 - 06/03/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
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**Citation 1 Item 11** Type of Violation: **Serious**

29 CFR 1926.404(f)(6): The path to ground from circuits, equipment, or enclosures was not permanent and continuous:

On or about June 9, 2015, a green extension cord powering the Black & Decker Hand grinder had a missing ground prong.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$3850.00

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

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

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**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
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**Citation 1 Item 12** Type of Violation: **Serious**

29 CFR 1926.405(g)(2)(iv): Flexible cords were not connected to devices and fittings so that strain relief is provided to prevent pull from being directly transmitted to joints or terminal screws.

The employer was utilizing flexible cords that had damage due to the cords not having strain relief provided.

- a) Employees in the cone area of the tower were exposed to electrical hazards due to utilizing damage flexible cords that had no strain relief.
- b) Employees in the time clock area were exposed to electrical hazards due to utilizing damage flexible cords that had no strain relief.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/09/2015  
\$3850.00

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:** 1068239  
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**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

29 CFR 1926.451(d)(10): Ropes were not inspected by a competent person prior to each work shift and replaced if any physical damage impairing the function and strength of the rope existed.

Employees were using single point suspension scaffolding with wire rope that was not inspected by a competent person prior to each work shift.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$3850.00

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

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**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

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

29 CFR 1926.451(f)(3): Scaffolds and scaffold components were not inspected for visible defects by a competent person before each work shift, and after any occurrence which could affect a scaffold's structural integrity:

Employees were using single point suspension scaffolding that was not inspected for visible defects by a competent person prior to each work shift.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

**Date By Which Violation Must be Abated:**

**12/08/2015**

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

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**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
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**Citation 1 Item 14** Type of Violation: **Serious**

29 CFR 1926.451(f)(7): Scaffolds were not erected, moved, dismantled, or altered, by trained and experienced employees under the supervision and direction of a competent person qualified in scaffold erection, moving, dismantling or alteration: Such activities were not performed only by experienced and trained employees selected for such work by the competent person.

Employees erecting, moving, dismantling, or altering single point suspension scaffolding inside the water tower were not under the direction and supervision of a competent person.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$3850.00

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**Citation and Notification of Penalty**

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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 15 a Type of Violation: Serious**

29 CFR 1926.451(g)(3)(i): Vertical lifelines were not fastened to a fixed safe point of anchorage, independent of the scaffold, and protected from sharp edges and abrasion.

A rope grab system used as a vertical lifeline for employees in the single point suspension scaffolding did not have an anchorage capable of supporting at least 5,000 lbs. The rope grab was anchored to a guardrail that had sharp edges without padding and was tied in a knot.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$5390.00

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**Company Name:** L C United Painting Co.  
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**Citation 1 Item 15 b** Type of Violation: **Serious**

29 CFR 1926.502(d)(23): Personal fall arrest systems were attached to guardrail systems or to hoists:

A rope grab system used as a vertical lifeline for employees in the single point suspension scaffolding was attached to a guardrail.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:

12/08/2015

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**Citation 1 Item 16** Type of Violation: **Serious**

29 CFR 1926.501(b)(4)(i): Each employee on walking/working surfaces was not protected from falling through holes (including skylights) more than 6 feet (1.8 m) above lower levels, by personal fall arrest systems, covers, or guardrail systems erected around such holes:

Employees who were climbing ladders inside the water tower were exposed to fall hazards due to unprotected holes.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
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**Citation 1 Item 17** Type of Violation: **Serious**

29 CFR 1926.502(d)(15): Anchorage used for attachment for personal fall arrest equipment was not capable of supporting at least 5,000 pounds (22.2 kN) per employee attached nor was it designed, installed and used as follows: As part of a complete personal fall arrest system which maintains a safety factor of at least two; and under the supervision of a qualified person.

Employees who were climbing fixed ladders inside the water tower were using a rope grab system as a fall protection with an anchorage that was not capable of supporting at least 5,000 pounds.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$5390.00

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:** 1068239  
**Inspection Date(s):** 06/03/2015 - 06/03/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

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**Citation 1 Item 18** Type of Violation: **Serious**

29 CFR 1926.502(d)(16)(iii): Personal fall arrest systems, when stopping a fall, were not rigged such that an employee could not free fall more than 6 feet (1.8 m) nor contact any lower level:

On or about June 16, 2015, an employee was working from the top of the shot pot and was using a personal fall arrest system that would allow him to free fall a distance greater than 6 feet.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$4620.00

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:** 1068239  
**Inspection Date(s):** 06/03/2015 - 06/03/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

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**Citation 1 Item 19** Type of Violation: **Serious**

29 CFR 1926.502(d)(20): The employer did not provide for prompt rescue of employees in the event of a fall or did not assure that employees were able to rescue themselves:

No rescue plan was in place in the event of a fall where employees were working on the exterior of the water tower.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$5390.00

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:** 1068239  
**Inspection Date(s):** 06/03/2015 - 06/03/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

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**Citation 1 Item 20** Type of Violation: **Serious**

29 CFR 1926.502(d)(21): Personal fall arrest systems were not inspected prior to each use for wear, damage, and other deterioration, and/or defective components were not removed from service:

Employees working inside and outside of the water tower were using personal fall arrest systems that were not inspected prior to each use.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**12/08/2015**  
**\$5390.00**

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: 1068239  
Inspection Date(s): 06/03/2015 - 06/03/2015  
Issuance Date: 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

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Citation 1 Item 21 Type of Violation: **Serious**

29 CFR 1926.503(a)(1): The employer did not provide a training program for each employee potentially exposed to fall hazards to enable each employee to recognize the hazards of falling and the procedures to be followed in order to minimize these hazards:

Employees working inside the water tower bowl were not trained in the recognition of fall hazards and how to minimize them.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/14/2015  
\$5390.00

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:** 1068239  
**Inspection Date(s):** 06/03/2015 - 06/03/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

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**Citation 1 Item 22** Type of Violation: **Serious**

29 CFR 1926.600(a)(5): Equipment cab glass introduced visible distortion that affected the safe operation of the machine.

The glass/windshield on the Sky Trak Forklift Model 842 was damaged and obstructed the operator's visibility.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$3850.00

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: 1068239  
Inspection Date(s): 06/03/2015 - 06/03/2015  
Issuance Date: 11/30/2015



**Citation and Notification of Penalty**

Company Name: L C United Painting Co.  
Inspection Site: 405 Mine Road, Baraboo, WI 53913

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**Citation 1 Item 23** Type of Violation: **Serious**

29 CFR 1926.602(c)(1)(vi): Industrial truck(s) in use did not meet the applicable requirements of design, construction, stability, inspection, testing, maintenance, and operation, as defined in American National Standards Institute B56.1-1969, Safety Standards for Powered Industrial Trucks.

On or about June 10, 2015, the employer did not regularly inspect and maintain safe operating conditions when operating a Sky Trak Forklift Model 842 without warning devices, such as back alarms.

**ABATEMENT CERTIFICATION REQUIRED PER 29 CFR 1903.19(c)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/14/2015  
\$3850.00

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:** 1068239  
**Inspection Date(s):** 06/03/2015 - 06/03/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

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**Citation 1 Item 24** Type of Violation: **Serious**

29 CFR 1926.1053(a)(19): Where the total length of a climb on a fixed ladder equaled or exceeded 24 feet (7.3 m), the fixed ladder was not equipped with either: (i) a ladder safety device; (ii) self-retracting lifelines with rest platforms at intervals.

Employees were accessing the interior of a water tower without fall protection.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$5390.00

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: 1068239  
Inspection Date(s): 06/03/2015 - 06/03/2015  
Issuance Date: 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

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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 25 a Type of Violation: Serious**

29 CFR 1926.1053(b)(4): Ladder(s) were used for purposes other than the purpose for which they were designed:

Employees working inside the water tower bowl section painting and blasting were using an aluminum ladder in purpose in which it was not designed.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/08/2015  
\$5390.00

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:** 1068239  
**Inspection Date(s):** 06/03/2015 - 06/03/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

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**Citation 1 Item 25 b Type of Violation: **Serious****

29 CFR 1926.1053(b)(5)(i): Non-self-supporting ladder(s) were not used at an angle such that the horizontal distance from the top support to the foot of the ladder was approximately one-quarter of the working length of the ladder:

Employees working inside the water tower bowl section painting and blasting were using an aluminum ladder at angle 90 degrees to 0 degrees.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

**Date By Which Violation Must be Abated:**

**12/08/2015**

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:** 1068239  
**Inspection Date(s):** 06/03/2015 - 06/03/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913

**Citation 1 Item 26** Type of Violation: **Serious**

29 CFR 1926.1060(a): The employer did not provide a training program for each employee using ladders and stairways, as necessary, which would enable each employee to recognize hazards related to ladders and stairways and train each employee in the procedures to be followed to minimize these hazards.

Employees were not trained to recognize hazards associated with ladders, such as but not limited to, proper use of a ladder.

**ABATEMENT DOCUMENTATION REQUIRED PER 29 CFR 1903.19(d)**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/14/2015  
\$5390.00

A handwritten signature in cursive script, reading "Ann Grevenkamp", written over a horizontal line.

**Ann Grevenkamp**  
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  
4802 E. Broadway  
Madison, WI 53716  
Phone: 608-441-5388 Fax: 608-441-5400



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** L C United Painting Co.  
**Inspection Site:** 405 Mine Road, Baraboo, WI 53913  
**Issuance Date:** 11/30/2015

<b>Summary of Penalties for Inspection Number</b>	<b>1068239</b>
<b>Citation 1, Serious</b>	<b>\$122430.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$122430.00</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. 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 \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

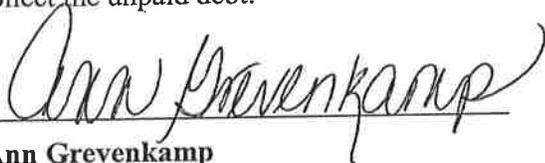
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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

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

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

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



**Ann Grevenkamp**  
Area Director

11.30.15

Date