

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
7 North Wilkes-Barre Blvd.  
Suite 410, The Stegmaier Building  
Wilkes Barre, PA 18702  
Phone: 570-826-6538 Fax: 570-821-4170



## Citation and Notification of Penalty

**To:**  
Midvale Paper Box Company, Inc.  
and its successors  
19 Bailey Street  
Plains Township, PA 18705

**Inspection Number:** 1066769  
**Inspection Date(s):** 05/29/2015 - 05/29/2015  
**Issuance Date:** 11/25/2015

**Inspection Site:**  
19 Bailey Street  
Plains Township, PA 18702

*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.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 11/25/2015. The conference will be held by telephone or at the OSHA office located at 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1066769**

Company Name: Midvale Paper Box Company, Inc.  
Inspection Site: 19 Bailey Street, Plains Township, PA 18702  
Issuance Date: 11/25/2015

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, 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702**

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



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702

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

29 CFR 1910.22(a)(1): All places of employment, passageways, storerooms or service rooms were not kept clean and orderly or in a sanitary condition:

a) Production Area: Items including loose ceiling tiles in danger of falling, baler wires and cardboard boxes surrounding the Hot Stamping Machine and cardboard boxes, soda bottles, dirty rags placed on, under and next to equipment such as the Zerand die-cutting machine, International Right-Angle and the International Queens, were observed in this area while employees were working, on or about May 29, 2015.

b) Warehouse: Items including loose bricks on the wall and loose ceiling tiles in danger of falling and spare parts stored haphazardly were observed in this area while employees were working, on or about May 29, 2015.

Abatement Certification Required

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/22/2015  
\$2400.00

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

**Inspection Number:** 1066769  
**Inspection Date(s):** 05/29/2015 - 05/29/2015  
**Issuance Date:** 11/25/2015



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, 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 2 a** Type of Violation: **Serious**

29 CFR 1910.133(a)(1): Protective eye equipment was not required where there was a reasonable probability of injury that could be prevented by such equipment:

a) Production Area: Employees were not provided appropriate eye protection while working with irritant chemicals such as LA-1298 Adhesive and SF GCM1 21 Ink, exposing employees to a potential injury, on or about June 8, 2015.

Abatement Certification Required

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/22/2015  
\$1600.00

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: 1066769  
Inspection Date(s): 05/29/2015 - 05/29/2015  
Issuance Date: 11/25/2015



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702

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

29 CFR 1910.132(d)(1): The employer did not assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE):

a) Throughout Facility: On or about May 29, 2015, the employer did not conduct a hazard assessment within the workplace to determine types of personal protective equipment necessary to safely perform specific work tasks.

Abatement Certification Required

Date By Which Violation Must be Abated:

12/22/2015

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:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702

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

29 CFR 1910.178(p)(1): Powered industrial truck(s) found to be in need of repair, defective, or in any way unsafe had not been taken out of service until restored to safe operating condition(s):

- a) Production Area: The seat of the Yale propane forklift was in need of repair, exposing employees to physical injury as observed on or about July 9, 2015.
- b) Production Area: The Hyster 8 also known as "Big Bertha" propane forklift had the following defects: 1) the seat was defective; 2) it did not have a horn; and 3) the propane tank was held by a wire, exposing employees to physical injury as observed on or about June 8, 2015.
- c) Production Area: The Hyster 3 propane forklift did not have a horn and the strap which held the propane tank was broken, exposing employees to physical injury as observed on or about July 9, 2015.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED FOR THIS VIOLATION.

Date By Which Violation Must be Abated:  
Proposed Penalty:

01/14/2016  
\$2800.00



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702

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

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

- a) Production Area: The Allen-Bradley control panel box connected to the International Queen #1 (model KH-102) was missing a knockout, exposing employees to electrical hazards, as observed on or about July 9, 2015.
- b) In-Process Area: The electrical box attached to the Window Machine 5A was missing a knockout as observed on or about June 8, 2015.
- c) Warehouse: The junction box connected to the small Flexo printer was missing a knockout as observed on or about July 9, 2015.

Abatement Certification Required

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/15/2015  
\$1600.00

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

Inspection Number: 1066769  
Inspection Date(s): 05/29/2015 - 05/29/2015  
Issuance Date: 11/25/2015



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702

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

29 CFR 1910.219(b)(1): Flywheel(s) with parts seven feet or less above floor(s) or platform(s) were not guarded in accordance with the requirements specified in 29 CFR 1910.219(b)(1)(i) through (b)(1)(iv):

a) Warehouse Area: The Hot Stamp Printer had two flywheels about six inches above floor level and were not guarded, exposing employees to entanglement and struck-by hazards, as observed on or about June 9, 2015.

Abatement Certification Required

Date By Which Violation Must be Abated:  
Proposed Penalty:

01/14/2016  
\$2400.00

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:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702

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

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

- a) Zerand Die Press #1: The guarding around the nip point created by the guide rails of the Zerand die cutter was inadequate because the guards were easily bypassed exposing employees to nip point hazards, as observed on or about July 9, 2015.
- b) Zerand Die Press #2: The guarding around the nip point created by the guide rails of the Zerand die cutter was inadequate because the guards were easily bypassed exposing employees to nip point hazards, as observed on or about July 9, 2015.
- c) Zerand Die Press #3: The guarding around the nip point created by the guide rails of the Zerand die cutter was inadequate because the guards were easily bypassed exposing employees to nip point hazards, as observed on or about July 9, 2015.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED FOR THIS VIOLATION.

Date By Which Violation Must be Abated:  
Proposed Penalty:

01/14/2016  
\$2800.00

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

**Inspection Number:** 1066769  
**Inspection Date(s):** 05/29/2015 - 05/29/2015  
**Issuance Date:** 11/25/2015



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702

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

29 CFR 1910.147(c)(1): The employer did not establish a program consisting of an energy control procedure, employee training and periodic inspections to ensure that before any employee performed any servicing or maintenance on a machine or equipment where the unexpected energizing, startup or release of stored energy could occur and cause injury, the machine or equipment shall be isolated from the energy source and rendered inoperative:

a) At the facility: The employer did not establish a Lockout/Tagout Program consisting of energy control procedures, employee training and periodic inspections for the maintenance and servicing of equipment including but not limited to the International Right-Angles #1 and #2, Zerand Die Cutting Machines and Hot Stamping Machines, on or about May 29, 2015.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED.

Date By Which Violation Must be Abated:	12/22/2015
Proposed Penalty:	\$28000.00

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:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to ejection and crushing hazards from operating powered industrial trucks:

- a) Production Area: Employees were exposed to ejection and crushing hazards while operating the Hyster #8 propane forklift (Model 5100/Serial # C004D09613H) which was not equipped with an operator restraint device (seatbelt) as observed on or about May 29, 2015.
- b) Production Area: Employees were exposed to ejection and crushing hazards while operating a Yale propane forklift (Model #GLC065TGNUAF084/Serial # E187V16356Y) which was not equipped with an operator restraint device (seatbelt) as observed on or about June 8, 2015.

**ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED**

Midvale Paper Box Company, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard OSH ACT of 1970 Section (5)(a)(1), which was contained in OSHA inspection number 954509, citation number 1, item number a, and was affirmed as a final order on February 20, 2014, with respect to a workplace located at 19 Bailey St., Plains, PA 18705.

ANSI/ITSDF B56.1-2009 Safety Standard for Low Lift and High Lift Trucks, section 5.3.19, an active operator protection device or system, when provided, shall be used. Section 7.41, counterbalanced, center control high lift trucks shall have a restraint device, system or enclosure that is intended to assist the operator in reducing the risk of entrapment of the operator's head and/or torso between the truck and ground in the event of a tip over.

Among other methods, one feasible and acceptable abatement method to correct this hazard is to install a restraint device and train employees in the use of the equipment. The use of a restraint device (seatbelt) on a powered industrial vehicle (forklift) must be enforced by the employer.

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:** 1066769  
**Inspection Date(s):** 05/29/2015 - 05/29/2015  
**Issuance Date:** 11/25/2015



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702

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Date By Which Violation Must be Abated:	02/05/2016
Proposed Penalty:	\$5600.00

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:** 1066769  
**Inspection Date(s):** 05/29/2015 - 05/29/2015  
**Issuance Date:** 11/25/2015



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702

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

29 CFR 1910.23(d)(1): Flights of stairs having four or more risers were not equipped with a standard railing as specified in paragraphs (d)(1)(i) through (v) of this section:

a)Loading Dock: A set of stairs having four risers and connected to the loading dock platform was not equipped with a standard railing on the right side descending exposing employees to fall hazards, as observed on or about June 8, 2015.

**Abatement Certification and Documentation Required**

Midvale Paper Box Company was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.23(d)(1), which was contained in OSHA inspection number 994212, citation number 1, item number 1/a, and was affirmed as a final order on December 8, 2014, with respect to a workplace located at 19 Bailey St., Plains, PA 18705.

Date By Which Violation Must be Abated:  
Proposed Penalty:

01/14/2016  
\$3200.00

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: 1066769  
Inspection Date(s): 05/29/2015 - 05/29/2015  
Issuance Date: 11/25/2015



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702

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**Citation 3 Item 3** 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) Production Area: The employer did not ensure that each powered industrial truck operator was competent to operate a powered industrial truck (forklifts) safely as demonstrated by the successful completion of the training and evaluation specified, on or about May 29, 2015.

**ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED.**

Midvale Paper Box Company, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard (1910.178(l)(1)(i)) which was contained in OSHA inspection number 954509, citation number 1 item number 1b and was affirmed as a final order on 2/20/2014, with respect to a workplace located at 19 Bailey St, Plains, PA.

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/31/2015  
\$5600.00

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: 1066769  
Inspection Date(s): 05/29/2015 - 05/29/2015  
Issuance Date: 11/25/2015



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702

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

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and/or cables were used as a substitute for the fixed wiring of a structure:

- a) Production Area: A yellow flexible cable routed between a conduit strut channel and the wall adjacent to Zerand machine #1 was used to provide power to a fluorescent light fixture in place of permanent wiring, on or about May 29, 2015.
- b) Production Area: A black flexible cable routed between conduit and the wall adjacent to Zerand machine #1 was used to provide power to a fluorescent light fixture in place of permanent wiring, on or about May 29, 2015.

**ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED.**

Midvale Paper Box Company, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.305(g)(1)(iv)(A), which was contained in OSHA inspection number 994212, citation number 1, item number 8 and was affirmed as a final order on December 8, 2014, with respect to a workplace located at 19 Bailey St., Plains, PA 18705.

Date By Which Violation Must be Abated:	12/22/2015
Proposed Penalty:	\$3200.00

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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**Inspection Date(s):** 05/29/2015 - 05/29/2015  
**Issuance Date:** 11/25/2015



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702

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**Citation 3 Item 5** Type of Violation: **Repeat**

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

a) Production Area: The relocatable power tap hanging from the wall adjacent to Zerand machine #1 was not plugged directly into a permanent branch receptacle as required by Underwriters' Laboratory. These power taps are designed for low electric draw equipment, not for rotary tools, as observed on or about May 29, 2015.

**ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED.**

Midvale Paper Box Company was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.303(b)(2), which was contained in OSHA inspection number 994212, citation number 1, item number 6/a, and was affirmed as a final order on December 8, 2014, with respect to a workplace located at 19 Bailey St., Plains, PA 18705.

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/22/2015  
\$4800.00

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:** 1066769  
**Inspection Date(s):** 05/29/2015 - 05/29/2015  
**Issuance Date:** 11/25/2015



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702

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Citation 3 Item 6 Type of Violation: **Repeat**

29 CFR 1910.305(b)(2)(i): Pull boxes, junction boxes, and fittings were not provided with covers approved for the purpose:

a) Production Area: The cover of the electrical box located on the wall adjacent to the Shrink Wrap Machine was missing, exposing the energized conductors to contact, as observed on or about May 29, 2015.

Midvale Paper Box Company was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.305(b)(2)(i), which was contained in OSHA inspection number 954509, citation number 1, item number 4 and was affirmed as a final order on February 20, 2014, with respect to a workplace located at 19 Bailey St., Plains, PA 18705.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$3200.00

A handwritten signature in black ink, appearing to read "M. Stelmack", written over a horizontal line.

**Mark Stelmack**  
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  
7 North Wilkes-Barre Blvd.  
Suite 410, The Stegmaier Building  
Wilkes Barre, PA 18702  
Phone: 570-826-6538 Fax: 570-821-4170



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18702  
**Issuance Date:** 11/25/2015

<b>Summary of Penalties for Inspection Number</b>	<b>1066769</b>
<b>Citation 1, Serious</b>	<b>\$13600.00</b>
<b>Citation 2, Willful</b>	<b>\$28000.00</b>
<b>Citation 3, Repeat</b>	<b>\$25600.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$67200.00</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

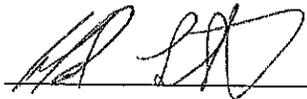
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.

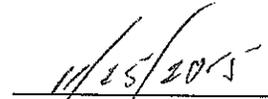
**Delinquent Charges:** A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%)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



Mark Stelmack

Area Director



Date

# U.S. Department of Labor

Occupational Safety and Health Administration  
7 North Wilkes-Barre Blvd.  
Suite 410, The Stegmaier Building  
Wilkes Barre, PA 18702  
Phone: 570-826-6538 Fax: 570-821-4170



## Notification of Failure to Abate Alleged Violations

**To:**  
Midvale Paper Box Company, Inc.  
and its successors  
19 Bailey Street  
Plains Township, PA 18705

**Original Inspection Number:** 994212  
**Original Inspection Date:** 09/08/2014 - 09/08/2014

**Inspection Number:** 1066769  
**Inspection Date(s):** 05/29/2015 - 05/29/2015  
**Issuance Date:** 11/25/2015

**Inspection Site:**  
19 Bailey St  
Plains Township, PA 18702

*The violation(s) described in this Notification of Failure to Abate Alleged Violations is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.*

After the original inspection, a Citation(s) was issued to you in accordance with the provisions of the Occupational Safety and Health Act of 1970 (the Act), notifying you of certain violations of the Act and the dates by which they were to be abated. Based upon re-inspection, it is alleged that you have failed to abate the violation(s) listed below within the time prescribed, and the following additional penalties are proposed. The additional penalty is computed by multiplying a daily penalty times the number of days the violation(s) remained unabated. You are to notify the Area Director in writing of the date and nature of the corrective action taken. If you do not abate the violation(s), further penalties may be proposed and other enforcement action to compel abatement may be taken under section 11(b) of the Act.

**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 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 states 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 certificate 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 the front page); 3) the citation and 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 are further notified that you must pay the ADDITIONAL PENALTY unless you inform the Area Director in writing that you intend to contest the Notification or the Additional Penalty within 15 working days (excluding weekends and Federal holidays) from your receipt of this notification. If you do not contest within 15 working days after receipt, the Notification and the additional penalties will become the final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency. Issuance of this Notification 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 the Notification is affirmed by the Review Commission.

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](http://www.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.

**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 the OSHA to discuss the Notification of Failure to Abate Alleged Violations issued on 11/25/2015. The conference will be held by telephone or at the OSHA office located at 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702 on \_\_\_\_\_ at \_\_\_\_\_.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Original Inspection Number: 994212

Company Name: Midvale Paper Box Company, Inc.  
Inspection Site: 19 Bailey St, Plains Township, PA 18702  
Issuance Date: 11/25/2015

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, 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702

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.

NAME OF 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 of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review.



**Notification of Failure to Abate Alleged Violation**

**Original Inspection:** 994212

**Inspection Number:** 1066769

**Original Inspection Dates:** 09/08/2014 - 09/08/2014

**Inspection Date(s):** 05/29/2015 - 05/29/2015

**Issuance Date:** 11/25/2015

**Company Name:** Midvale Paper Box Company, Inc.

**Inspection Site:** 19 Bailey St, Plains Township, PA 18702

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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 3 a

29 CFR 1910.219(c)(2)(i): All exposed part(s) of horizontal shafting seven (7) feet or less from floor or working platform were not protected by stationary casing(s) enclosing shafting completely or by trough(s) enclosing sides and top or sides and bottom of shafting:

a) Production Area: Two unguarded rotating shafts on the outside corner of the International box folding machine (Right-Angle #1, model number FZ602) exposed employees to entanglement hazards, on or about May 29, 2015.

b) Production Area: Various unguarded rotating shafts on the back side of the International Queen #2 box folding machine (model number KH101) exposed employees to entanglement hazards, on or about May 29, 2015.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED FOR THIS VIOLATION.

Additional Penalty:

\$ 33600.00



**Notification of Failure to Abate Alleged Violation**

**Original Inspection:** 994212

**Inspection Number:** 1066769

**Original Inspection Dates:** 09/08/2014 - 09/08/2014

**Inspection Date(s):** 05/29/2015 - 05/29/2015

**Issuance Date:** 11/25/2015

**Company Name:** Midvale Paper Box Company, Inc.

**Inspection Site:** 19 Bailey St, Plains Township, PA 18702

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Citation 1 Item 3 b

29 CFR 1910.219(c)(4)(i): Unguarded projecting shaft end(s) did not present a smooth edge and end and projected more than one half the diameter of the shaft:

a) Production Area: A pair of keyed shaft ends protruding into an aisle way near the outside corner of the International box folding machine (Right-Angle #1 model FZ602) exposed workers to an entanglement hazard, on or about May 29, 2015.

CORRECTED DURING INSPECTION.

Additional Penalty:

\$ 0.00

A handwritten signature in black ink, appearing to read "M. Stelmack", written over a horizontal line.

**Mark Stelmack**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
7 North Wilkes-Barre Blvd.  
Suite 410, The Stegmaier Building  
Wilkes Barre, PA 18702  
Phone: 570-826-6538 Fax: 570-821-4170



## INVOICE / DEBT COLLECTION NOTICE

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey St, Plains Township, PA 18702  
**Issuance Date:** 11/25/2015

**Summary of Additional Penalties for Inspection Number** 994212  
**Followup Inspection Number** 1066769

**TOTAL ADDITIONAL PROPOSED PENALTIES** \$ 33600.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on [www.pay.gov](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 full amount due, and will process the payments 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 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 to contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

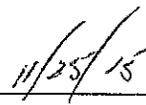
**Delinquent Charges:** A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%)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

Area Director



Date

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
7 North Wilkes-Barre Blvd.  
Suite 410, The Stegmaier Building  
Wilkes Barre, PA 18702  
Phone: 570-826-6538 Fax: 570-821-4170



## Citation and Notification of Penalty

**To:**  
Midvale Paper Box Company, Inc.  
and its successors  
19 Bailey Street  
Plains Township, PA 18705

**Inspection Number:** 1081074  
**Inspection Date(s):** 07/27/2015 - 07/29/2015  
**Issuance Date:** 11/25/2015

**Inspection Site:**  
19 Bailey Street  
Plains Township, PA 18705

*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.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 11/25/2015. The conference will be held by telephone or at the OSHA office located at 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1081074**

Company Name: Midvale Paper Box Company, Inc.  
Inspection Site: 19 Bailey Street, Plains Township, PA 18705  
Issuance Date: 11/25/2015

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, 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702**

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



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18705

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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 1 a** Type of Violation: **Serious**

29 CFR 1910.1001(j)(3)(i): The building owner, facility owner, or employer did not determine the presence, location, and quantity of ACM or PACM at the worksite and did not exercise due diligence in complying with these requirements to inform employers and employees about the presence and location of asbestos-containing material (ACM) and presumed asbestos containing material (PACM):

a) Gluing Department: Employees unknowingly worked adjacent to damaged/non-intact asbestos containing pipe insulation and the employer did not determine the presence, location, and quantity of asbestos containing materials in the building, on or about 07/29/2015.

**ABATEMENT CERTIFICATION REQUIRED**

Date By Which Violation Must be Abated:  
Proposed Penalty:

01/15/2016  
\$1200.00

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

Inspection Number: 1081074  
Inspection Date(s): 07/27/2015 - 07/29/2015  
Issuance Date: 11/25/2015



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18705

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

29 CFR 1910.1001(j)(5)(i): The employer did not affix signs or labels so that employees would be notified of what materials contain ACM and/or PACM:

a) Gluing Department: Employees unknowingly worked adjacent to damaged/non-intact asbestos containing pipe insulation and the employer did not label the asbestos containing material so that employees were aware of its contents, on or about 07/29/2015.

**ABATEMENT CERTIFICATION REQUIRED**

**ABATEMENT NOTE:**

Labels shall contain the following information:

DANGER  
CONTAINS ASBESTOS FIBERS  
MAY CAUSE CANCER  
CAUSES DAMAGE TO LUNGS  
DO NOT BREATHE DUST  
AVOID CREATING DUST

Date By Which Violation Must be Abated:

12/31/2015

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:** 1081074  
**Inspection Date(s):** 07/27/2015 - 07/29/2015  
**Issuance Date:** 11/25/2015



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18705

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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 2 a** Type of Violation: **Serious**

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

a) Midvale Paper Box Company: Employees worked with hazardous chemicals, including, but not limited to, Klean Strip Denatured Alcohol and Klean Strip Acetone, and the employer did not develop, implement, and maintain a written hazard communication program, on or about 07/27/2015.

**ABATEMENT CERTIFICATION REQUIRED**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/31/2015  
\$1200.00

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:** 1081074  
**Inspection Date(s):** 07/27/2015 - 07/29/2015  
**Issuance Date:** 11/25/2015



**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18705

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

29 CFR 1910.1200(f)(6): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the information specified under paragraphs (f)(6)(i) through (f)(6)(ii) of this section:

a) Midvale Paper Box Company: Employees worked with hazardous chemicals, including, but not limited to, J.M. Fry SF Midvale Pizza 75 Red-CCNB, and the employer did not ensure that each hazardous chemical was properly labeled, on or about 07/29/2015.

**ABATEMENT CERTIFICATION REQUIRED**

Date By Which Violation Must be Abated:

12/31/2015

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:** 1081074  
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**Citation and Notification of Penalty**

**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18705

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

29 CFR 1910.1200(g)(8): The employer did not maintain in the workplace copies of the required safety data sheets for each hazardous chemical, and did not ensure that they were readily accessible during each work shift to employees when they were in their work area(s):

a) Midvale Paper Box Company: Employees worked with hazardous chemicals, including, but not limited to, Klean Strip Denatured Alcohol and Klean Strip Acetone, and the employer did not ensure that the safety data sheets and/or material safety data sheets for each hazardous chemical were accessible to employees, on or about 07/27/2015.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

12/31/2015

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:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18705

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

a) Midvale Paper Box Company: Employees worked with hazardous chemicals, including, but not limited to, Klean Strip Denatured Alcohol and Klean Strip Acetone, and the employer did not provide employees with hazard communication training, on or about 07/27/2015.

**ABATEMENT CERTIFICATION REQUIRED**

**ABATEMENT NOTE:**

Training shall be provided in accordance with 1910.1200(h)(3) and also include the required GHS training.

Date By Which Violation Must be Abated:

12/31/2015

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

**Mark Stelmack**  
Area Director

U.S. Department of Labor  
Occupational Safety and Health Administration  
7 North Wilkes-Barre Blvd.  
Suite 410, The Stegmaier Building  
Wilkes Barre, PA 18702  
Phone: 570-826-6538 Fax: 570-821-4170



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Midvale Paper Box Company, Inc.  
**Inspection Site:** 19 Bailey Street, Plains Township, PA 18705  
**Issuance Date:** 11/25/2015

<b>Summary of Penalties for Inspection Number</b>	<b>1081074</b>
<b>Citation 1, Serious</b>	<b>\$2400.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$2400.00</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.

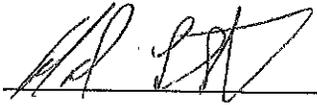
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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

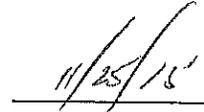
**Delinquent Charges:** A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%)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



**Mark Stelmack**

Area Director



Date