

## U.S. Department of Labor

Occupational Safety and Health Administration  
1205 Texas Ave.  
Room 806  
Lubbock, TX 79401  
Phone: 806-472-7681 Fax: 806-472-7686



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# Citation and Notification of Penalty

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**To:**

Minsa Corporation  
and its successors  
1972 County Road 1068  
Muleshoe, TX 79347

**Inspection Number:** 986315**Inspection Date(s):** 07/23/2014 - 07/23/2014**Issuance Date:** 01/21/2015**Inspection Site:**

1972 County Road 1068  
Muleshoe, TX 79347

*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.*

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This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

**Posting** - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

**Informal Conference** - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

**Right to Contest** – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

**Penalty Payment** – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

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

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

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

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 01/21/2015. The conference will be held by telephone or at the OSHA office located at 1205 Texas Ave., Room 806, Lubbock, TX 79401 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 986315**

Company Name: Minsa Corporation  
Inspection Site: 1972 County Road 1068, Muleshoe, TX 79347  
Issuance Date: 01/21/2015

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, 1205 Texas Ave., Room 806, Lubbock, TX 79401**

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Title

**NOTE: 29 USC 666(g)** whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

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

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

**Inspection Number:** 986315  
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**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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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.

On or about July 28, 2014 the employer did not ensure that build-up of combustible dust was cleaned in the production area exposing employees to flash fire hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$6300.00

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

29 CFR 1910.22(a)(2): Where wet processes were used, drainage was not maintained, and false floors, platforms, mats, or other dry standing places were not provided when practicable.

On or about July 23, 2014 the employer did not ensure that the tub area had dry areas for employees to work from exposing employees to slip hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$5400.00

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**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
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**Citation 1 Item 3** Type of Violation: **Serious**

29 CFR 1910.23(c)(1): Open-sided floors and/or platforms four feet or more above adjacent floor or ground level were not guarded with standard railings (or equivalent) and toeboards.

On or about July 28, 2014 the employer did not ensure that employees were protected from falling exposing employees to fall hazards in the following instances:

- a) While working in the Lime Area employees were exposed to fall hazards.
- b) While working above the facility cleaning dust employees were exposed to fall hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$3600.00

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

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**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
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**Citation 1 Item 4** Type of Violation: **Serious**

29 CFR 1910.23(e)(1): Standard railing(s) did not consist of top rail, intermediate rail and/or posts and/or did not have a vertical height of 42 inches (106.7 cm) nominal from upper surface of top rail to floor, platform runway, or ramp level.

On or about July 23, 2014 the employer did not ensure that employees were protected from falling to a lower level due to a missing mid rail on an elevated platform in the production area exposing employees to fall hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$6300.00

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

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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 5 a Type of Violation: **Serious**

29 CFR 1910.37(a)(3): Exit routes were not kept free and unobstructed.

On or about July 23, 2014 the employer did not ensure that emergency exits were kept free from obstruction exposing employees to hazards associated with emergency egress.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$2700.00

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**Company Name:** Minsa Corporation  
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Citation 1 Item 5 b Type of Violation: **Serious**

29 CFR 1910.176(a): Aisles and passageways were not kept clear and in good repair with no obstruction across or in aisles that could create a hazard.

On or about July 23, 2014 the employer did not ensure that all aisle and passageways were kept clear in the warehouse.

Date By Which Violation Must be Abated:

02/02/2015

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

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

29 CFR 1910.134(h)(2)(i): Respirators were not stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals or were not packed or stored to prevent deformation of the facepiece and exhalation valve.

On or about July 28, 2014 the employer did not ensure that respirators were properly stored so as to not become contaminated exposing employees to respiratory hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$5400.00

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

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Occupational Safety and Health Administration

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**Company Name:** Minsa Corporation  
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**Citation 1 Item 7** Type of Violation: **Serious**

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

On or about July 28, 2014 the employer did not ensure that an eye wash was provided for employees using hazardous chemicals exposing employees to chemical hazards in the lime area.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$5400.00

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

29 CFR 1910.176(b): Material stored in tiers was not stacked, blocked, interlocked or limited in height so that it was stable and secure against sliding and collapse.

On or about July 23, 2014 the employer did not ensure that materials stored in the warehouse in tiers were secured against sliding and collapsing on employees exposing employees to caught-in and struck-by hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$6300.00

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:** 01/21/2015



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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**Citation 1 Item 9** 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.

On or about July 28, 2014 the employer did not ensure that an auger was guarded in the production area exposing employees to caught-in hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$3600.00

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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:** 01/21/2015



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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

29 CFR 1910.215(a)(1): Abrasive wheel(s) used on grinding machinery were not used with safety guard(s).

On or about July 28, 2014 the employer did not ensure that a grinder in the maintenance shop had a tongue guard installed so as to protect employees exposing them to struck-by hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$3600.00

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Occupational Safety and Health Administration

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**Inspection Date(s):** 07/23/2014 - 07/23/2014  
**Issuance Date:** 01/21/2015



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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

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.

On or about July 28, 2014 the employer did not ensure that a shaft was guarded on the roof area of the facility exposing employees to caught-in hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$3600.00

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:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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

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.

On or about July 28, 2014 the employer did not ensure that protruding rotating shafts that did not have smooth edges were guarded so as to prevent accidental contact with employees exposing them to caught-in hazards in the following instances:

- a) Underneath bins on a conveyer belt
- b) Underneath bins on a bin conveyer system

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$5400.00



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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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 13 a      Type of Violation: **Serious**

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

On or about July 28, 2014 the employer did not ensure that a pulley was guarded on top of the grain bins exposing employees to caught-in and pinch hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$3600.00





**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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**Citation 1 Item 14** Type of Violation: **Serious**

29 CFR 1910.219(f)(3): Sprocket wheels and chains which were seven 7 feet or less above floors or platforms were not enclosed.

On or about July 28, 2014 the employer did not ensure that chains and sprockets were guarded so as to prevent accidental employee contact exposing employees to caught-in hazards in the following instances:

- a) Hammer mill one in the production area
- b) Hammer mill two in the production area
- c) On an auger in the lime area
- d) Three different chain and sprockets on top of bins used for moving corn

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 02/09/2015  
Proposed Penalty: \$6300.00

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

**Inspection Number:** 986315  
**Inspection Date(s):** 07/23/2014 - 07/23/2014  
**Issuance Date:** 01/21/2015



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
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**Citation 1 Item 15** Type of Violation: **Serious**

29 CFR 1910.242(b): Compressed air used for cleaning purposes was not reduced to less than 30 p.s.i.

On or about July 28, 2014 the employer did not ensure that air used for cleaning was reduced to less than 30 p.s.i. exposing employees to struck-by hazards while employees were cleaning on top of the bins.

Date By Which Violation Must be Abated:	01/27/2015
Proposed Penalty:	\$3600.00

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:** 986315  
**Inspection Date(s):** 07/23/2014 - 07/23/2014  
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**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
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**Citation 1 Item 16** Type of Violation: **Serious**

29 CFR 1910.253(b)(2)(iv): Valve protection caps, where cylinders were designed to accept caps, were not always in place, hand-tight, except when cylinders were in use or connected for use.

On or about July 28, 2014 the employer did not ensure that valve covers were provided for compressed gas cylinders in the maintenance shop exposing employees to struck-by hazards.

Date By Which Violation Must be Abated:	01/27/2015
Proposed Penalty:	\$5400.00

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Occupational Safety and Health Administration

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**Company Name:** Minsa Corporation  
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**Citation 1 Item 17** Type of Violation: **Serious**

29 CFR 1910.272(j)(3): Compressed air was used to blow dust from ledges, walls, and other areas in grain handling facilities when machinery presenting an ignition source was not shut down, and/or when all other known potential ignition sources in the area.

On or about July 28, 2014 the employer did not ensure that burners and other production machinery was shut down before allowing blow down operations in areas that contained combustible grain dust exposing employees to fire and explosion hazards..

Date By Which Violation Must be Abated:	01/27/2015
Proposed Penalty:	\$3600.00

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

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.

On or about July 28, 2014 the employer did not ensure that an electrical outlet in the warehouse scale area was installed in a manner that would protect employees from coming into contact with live electrical current exposing employees to electrical hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$4500.00

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

29 CFR 1910.303(b)(7)(i): Unused openings in boxes, raceways, auxiliary gutters, cabinets, equipment cases, or housings were not effectively closed to afford protection substantially equivalent to the wall of the equipment.

On or about July 23, 2014 and July 28, 2014 the employer did not ensure that openings in electrical components were closed so as to prevent accidental contact with live electrical current exposing employees to electrical hazards in the following instances:

- a) Missing buttons on high voltage control panel in production area (480 volt)
- b) Missing knockout on receptacle in warehouse (110 volt)
- c) Missing knockout on high voltage transformer in warehouse (480 volt)
- d) Missing knockout on receptacle in warehouse scale area (110 volt)
- e) Missing knockout on high voltage breaker box in lime area (480 volt)

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$6300.00

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**Company Name:** Minsa Corporation  
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Citation 1 Item 20 Type of Violation: **Serious**

29 CFR 1910.303(b)(7)(iii): Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, were contaminated by foreign materials.

On or about July 28, 2014 the employer did not ensure that electrical equipment was not contaminated from foreign materials in the bin area exposing employees to electrical hazards.

Date By Which Violation Must be Abated:	01/27/2015
Proposed Penalty:	\$3600.00

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**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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

29 CFR 1910.303(b)(7)(iv): There were damaged parts that may adversely affect safe operation or mechanical strength of electric equipment, such as parts that were broken, bent, cut or deteriorated by corrosion, chemical action, or overheating.

On or about July 23, 2014 the employer allowed electrical equipment in the tub area to be corroded exposing employees to electrical hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$3600.00

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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:** 986315  
**Inspection Date(s):** 07/23/2014 - 07/23/2014  
**Issuance Date:** 01/21/2015



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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

29 CFR 1910.304(a)(2): Grounded conductors were attached to terminals or leads so as to reverse designated polarity.

On or about July 28, 2014 the employer did not ensure that a electrical outlet in the break room was installed in a manner that would not expose employees to electrical hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$3600.00

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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:** 986315  
**Inspection Date(s):** 07/23/2014 - 07/23/2014  
**Issuance Date:** 01/21/2015



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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

29 CFR 1910.304(g)(5): The path to ground from circuits, equipment, and enclosures was not permanent, continuous, and effective.

On or about July 28, 2014 the employer did not ensure that electrical conductors were protected from accidental contact with employees and/or contact with conductive metal equipment located nearby in the warehouse on the scale machines exposing employees to electrical hazards.

Date By Which Violation Must be Abated:	01/27/2015
Proposed Penalty:	\$3600.00

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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:** 986315  
**Inspection Date(s):** 07/23/2014 - 07/23/2014  
**Issuance Date:** 01/21/2015



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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

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

On or about July 28, 2014 the employer did not ensure that a opening located inside of a breaker box in the maintenance shop was closed exposing employees to electrical hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$3600.00

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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:** 986315  
**Inspection Date(s):** 07/23/2014 - 07/23/2014  
**Issuance Date:** 01/21/2015



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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

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

On or about July 28, 2014 the employer did not ensure that a junction box located on bin six was provided with a cover in order to prevent accidental contact with live electrical current exposing employees to electrical hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$3600.00

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:** 986315  
**Inspection Date(s):** 07/23/2014 - 07/23/2014  
**Issuance Date:** 01/21/2015



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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

29 CFR 1910.305(c)(4): Faceplates for flush-mounted snap switches. Snap switches mounted in boxes did not have faceplates installed so as to completely cover the opening and seat against the finished surface.

On or about July 28, 2014 the employer did not ensure that a snap switch in the break room had a faceplate installed so as to prevent accidental contact with electrical current exposing employees to electrical hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$5400.00

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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:** 986315  
**Inspection Date(s):** 07/23/2014 - 07/23/2014  
**Issuance Date:** 01/21/2015



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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**Citation 1 Item 27** Type of Violation: **Serious**

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.

On or about July 28, 2014 the employer did not ensure that flexible cables were not used as a substitute for the fixed wiring of a structure exposing employees to electrical hazards in the following instances:

- a) Providing power to a industrial fan in the organic area
- b) Providing power to a overhead lamp in the electrical room in the bin area

Date By Which Violation Must be Abated: 02/02/2015  
Proposed Penalty: \$5400.00

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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:** 986315  
**Inspection Date(s):** 07/23/2014 - 07/23/2014  
**Issuance Date:** 01/21/2015



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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**Citation 1 Item 28** Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(B): Flexible cords and/or cables were run through holes in walls, ceilings, or floors.

On or about July 28, 2014 the employer did not ensure that a flexible cable in the employee break room was not run through a wall exposing employees to electrical hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$3600.00

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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:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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**Citation 1 Item 29** Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(ii): Flexible cords were not used only in continuous lengths without splice or tap.

On or about July 23, 2014 and July 28, 2014 the employer did not ensure that flexible cable were in use without splice or tap exposing employees to electrical hazards in the following instances:

- a) In the organic area on a cable supplying current to an industrial fan
- b) In the organic area on a cable connected to an industrial fan

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$5400.00

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

**Inspection Number:** 986315  
**Inspection Date(s):** 07/23/2014 - 07/23/2014  
**Issuance Date:** 01/21/2015



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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**Citation 1 Item 30** Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(iii): Flexible cords were not connected to devices and fittings so that tension would not be transmitted to joints or terminal screws.

On or about July 28, 2014 the employer did not ensure that strain relief was provided on a cable that was providing electrical current to a motor on a hammer mill in the production area exposing employees to electrical hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$5400.00

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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:** 986315  
**Inspection Date(s):** 07/23/2014 - 07/23/2014  
**Issuance Date:** 01/21/2015



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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**Citation 1 Item 31** Type of Violation: **Serious**

29 CFR 1910.305(j)(2)(iv): A receptacle installed in a wet or damp location was not suitable for the location.

On or about July 28, 2014 the employer did not ensure that a receptacle installed in the break room by the sink was suitable for the location exposing employees to electrical hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$3600.00

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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:** 986315  
**Inspection Date(s):** 07/23/2014 - 07/23/2014  
**Issuance Date:** 01/21/2015



**Citation and Notification of Penalty**

**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

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**Citation 1 Item 32** Type of Violation: **Serious**

29 CFR 1910.307(b): Areas designated as hazardous (classified) locations under the Class and Zone system and areas designated under the Class and Division system established after August 13, 2007 were not properly documented.

On or about July 28, 2104 the employer did not designate areas that contained combustible dust with class and division so as to communicate to employees what electrical equipment was allowed in hazardous areas exposing employees to fire hazards.

Date By Which Violation Must be Abated:	02/02/2015
Proposed Penalty:	\$3600.00

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:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347

**Citation 1 Item 33** Type of Violation: **Serious**

29 CFR 1910.307(c)(2)(i): Equipment in hazardous (classified) location(s) was not approved for the ignitable or combustible properties of the specific gas, vapor, dust, or fiber that was or could be present.

On or about July 28, 2014 the employer did not ensure that electrical equipment in the production area was approved for use in areas with build-up of combustible dust exposing employees to flash fire hazards in the following instances:

- a) Industrial fan located in the organic area of production
- b) General purpose transformer located in the lime area of production
- c) Electrical receptacle located in scale and packaging area
- d) Non-intrinsically safe electrical components providing current to loader in scale and packaging area
- e) Electrical outlet and breaker box without cover in the production area

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 02/09/2015  
Proposed Penalty: \$6300.00

A handwritten signature in black ink, appearing to read "E L Routh", written over a horizontal line.

**Elizabeth Linda Routh**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1205 Texas Ave.  
Room 806  
Lubbock, TX 79401  
Phone: 806-472-7681 Fax: 806-472-7686



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Minsa Corporation  
**Inspection Site:** 1972 County Road 1068, Muleshoe, TX 79347  
**Issuance Date:** 01/21/2015

<b>Summary of Penalties for Inspection Number</b>	<b>986315</b>
<b>Citation 1, Serious</b>	<b>\$151200.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$151200.00</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 \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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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.

  
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**Elizabeth Linda Routh**

Area Director

1-21-15

Date

**U.S. Department of Labor**

**Occupational Safety and Health Administration**

Lubbock Area Office

1205 Texas Avenue, Room 806

Lubbock, Texas 79401

Phone: 806-472-7681 Fax: 806-472-7686

<http://www.osha.gov>



Minsa Corporation  
1972 County Road 1068  
Muleshoe, TX 79347

Dear Employer:

Under a law passed by Congress in 1996, the Small Business Administration (SBA) has established the SBA Ombudsman and SBA Regional Fairness Boards to investigate small business complaints pertaining to federal agency enforcement actions.

If you are a small business and believe you have been treated unfairly by the Occupational Safety and Health Administration (OSHA), you may file a written, signed complaint with the SBA Ombudsman at:

Small Business Administration  
Office of the National Ombudsman  
409 Third Street SW  
Washington, DC 20024  
Phone: (202) 205-2417  
Fax: (202) 481-5719

You can also access and download the Complaint/Comment form by visiting their website at:

<http://www.sba.gov/aboutsba/sbaprograms/ombudsman/index.html>

Or, call Toll Free: 1-888-REGFAIR

NOTE: Filing a complaint with the SBA Ombudsman does not affect any obligation you may have to comply with an OSHA citation or other enforcement action. Nor does it mean you need not to take other available legal steps to protect your interest.

Your support in worker occupational health and safety is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "E L Routh".

Elizabeth Linda Routh  
Area Director