

U.S. Department of Labor Occupational Safety and Health Administration
6393 Oak Tree Blvd,
Suite 203
Independence, OH 44131
Phone: 216-447-4194 Fax: 216-520-1624



11/18/2015

Ohio Gasket & Shim Company
976 Evans Ave.
Akron, OH 44319

Dear Employer,

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000) revised 1990, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

As indicated on page 8 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 the citation. The running of this contest period is not interrupted by an informal conference. You must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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. If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,

A handwritten signature in black ink, appearing to read "H. B. Eberts", written over a horizontal line.

Howard B Eberts
Area Director

Enclosures

U.S. Department of Labor
Occupational Safety and Health Administration
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131
Phone: 216-447-4194 Fax: 216-520-1624



Citation and Notification of Penalty

To:
Ohio Gasket & Shim Company
and its successors
976 Evans Ave.
Akron, OH 44319

Inspection Number: 1071380
Inspection Date(s): 06/17/2015 - 06/17/2015
Issuance Date: 11/18/2015

Inspection Site:
976 Evans Ave.
Akron, OH 44319

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. 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. 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 11/18/2015. The conference will be held by telephone or at the OSHA office located at 6393 Oak Tree Blvd, Suite 203, Independence, OH 44131 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1071380

Company Name: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319
Issuance Date: 11/18/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 6393 Oak Tree Blvd, Suite 203, Independence, OH 44131**

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: 1071380
Inspection Date(s): 06/17/2015 - 06/17/2015
Issuance Date: 11/18/2015



Citation and Notification of Penalty

Company Name: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319

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

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed:

On or about June 17, 2015, the employer failed to ensure that a periodic inspection of the energy control procedures was performed annually. Employees are required to perform maintenance and servicing on equipment including but not limited to feed rollers, feeding equipment, press brakes, and power presses. Hazardous energy sources include pneumatic, hydraulic, mechanical, and gravitational.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

12/23/2015
\$4900.00



Citation and Notification of Penalty

Company Name: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319

Citation 1 Item 2 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) On or about June 15, 2015, the employer failed to ensure that the in feed rollers of the automatic feed system for press 124 were effectively guarded to prevent employees from reaching the ingoing nip point. The rollers had adjustable barrier guards in place, however were not adjusted properly to prevent access.
- b) On or about June 17, 2015, the employer failed to ensure that the in feed rollers of the automatic feed system for press 130 were effectively guarded to prevent employees from reaching the ingoing nip point. Guarding was not present on the in feed side.
- c) On or about June 15, 2015, the employer failed to ensure that the in feed rollers of the automatic feed system for press 123 were effectively guarded to prevent employees from reaching the ingoing nip point. Guarding was not present on the in feed side.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

12/03/2015
\$3500.00

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

Inspection Number: 1071380
Inspection Date(s): 06/17/2015 - 06/17/2015
Issuance Date: 11/18/2015



Citation and Notification of Penalty

Company Name: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319

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

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

On or about June 17, 2015, the employer failed to ensure that effective guarding was in place and utilized on the Toyokoki Hyb-100 hydraulic press brake. The foot pedal is not affixed in place and is easily movable by employees. Light curtains in place on the press brake were disabled and not utilized by operators.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

12/03/2015
\$4900.00

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: 1071380
Inspection Date(s): 06/17/2015 - 06/17/2015
Issuance Date: 11/18/2015



Citation and Notification of Penalty

Company Name: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319

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

29 CFR 1910.217(b)(7)(iv): The inch operating means on mechanical power press(es), using part revolution clutches, was not designed to prevent exposure of the worker's hands within the point of operation:

On or about June 5, 2015, the employer failed to ensure that Press #111 when operated in inch mode prevented the operator from exposure to the point of operation. The press was operated in inch mode using a foot pedal. The operator's hands were free to reach the point of operation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

12/03/2015
\$4900.00

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: 1071380
Inspection Date(s): 06/17/2015 - 06/17/2015
Issuance Date: 11/18/2015



Citation and Notification of Penalty

Company Name: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319

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

29 CFR 1910.217(b)(7)(ix): Mechanical power press(es) using with part revolution clutches, and with both foot and hand controls, were not designed so that selection between hand and foot control could be supervised:

On or about June 5, 2015, the employer failed to ensure that the selection between hand and foot controls was supervised on part revolution mechanical power press #111. The key for the selector switch was left in the operator controls for employee use.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

11/24/2015
\$4900.00

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: 1071380
Inspection Date(s): 06/17/2015 - 06/17/2015
Issuance Date: 11/18/2015



Citation and Notification of Penalty

Company Name: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319

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

29 CFR 1910.217(c)(2)(i)(a): Point of operation guard(s) on mechanical power press(es) did not prevent entry of hands or fingers into the point of operation by reaching through, over, under or around the guard(s);

- a) On or about June 17, 2015, the employer failed to ensure that the point of operation guards present on press #129 prevented employees from reaching under to access the point of operation. A section of guarding was removed to allow for the placement of the retrieval arm.
- b) On or about June 16, 2015, the employer failed to ensure that the point of operation guards present on press #101 prevented employees from reaching over to access to the point of operation. A section of guarding was removed on the top of the barrier guard allowing employee to reach the point of operation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/03/2015
Proposed Penalty:	\$4900.00

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: 1071380
Inspection Date(s): 06/17/2015 - 06/17/2015
Issuance Date: 11/18/2015



Citation and Notification of Penalty

Company Name: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319

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

29 CFR 1910.217(c)(2)(i)(d): Point of operation guard(s) on mechanical power press(es) did not utilize fasteners not readily removable by the operator, so as to create minimize the possibility of misuse or removal of essential parts:

On or about June 15, 2015, the employer failed to ensure that point of operation barrier guards were affixed. The barrier guards on press 101 were mounted in tracks that allowed the operator to slide them to the side to access the point of operation. These sections were not secured shut by the hex bolt which was present on the equipment. The hex key was loose and easily removable by employees.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/03/2015
Proposed Penalty:	\$4900.00

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: 1071380
Inspection Date(s): 06/17/2015 - 06/17/2015
Issuance Date: 11/18/2015



Citation and Notification of Penalty

Company Name: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319

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

29 CFR 1910.217(c)(3)(iii)(f): Mechanical power press(es) using presence sensing point of operation devices were not provided with guards to protect all areas of entry to the point of operation not protected by the presence sensing device;

On or about June 17, 2015, the employer failed to ensure that the presence sensing point of operation devices on press #110 were provided with guards to protect the blanked areas. Sections of the light curtain present were blanked by paper and taped to the equipment. These areas were not guarded to prevent employee exposure to the point of operation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

12/03/2015
\$4900.00

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: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319

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

29 CFR 1910.217(c)(3)(vii)(d): Two hand controls used with mechanical power press(es) were not fixed in position so that only a supervisor or safety engineer was capable of relocating the controls:

- a) On or about June 17, 2015, the employer failed to ensure that two hand controls used for the operation of press #111 were fixed in position and not able to be moved by the operators or employees.
- b) On or about June 17, 2015, the employer failed to ensure that two hand controls used for the operation of press #101 were fixed in position and not able to be moved by the operators or employees.
- c) On or about June 17, 2015, the employer failed to ensure that two hand controls used for the operation of press #130 were fixed in position and not able to be moved by the operators or employees.
- d) On or about June 17, 2015, the employer failed to ensure that two hand controls used for the operation of press #124 were fixed in position and not able to be moved by the operators or employees.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/08/2015
Proposed Penalty:	\$4900.00

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

Inspection Number: 1071380
Inspection Date(s): 06/17/2015 - 06/17/2015
Issuance Date: 11/18/2015



Citation and Notification of Penalty

Company Name: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319

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

29 CFR 1910.217(d)(9)(iv): Safety blocks were not used when mechanical power press die(s) were being adjusted or repaired in the press:

- a) On or about June 17, 2015, the employer failed to ensure that safety blocks were used when an employee performed adjustments and change over to press #138.
- b) a) On or about June 17, 2015, the employer failed to ensure that safety blocks were used when an employee performed adjustments and change over to press #107.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/03/2015
Proposed Penalty:	\$4900.00

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

Inspection Number: 1071380
Inspection Date(s): 06/17/2015 - 06/17/2015
Issuance Date: 11/18/2015



Citation and Notification of Penalty

Company Name: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319

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

29 CFR 1910.217(e)(1)(ii): Mechanical power press(es) were not inspected and tested at least weekly to determine the condition of the clutch/brake mechanism, anti-repeat feature and single stroke mechanisms;

The employer did not test and inspect each press, no less than weekly for full revolution mechanical power presses and monthly for part revolution mechanical power presses with brake monitoring and control reliability, to determine the condition of the clutch/brake mechanism, anti-repeat feature and single stroke mechanism. Mechanical power presses were being operated with parts, auxiliary equipment and safeguards that were not installed, adjusted, and in safe operating condition.

NOTE: The employer shall maintain a certification record of inspections which includes the date of the inspection, the signature of the person who performed the inspection and the serial number, or other identifier, or the power press that was inspected.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

11/28/2015
\$4900.00

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

Inspection Number: 1071380
Inspection Date(s): 06/17/2015 - 06/17/2015
Issuance Date: 11/18/2015



Citation and Notification of Penalty

Company Name: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319

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

29 CFR 1910.219(m)(1)(i): Standard conditions were not secured by the use of the following materials: expanded metal, perforated or solid sheet metal, wire mesh on a frame of angle iron, or iron pipe securely fastened to floor or to frame of machine:

- a) On or about June 17, 2015, the employer failed to ensure that the metal mesh guarding in place around the feed rollers and accompanying belts for press #101 was securely fastened to the ground or frame around the belt drives.
- b) On or about June 17, 2015, the employer failed to ensure that the metal mesh guarding in place around the feed rollers and accompanying belts for press #115 was securely fastened to the ground or frame around the belt drives.

Date By Which Violation Must be Abated:
Proposed Penalty:

11/28/2015
\$2100.00

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: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319

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

29 CFR 1910.217(c)(1)(i): The employer did not provide and ensure the usage of point of operation guards or properly applied point of operation devices on every operation performed on mechanical power press(es):

- a) On or about June 17, 2015, the employer failed to ensure that the part revolution mechanical power press #130 contained effective guarding to prevent employee exposure to the point of operation. The operator was operating the press in continuous mode. The cycles were initiated by single actuation of two hand controls. The two hand controls did not require constant pressure during continuous press mode allowing the operator to place themselves into the hazard area.
- b) On or about June 17, 2015, the employer failed to ensure that the part revolution mechanical power press #130 contained effective guarding to prevent employee exposure to the point of operation from the rear of the press. The operator enters the rear of the press for scrap and part retrieval. No guarding was in place to protect the employee from the point of operation.
- c) On or about June 15, 2015, the employer failed to ensure that the part revolution mechanical power press #124 contained effective guarding to prevent employee exposure to the point of operation. The operator was operating the press in continuous mode. The cycles were initiated by single actuation of two hand controls. The two hand controls did not require constant pressure during continuous press mode allowing the operator to place themselves into the hazard area.
- d) On or about June 15, 2015, the employer failed to ensure that the part revolution mechanical power press #124 contained effective guarding to prevent employee exposure to the point of operation from the rear of the press. The operator enters the rear of the press for scrap and part retrieval. No guarding was in place to protect the employee from the point of operation.
- e) On or about June 15, 2015, the employer failed to ensure that the Benchmaster part revolution punch press contained effective guarding to prevent employee exposure to the point of operation. Employees operate the press in continuous mode without any guarding in place.

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: 1071380
Inspection Date(s): 06/17/2015 - 06/17/2015
Issuance Date: 11/18/2015



Citation and Notification of Penalty

Company Name: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

12/08/2015
\$49000.00

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

Howard B Eberts
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131
Phone: 216-447-4194 Fax: 216-520-1624



INVOICE / DEBT COLLECTION NOTICE

Company Name: Ohio Gasket & Shim Company
Inspection Site: 976 Evans Ave., Akron, OH 44319
Issuance Date: 11/18/2015

Summary of Penalties for Inspection Number	1071380
Citation 1, Serious	\$54600.00
Citation 2, Willful	\$49000.00
TOTAL PROPOSED PENALTIES	\$103600.00

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. 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.



Howard B Eberts

Area Director

11-18-2015
Date