

U.S. Department of Labor
Occupational Safety and Health Administration
8344 East R.L. Thornton Frwy.
Suite 420
Dallas, TX 75228
Phone: (214)320-2400 FAX: (214)320-2598



Citation and Notification of Penalty

To:
PJ Trailers Mfg., Co. Inc.; Delco Trailers
and its successors
1807 FM 2352
Sumner, TX 75486

Inspection Number: 314181876
Inspection **Date(s)**: 03/28/2011- 09/27/2011
Issuance Date: 09/27/2011

Inspection Site:
1807 FM 2352
Sumner, TX 75486

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 mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. 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. The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.

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

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

If you decide to request an informal conference, please complete, remove and post the page 4 Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an **informal** settlement agreement which amicably resolves this matter without litigation or contest.

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

Penalty Payment - Penalties are due within 15 working days of receipt of this notification unless contested. Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance.

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

Notification of Corrective Action - For **each** violations which you do not contest, you are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the OSHA office issuing the citation and identified above. The certification **must** be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful** and Repeat violations, documents (example: 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 that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All abatement verification documents must contain the **following** information: 1) Your name and address; 2) the inspection number (found on 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.

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.

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 your inspection will be available 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at WWW.OSHA.GOV. If you have **any** dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the **citation(s)** issued on 09/27/2011. The conference will be held at the OSHA **office** located at 8344 East R.L. Thornton Frwy., Suite 420, Dallas, TX, 75228 on _____ at _____

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

ABATEMENT CERTIFICATION

STEPHEN BOYD, Area Director
U.S. Department of Labor - OSHA
8344 East R.L. Thornton Frwy.
Suite 420
Dallas, TX 75228
Phone: (214)320-2400

PJ Trailers Mfg., Co. Inc.; Delco Trailers
1807 FM 2352
Sumner, TX 75486

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by way of _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by way of _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by way of _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by way of _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by way of _____

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

Signature

Typed or Printed Name



Citation and Notification of Penalty

Company Name: PJ Trailers Mfg., Co. **Inc.**; Delco Trailers
Inspection Site: 1807 FM 2352, **Sumner**, TX 75486

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

29 CFR 1910.22(b)(2): Permanent aisles and passageways were not appropriately marked:

The employer does not mark aisles and passageways. This violation was most recently observed on or about March 28, 2011, throughout the facility where powered industrial trucks were operated with out designated paths of travel.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement **date**, **the** employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that aisles and passageways are marked.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 7000.00



Citation and Notification of Penalty

Company Name: PJ Trailers Mfg., Co. **Inc.**; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.23(c)(1): Open-sided floors **and/or** platforms four (4) feet or more above adjacent floor or ground level were not guarded with standard railings (or equivalent) and toeboards:

The employer does not guard open sided floors **and/or platforms** that are four (4) feet or more above the floor with standard railings (or equivalent) and toeboards. This violation was most recently observed on or about May 25, 2011; where employees in the goose neck department were standing on the unguarded, open sided trailers at heights up to approximately **4-feet**, 3-inches above a concrete floor.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that open sided floors **and/or** platforms that are four (4) feet or more above the floor are guarded with standard railings (or equivalent) and toeboards.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 6600.00



Citation and Notification of Penalty

Company Name: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.106(d)(3)(ii)(a): Storage cabinet(s) for flammable and combustible liquids were not designed or constructed to meet minimal fire resistance as required:

The employer does not provide storage cabinet(s) for flammable and combustible liquids that are designed or constructed to meet minimal fire resistance. This violation was most recently observed on or about March 28, 2011; where the cabinet used to store aerosol paint cans outside of the powder coating booth was not designed or constructed to meet minimal fire resistance.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that storage cabinet(s) for flammable and combustible liquids are designed and or constructed to meet minimal fire resistance.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 5500.00

See pages I 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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.107(b)(5)(iv): Space within the spray booth on the downstream and upstream sides of filters was not protected with approved automatic sprinklers:

The employer does not protect space within the spray booth on the downstream and upstream sides of filters with approved automatic sprinklers. This violation was most recently observed on or about March 28, 2011; in the Finish Department, where space within the downstream and upstream sides of filters of the electrostatic powder coating spray booth was not protected with approved automatic sprinklers.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that required automatic sprinklers are installed and maintained in spray booths.

Date By Which Violation Must be Abated:	19/05/2011
Proposed Penalty:	\$ 7000.00

See pages I 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: PJ Trailers Mfg., Co. **Inc.**; Delco Trailers
Inspection Site: 1807 FM 2352, **Sumner**, TX 75486

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

29 CFR 1910.107(l)(1): Electrical equipment and other sources of ignition did not conform to the requirements of paragraphs (c)(1) (i)-(iv), (8) and (9)(i) of this section and Subpart S of 29 CFR 1910:

The employer does not provide electrical equipment in powder coating spraying areas that is approved for locations containing deposits of explosive dust. This violation was observed on or about March 28, 2011; where equipment and associated wiring was not approved for the hazardous (classified) location.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that electrical equipment located in spray areas are approved for use in classified locations.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 7000.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.138(a): The employer did not select and require employees to use appropriate hand protection when employees hands were exposed to hazardous **condition(s)**:

The employer does not select and require employees to use appropriate hand protection when employees hands were exposed to hazardous conditions. This violation was most recently observed on or about March 28, 2011; in the Finish Department, where employees performing powder coating were not wearing hand protection.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to select and require employees to use appropriate hand protection when employee's hands are exposed to hazardous conditions.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 6600.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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:

The employer does not provide workers who worked with corrosive materials suitable facilities for quick drenching or flushing of the eyes and body. This violation was most recently observed on or about March 28, 2011, where at least one (1) employee working with corrosive chemicals was not provided suitable facilities for quick drenching or flushing of the eyes and body.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that a shower and eye-wash station is close to areas where employees work with corrosive materials.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 7000.00

See pages I 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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.178(a)(4): Modifications or additions which affect capacity and safe operation of powered industrial truck were performed by the employer without the manufacturer's prior written approval:

The employer does not get the manufacturer's written approval for modifications or additions which affect capacity and safe operation of powered industrial trucks. This violation was most recently **observed** on or about **May 25, 2011**, where at least three powered industrial trucks were modified with a hole drilled through one of the tines to attach a ball hitch.

Pursuant to **29 C.F.R. 1903.19**, within ten (**10**) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that manufacturer's prior written approvals for any modifications or additions which affect capacity and safe operation of powered industrial trucks.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 7000.00

See pages I 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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, **Sumner**, TX 75486

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

29 CFR 1910.184(c)(9): **Employee(s)** were not kept clear of **load(s)** suspended, or about to be lifted by **slings**:

The employer does not keep employees clear of loads suspended by slings. This violation was most recently observed on or about:

- a) March 28, 2011; in the Dump Trailer Department, where at least two (2) employees were working under dump trailer bodies suspended by alloy steel chain slings.
- b) March 28, 2011; in the drying area of the Finish Department, where at least one (1) employee was working under a trailer suspended from a monorail track system with alloy steel chain slings.
- c) March 28, 2011; in the paint booth of the Finish Department, where at least one (1) employee was working under a trailer suspended from a monorail track system with alloy steel chain slings.
- d) May 25, 2011; at the start of the monorail track system of the Finish Department, where at least one (1) employee was working under a trailer suspended **from** a monorail track system with alloy steel chain slings.
- e) May 25, 2011; in the axle installation **area** of the Finish Department, where at least one (1) employee was working under a trailer suspended from a **monorail** track system with alloy steel chain slings.
- f) April 13, 2011; in the Stacking Department where at least three (3) employees were working under trailers suspended form an overhead crane with chain slings.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are kept clear of loads suspended by slings.

Date By Which Violation Must be Abated:		10/05/2011
Proposed Penalty:		\$ 7000.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

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

29 CFR 1910.184(e)(1): Alloy steel chain **slings(s)** did not have permanently **affixed** durable identification stating size, grade, rated capacity, and reach:

The employer does not ensure alloy steel slings have permanently affixed durable identification stating size, grade, rated capacity, and reach. This violation was most recently observed on or about March 28, 2011:

- a) In the Dump Trailer Department, where at least two (2) employees were working under dump trailer bodies suspended by slings that did not have any permanently affixed durable identification.
- b) In the Finish Department, where trailers were attached and suspended from a track system with alloy steel chain slings to move them through the finishing process.

Pursuant to 29 C.F.R. 1903.19, within **ten** (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that alloy steel chain slings have permanently affixed durable identification stating size, grade, rated capacity, and reach.

Date By Which Violation Must be Abated	10/05/2011
Proposed Penalty:	\$ 5500.00

See pages I 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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.184(e)(3)(ii): Records of the most recent month in which each alloy steel chain sling was thoroughly inspected were not available for examination:

The employer does not ensure alloy steel chain slings were thoroughly inspected and records of the most recent inspection are available for examination. This violation occurred on or about March 28, 2011:

- a) In the Dump Trailer Department, where at least two (2) employees were working under dump trailer bodies suspended by alloy steel chain slings that did not have any record of inspections.
- b) In the Finish Department, where trailers are attached and suspended from a track system with alloy steel chain slings to move them through the finishing process did not have any record of inspections.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that alloy steel chain slings are thoroughly inspected and records of the most recent inspection are maintained.

Date By Which Violation Must be Abated: 10/05/2011

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.212(a)(5): Fan blade guards, where the periphery of the blades was less than seven feet above the floor or working level, had openings larger than one half inch:

The employer does not ensure fan blade guards do not have openings larger than one half inch. This violation was most recently observed on or about May 25, 2011:

- a) In the Dump Trailer department, where at least one (1) fan in use had openings in the guard larger than one half inch.
- b) In the Parts Fabrication department, where at least one (1) fan in use in the plasma cutter area had openings in the guard larger than one half inch.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that fan blade guards do not have openings larger than one half inch.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 5500.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

Citation 1 Item 12 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.:

The employer does not ensure compressed air used for cleaning purposes was reduced to less than 30 p.s.i.
This violation was observed on or about March 28, 2011:

- a) In the drying area, where employees used two air lines taped together for **drying/cleaning** trailers, each with pressure greater than 100 p.s.i. without a nozzle that would keep static pressure at the main orifice below 30 p.s.i. if dead ending occurred.
- b) In the paint booth, where employees used air to clean powder coat from their skin and clothing.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that compressed air used for cleaning purposes was reduced to less than 30 p.s.i. and employees are not using compressed air to clean their skin and clothing.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 7000.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

Citation 1 Item 13 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:

The employer does not ensure electrical equipment is used or installed in accordance with the listing or labeling instructions. This violation was most recently observed on or about May 25, 2011:

- a) In the gooseneck department, where a metal electrical receptacle box designed to be installed inside of a wall was used on the end of an extension cord powering a plasma cutter.
- b) In the custom trailer department, where a metal electrical receptacle box designed to be installed inside of a wall was used on the end of a extension cord powering a Miller welder.
- c) In the custom trailer department, where a metal electrical receptacle box designed to be installed inside of a wall was used on the end of a extension cord powering a Miller welder.
- d) In the custom trailer department, where a metal electrical receptacle box designed to be installed inside of a wall was used on the end of a extension cord powering a Miller welder.
- e) In the parts fabrication department, where a metal electrical receptacle box designed to be installed inside of a wall was used on the end of an extension cord powering the parts tumbler.
- f) In the floor area of the finishing department, where a plug on a potable drill was not replaced with the identical replacement part as required by the manufacturer.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that electrical equipment is used or installed in accordance with the listing or labeling instructions.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 7000.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.303(f)(2): Each service, feeder and branch circuit, at its disconnecting means or overcurrent device, was not legibly marked to indicate its purpose, nor located and arranged so the purpose was evident:

The employer does not legibly mark to indicate the purpose of each service, feeder and branch circuit, at its disconnecting means or overcurrent device. This violation was most recently observed on or about March 29, 2011, where at least four (4) branch circuit breaker panels were not marked to indicate the purpose of individual breakers.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that each disconnecting means or overcurrent device for motors and appliances is located and arranged so the purpose is evident, or legibly marked to indicate its purpose.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 7000.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.305(b)(1)(i): Conductors entering cutout boxes, cabinets, or fittings were not protected from abrasion, and openings **through** which the conductors entered were not effectively closed:

The employer does not ensure conductors entering cabinets are protected from abrasion, and conductor openings effectively closed. This violation was most recently observed on or about:

- a) March 28, 2011; where finishing department employees operated a Ingersoll-Rand air compressor with an unprotected 460 volt conductor entering the cabinet.
- b) March 28, 2011; in the parts fabrication department, where the **conduit/fitting** protecting the wires on the Minster mechanical power press was broken exposing the open conductors to abrasion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that conductors entering cabinets or fittings are protected from abrasion, and conductor openings effectively closed.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 5500.00

See pages I 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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

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

The employer does not close unused openings on electrical equipment. This violation was most recently observed on or about April 13, 2011, where employees working on or near the circuit breaker panel in the break area of the utility trailer department were not protected from contacting energized parts and arc flash hazards;

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that unused openings on electrical equipment are effectively closed.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 5500.00

See pages I 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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

Citation 1 Item 17 Type of Violation: **Serious**

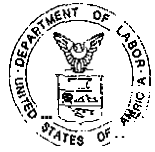
29 CFR 1910.305(c)(4): Snap switches mounted in boxes did not have faceplates installed so as to completely cover the opening and seat against the finished surface:

The employer does not install faceplates on each outlet box in completed installations. This violation was most recently observed on or about April 13, 2011, in the utility trailer department; where employees were not protected from contacting energized parts while using the light switch in the vending machine area.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that each outlet box in completed installations has a cover, faceplate, or fixture canopy:

Date By Which	Must be Abated:	10/05/2011
Proposed Penalty:		\$ 5500.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.305(j)(1)(i): Fixtures, lampholders, lamps, rosettes, and receptacles had live parts normally exposed to employee contact:

The employer does not install a cover, faceplate, or fixture canopy on each outlet receptacle box in completed installations. This violation was most recently observed on or about April 13, 2011, in the custom department; where employees were not protected from contacting energized parts while utilizing the outlet receptacle near the door.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that each outlet receptacle has a cover, faceplate, or fixture canopy:

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 5500.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.305(g)(1)(iv)(C): Flexible cords and/or cables were run through doorways, windows, or similar openings:

The employer runs flexible cords **and/or** cables through doorways. This violation was most recently observed on or about April 13, 2011; where in the utility trailer department, a flexible cord ran through a metal door from the vending area and was powering a refrigerator and microwave.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that flexible cords **and/or** cables are not run through doorways, windows, or similar openings.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 5500.00



Citation and Notification of Penalty

Company Name: PJ Trailers Mfg., Co. **Inc.**; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.332(b)(1): Employees were not trained in and familiar with the safety-related work practices required by 29 CFR 1910.331 through 1910.335 that pertained to their respective job assignments:

The employer does not train employees, and ensure that they are familiar with the safety-related work practices required by 29 CFR 1910.331 through 1910.335 that pertain to their respective job assignments. This violation most recently occurred on or about May 6, 2011, when employees, who were not trained in and familiar with the safety-related work practices, repaired the electrical circuit to the powder-coating booth by rewiring industrial circuit breakers in a panelboard energized to 240 volts.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are trained in and familiar with the safety-related work practices required by 29 CFR 1910.331 through 1910.335 that pertain to their respective job assignments.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 7000.00



Citation and Notification of Penalty

Company Name: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

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

29 CFR 1910.333(a)(1): Live parts to which an employee may be exposed were not de-energized before the employee worked on or near them:

The employer does not de-energize live parts before an employee works on or near them. This violation most recently occurred on or about May 6, 2011, when **employees**, who repaired the electrical circuit to the **powder-coating booth**, rewired industrial circuit breakers in a panelboard energized to 240 volts.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that live parts to which an employee may be exposed are de-energized before an employee works on or near them.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 7000.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, **Sumner**, TX 75486

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

29 CFR 1910.333(a)(2): When exposed live parts were not de-energized, other safety-related work practices were not used to protect employees who **may** be exposed to the electrical hazards involved:

When exposed live parts are not de-energized, the employer does not use safety-related work practices to protect employees from contacting energized circuit parts. This violation most recently occurred on or about May 6, 2011, when employees, who repaired the electrical circuit to the powder-coating booth, rewired industrial circuit breakers in a panelboard energized to 240 volts.

Pursuant to 29 **C.F.R.**1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that safety-related work practices are: developed and implemented to protect employees against contact with energized circuit parts directly with any part of their body or indirectly through some other conductive object; suitable for the conditions under which the work is to be performed and for the voltage level of the exposed electric conductors or circuit parts; and compliant with the specific work practice requirements detailed in paragraph (c) of 29 CFR 1910.333.

Date By Which Violation Must be Abated: 10/05/2011



Citation and Notification of Penalty

Company Name: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

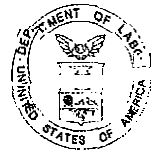
Citation 1 Item 21c Type of Violation: **Serious**

29 CFR 1910.333(b)(2): While an employee was exposed to contact with parts of fixed electric equipment or circuits which had been de-energized, the circuits energizing the parts were not locked out or tagged or both in accordance with the requirements of paragraph (b) of **29 CFR 1910.333:**

The employer does not develop, document and utilize lockout **and/or tagout** procedure when employees work on de-energized fixed electric equipment or circuits. This violation occurred on May 25, 2011, and at times prior thereto, where the employer did not develop, document and utilize lockout/tagout procedures for work performed on de-energized fixed electric equipment and circuits including, but not limited to **panelboards**.

Pursuant to **29 CFR 1903.19**, within ten (10) calendar days of the abatement date, the **employer** must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that lockout/tagout procedures are developed, documented and utilized.

Date By Which Violation Must be Abated: 10/05/2011



Citation and Notification of Penalty

Company Name: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.334(a)(2)(i): Portable cord and plug connected equipment and flexible cord sets (extension cords) were not visually inspected before use on any shift for external defects such as loose parts, deformed and missing pins, or damage to outer jacket or insulation and for evidence of possible internal damage such as pinched or **crushed** outer jacket:

The employer does not inspect extension cords to ensure they are free from recognized defects. This violation was most recently observed on or about March 28, 2011:

- a) In the dump trailer department, where an electrical extension cord used to power a portable angle grinder had damaged insulation.
- b) In the trailer floor department, where an electrical extension cord used to power a portable drill had damaged insulation.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that electrical cords are inspected and free from recognized defects.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 5500.00



Citation and Notification of Penalty

Company Name: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

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

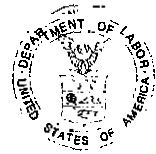
29 CFR 1910.335(a)(1)(i): Employees working in areas where there were potential electrical hazards were not provided with, nor did they use, electrical protective equipment that was appropriate for the specific parts of the body to be protected and for the work being performed:

The employer does not provide, nor do they require employees to use, rubber insulating gloves when employees work in areas where there are potential electrical hazards. This violation most recently occurred on or about May 6, 2011, when employees, who repaired the powder-coating booth electrical circuit, rewired industrial circuit breakers in a panelboard energized to 240 volts without wearing rubber insulating gloves.

Pursuant to **29 C.F.R. 1903.19**, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that when there are potential electrical hazards, employees are provided with and use rubber insulating gloves.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 7000.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.335(a)(1)(v): Wherever there was danger of injury to the face from electric arcs or flashes or from flying objects resulting from electrical explosion, employees did not wear protective equipment for the face:

The employer does not ensure that employees wear protective face shields when they work in areas where there is the danger of injury to the face from electric arcs or flashes or from flying objects resulting from electrical explosion. This violation most recently occurred on or about May 6, 2011, when employees, who repaired the electrical circuit to the powder-coating booth, rewired industrial circuit breakers in a panelboard energized to 240 volts without wearing face shields.

Pursuant to **29 C.F.R. 1903.19**, within ten (10) calendar days of the abatement date, the employer must submit **documentation showing** that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are provided with and use protective face shields when they are exposed to the danger of injury to the face from electric arcs or flashes or from flying objects resulting from electrical explosion.

Date By Which Violation Must be Abated: 10/05/2011



Citation and Notification of Penalty

Company Name: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, **Sumner**, TX 75486

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

29 CFR 1910.335(a)(2)(i): When the tools or handling equipment could make contact with energized conductors or circuit parts, each employee did not use insulated tools or handling equipment:

The employer does not ensure that employees use insulated tools when there is a possibility of the tools making contact with energized conductors or circuit parts. This violation most recently occurred on or about May 6, 2011, when employees, who repaired the electrical circuit to the powder-coating booth, rewired industrial circuit breakers in a panelboard energized to 240 volts with non-insulated tools which included but were not limited to a pair of side-cutting pliers, **ratcheting** cable cutter, and an automatic wire stripper.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are provided with and use insulated when working on or near energized electrical circuits or parts.

Date By Which Violation Must be Abated: 10/05/2011



Citation and Notification of Penalty

Company Name: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.335(a)(2)(ii): Protective shields, protective barriers, or insulating materials were not used to protect each employee from shock, burns, or other electrically related injuries while each employee was working near exposed energized parts which could be accidentally contacted or where dangerous electric heating or arcing could occur:

The employer does use shields, barriers, or insulating materials to protect each employee from electrical shock, burns, or other related injuries while the employee is working near exposed energized parts. This violation most recently occurred on or about May 6, 2011, when employees rewired industrial circuit breakers in a panelboard energized to 240 volts without using protective shields, barriers or insulating materials to protect them from electrical shock, burns or other related injuries.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are protected from injuries caused by contacting energized parts by using shields, barriers or insulating materials.

Date By Which Violation Must be Abated: 10/05/2011



Citation and Notification of Penalty

Company Name: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.132(a): Protective equipment was not used when necessary whenever hazards capable of causing injury and impairment were encountered:

The employer does not ensure personal protective equipment is provided and or used whenever employees are exposed to fall hazards capable of causing injury and or impairment. This violation was most recently observed on or about July 5, 2011; where employees in the stacking department were climbing and working on stacked trailers at heights up to approximately 14-feet, 2-inches above a concrete floor and were not provided a personal fall arrest system.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees working at elevations above four (4) feet are protected from fall hazards.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 70000.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

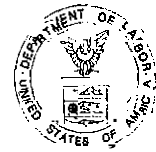
29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented, and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section:

- a) The employer does not develop, document, and utilize procedures for the control hazardous energy when employees change dies in hydraulic press brakes. This violation occurred on May 25, 2011, and at times prior thereto, where the employer had not develop, document and utilize these procedures for changing of dies in hydraulic press brakes such as but **not** limited to the **AccurPress** 725016 hydraulic press brake, and the Cincinnati **400AF** hydraulic power press brake.
- b) The employer does not develop, document, and utilize procedures for the control of hazardous energy when employees setup, adjusted, inspected, modified, maintained **and/or** serviced machines and equipment. This violation occurred May 25, 2011, and at times prior thereto, where the employer had not develop, document and utilize these procedures for equipment and machines such as, but not limited to the Accurshear hydraulic sheet metal shear; Messer plasma cutting table; Col-Met, powder-coating booth; and, the Col-Met powder coating oven.
- c) The employer does not ensure that employees utilize procedures developed and documented for the control of hazardous energy when employees setup, adjust, inspect, modify, maintain and/or service machines and equipment. This violation occurred on May 25, 2011, and at times prior thereto, where the employer did not require employees to utilize the **procedures** for equipment and machines such as, but not limited to the Minster No., 7500 LE power press; Piranha ironworker; Knuth, **SSB40XN**, vertical drilling machine; **Arboga/Wilton, A3008**, drill press; **Ingersoll Rand**, model **SSR-EP100**, air compressors; and the **Hyundai 30L-7, Doosan Daewoo G-30P**, and Daewoo G-30P forklift trucks.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that energy control procedures are developed, documented and utilized.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 70000.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

29 CFR 1910.147(c)(7)(i): The employer did not provide training to ensure that the **purpose and** function of the energy control program were understood by employees and that the knowledge and skills required for the safe application, usage and removal of the energy controls were acquired by employees:

The employer does not provide training to ensure that the purpose function of the energy control program were understood by employees and that the knowledge and skills required for the safe application, usage and removal of the energy controls were acquired by employees. This violation occurred on May 25, 2011, and at times prior thereto, when employees, who setup, adjusted, inspected, modified, maintained **and/or** serviced machines and equipment, were not knowledgeable of the purpose and function of the energy control program, nor did they have the knowledge or skills required for the safe application, usage and removal of the energy controls.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure hazardous energy control procedures are developed, documented and utilized.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 70000.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

Citation 2 Item 4 Type of Violation: **Willful**

29 CFR 1910.212(a)(3)(ii): The point of operation of machines whose operation exposed an employee to injury was not guarded to prevent the operator from having any part of his body in the danger zone during the operating cycle:

The employer does not protect the point of operation of a power press brake to prevent the operator from having any part of his body in the danger zone during the operating cycle. This violation occurred in the parts fabrication department on or about March 28, 2011, and at times thereafter, where employees, who operated the Cincinnati, 400AF, power press brake, were not protected from placing their fingers, hands or other body parts into the point of operation during the operating cycle.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are protected from point of operation hazards.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 70000.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, **Sumner**, TX 75486

Citation 2 Item 5 Type of Violation: **Willful**

29 CFR 1910.243(c)(3): Abrasive wheels used on vertical portable **grinder(s)** (right angle head grinders) were not provided with safety **guard(s)** having a maximum exposure angle of 180 degrees and located between the operator and wheel:

The employer does not provide safety guards for all abrasive wheels used on vertical portable grinders. This violation was most recently observed on or about March 28, 2011:

- a) In the parts fabrication department, where at least two (2) employees were using portable grinders without guards.
- b) In the Dump Trailer Department, where at least one (1) employee was using a portable grinder without a guard.
- c) In the drying area of the Finishing Department, where at least one (1) employee was using a portable grinder without a guard.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that all abrasive wheels used **on portable** grinders are guarded.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 60500.00



Citation and Notification of Penalty

Company Name: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

Citation 2 Item 6a Type of Violation: **Willful**

29 CFR 1910.252(b)(2)(i)(A): Helmets or hand shields were not used during all arc welding or arc cutting operations:

The employer does not ensure helmets or hand shields are not used during all arc welding or arc cutting operations. This violation was most recently **observed** on or about May 25, 2011, and at times prior thereto.

- a) In the gooseneck department; where employees, who performed arc welding operations, were not protected from radiant energy by using helmets or hand shields.
- b) In the dump trailer department; where employees, who **performed** arc welding operations, were not protected from radiant energy by using helmets or hand shields.
- c) In the small utility trailer department; where employees, who **performed** arc welding operations, were not protected from radiant energy by using **helmets** or hand shields.
- d) In the custom department; where employees, who performed arc welding operations, were not protected from radiant energy by using helmets or hand shields.
- e) In the parts fabrication department; where employees, who performed arc welding operations, were not protected from radiant energy by using helmets or hand shields.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that helmets or hand shields are used during all arc welding or arc cutting operations.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 60500.00

See pages I 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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, **Sumner**, TX 75486

Citation 2 Item 6b Type of Violation: **Willful**

29 CFR 1910.252(b)(2)(i)(B): Goggles or other suitable eye protection were not used during all gas welding or oxygen cutting operations:

The employer does not ensure goggles or other suitable eye protection are used during all gas welding or oxygen cutting operations. This violation was most recently observed on or about May 25, 2011:

- a) In the gooseneck department; where employees who performed oxygen cutting, were not protected from the infrared radiation by wearing appropriate goggles or other suitable eye protection.
- b) In the dump trailer department; where employees who performed oxygen cutting, were not protected from the infrared radiation by wearing appropriate goggles or other suitable eye protection.
- c) In the small utility trailer department; where employees who performed oxygen cutting, were not protected from the infrared radiation by wearing appropriate goggles or other suitable eye protection.
- d) In the custom department; where employees who performed oxygen cutting, were not protected from the infrared radiation by wearing appropriate goggles or other suitable eye protection.
- e) In the parts fabrication department; where employees performed oxygen cutting, were not protected from the infrared radiation by wearing appropriate goggles or other suitable eye protection.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that goggles or other suitable eye protection are used during all gas welding or oxygen cutting operations.

Date By Which Violation Must be Abated: **10/05/2011**

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

Citation 3 Item 1 Type of Violation: Repeat

29 CFR 1910.107(l)(4)(i): All areas were not kept free of the accumulation of powder coating dust:

The employer does not keep all areas free from the accumulation of powder coating dust. This violation was observed on or about March 28, 2011 and times thereafter, where areas around the powder coating area had accumulations of powder coating dust.

THE EMPLOYER WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.107(g)(2), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 312125578, CITATION NUMBER 1, ITEM NUMBER 2b, ISSUED ON MARCH 2, 2010, WITH RESPECT TO THE EMPLOYER'S DELCO TRAILERS WORKPLACE LOCATED AT 4131 CR 35500, SUMNER, TX 75486, AND WAS AFFIRMED AS A FINAL ORDER ON MARCH 24, 2010.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that all areas are free from the accumulation of powder coating dust.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 35000.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

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

The employer does 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 paragraph (l). This violation occurred on or about June 22, 2011, where at least two (2) employees operated powered industrial trucks without completing the required training and or evaluation.

THE EMPLOYER WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.178(l)(1)(i), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 309537827, CITATION NUMBER 1, ITEM NUMBER 2a, ISSUED ON OCTOBER 11, 2006, WITH RESPECT TO A WORKPLACE LOCATED AT 1807 FM 2352 , SUMNER, TX 75486, AND WAS AFFIRMED AS A FINAL ORDER ON MARCH 26, 2007.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the requirement, including describing the steps that it is taking to ensure that operators are **competent** to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in 29 CFR 1910.178(l).

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 35000.00

See pages I 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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

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:

The employer does not 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. This violation was most recently observed on or about April 13, 2011; in the parts fabrication department, where employees were exposed to rotating parts hazards while operating the vertical drill press.

THE EMPLOYER WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910. 212(a)(1), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 309537827, CITATION NUMBER 1, ITEM NUMBER 6, ISSUED ON OCTOBER 11, 2006, WITH RESPECT TO A WORKPLACE LOCATED 2 MILES OUT OF TIGERTOWN, SUMNER, TX 75486, AND WAS AFFIRMED AS A FINAL ORDER ON MARCH 26, 2007.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in **compliance** with the standard, including describing the steps that it is taking to ensure employees are protected from hazards such as those created by point of operation, **ingoing** nip points, rotating parts, flying chips and sparks.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 35000.00



Citation and Notification of Penalty

Company Name: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, **Sumner**, TX 75486

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

29 CFR 1910.212(a)(3)(ii): The point of operation of machines whose operation exposed an employee to injury was not guarded to prevent the operator from having any part of his body in the danger zone during the operating cycle:

The employer does not protect the point of operation of a power press brake to prevent the operator from having any part of his body in the danger zone during the operating cycle. This violation occurred in the parts fabrication department on or about March 28, 2011, and at times thereafter, where employees, who operated the **AccurPress**, model 725016, power press brake, were not protected from placing their fingers, hands or other body parts into the point of operation during the operating cycle.

THE EMPLOYER WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.212(a)(1), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 312125578, CITATION NUMBER 1, ITEM NUMBER 6, ISSUED ON MARCH 2, 2010, **WITH** RESPECT TO THE EMPLOYER'S DELCO TRAILERS WORKPLACE LOCATED AT 4131 CR 35500, SUMNER, TX 75486, AND WAS AFFIRMED AS A FINAL ORDER ON MARCH 24, 2010.

Pursuant to 29 C.F.R. 1903.19, within **teh (10)** calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are protected from point of operation hazards.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 35000.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, **Sumner**, TX 75486

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

29 CFR 1910.252(b)(2)(iii): Workers and other persons adjacent to the welding areas were not protected from the rays by noncombustible or flameproof screens or shields, or wear appropriate goggles:

The employer does not protect workers and other persons adjacent to the welding areas from the welding rays. This violation was observed on or about March 28, 2011 and times thereafter:

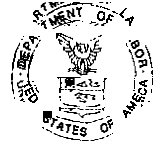
a) In the gooseneck department; where employees who walked or worked in areas adjacent to welding operations, were not protected from the ultraviolet radiation by welding screens or shields or by wearing appropriate goggles.

b) In the dump trailer department; where employees who walked or worked in areas adjacent to welding operations, were not protected from the ultraviolet radiation by welding screens or shields or by wearing appropriate goggles.

c) In the small utility trailer department; where employees who walked or worked in areas adjacent to welding operations, were not protected from the ultraviolet radiation by welding screens or shields or by wearing appropriate goggles.

d) In the custom department; where employees who walked or worked in areas adjacent to welding operations, were not protected from the ultraviolet radiation by welding screens or shields or by wearing appropriate goggles.

See pages I 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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, **Sumner**, TX 75486

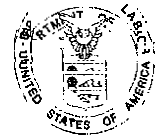
e) In the parts fabrication department; where employees who walked or worked in areas adjacent to welding operations, were not protected from the ultraviolet radiation by welding screens or shields or by wearing appropriate goggles.

THE EMPLOYER WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.252(b)(2)(iii), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 312125578, CITATION NUMBER 1, ITEM NUMBER **9b**, ISSUED ON MARCH 2, 2010 **WITH** RESPECT TO THE EMPLOYER'S DELCO TRAILERS WORKPLACE LOCATED AT 4131 CR 35500, SUMNER, TX 75486, AND WAS AFFIRMED AS A FINAL ORDER ON MARCH 24, 2010.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that workers and other persons adjacent to the welding areas are protected from the welding rays.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 33000.00

See pages I 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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

Citation 3 Item 6 Type of Violation: Repeat

29 CFR 1910.303(g)(2)(i): Except as required or permitted elsewhere in this Subpart, live parts of electrical equipment operating at 50 volts or more were not guarded against accidental contact by approved cabinets or other forms of approved enclosures:

The employer does not ensure live parts of electrical equipment operating at 50 volts or more are guarded against accidental contact by approved cabinets or other forms of approved enclosures This violation was most recently observed on or about:

- a) April 13, 2011; where employees working in the axle installation area of the finish department where a missing front panel on a water fountain exposed employees to energized parts.
- b) June 1, 2011; where at least one employee in the parts fabrication department was not protected from contacting energized parts while operating the parts tumbler.

THE EMPLOYER WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.303(g)(2)(i), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 312125578, CITATION NUMBER 1, ITEM NUMBER 11, ISSUED ON MARCH 2, 2010 WITH RESPECT TO THE EMPLOYER'S DELCO TRAILERS WORKPLACE LOCATED AT 4131 CR 35500, SUMNER, TX 75486, AND WAS AFFIRMED AS A FINAL ORDER ON MARCH 24, 2010.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are protected against accidental contact of live parts of electrical equipment operating at 50 volts or more by approved cabinets or other forms of approved enclosures.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 27500.00

See pages I 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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

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

Citation 3 Item 7a 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:

The employer substitutes flexible cords and/or cables for the fixed wiring. This violation was observed on or about March 28, 2011, and times thereafter:

- a) In the hydraulic brake area of the finishing department, where a flexible cord was attached to the wall in place of fixed wiring.
- b) In the trailer floor area of the finishing department, where a flexible cord was attached to steel beams near the center of the bay and ran along the roof beam to the wood floor area in place of fixed wiring.
- c) In the plasma cutting area of custom trailer building, where a flexible cord was attached to the steel beams near the back of the bay and ran along the roof beam to the center of the bay in place of fixed wiring.

THE EMPLOYER WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.305(g)(1)(iii), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 309537827, CITATION NUMBER 1, ITEM NUMBER 9, ISSUED ON OCTOBER 11, 2006, WITH RESPECT TO A WORKPLACE LOCATED AT 1807 FM 2352, SUMNER, TX 75486, AND WAS AFFIRMED AS A FINAL ORDER ON MARCH 26, 2007.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that flexible cords and/or cables are not used as a substitute for the fixed wiring.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 27500.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

Citation 3 Item 7b Type of Violation: **Repeat**

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

The employer ran flexible cords **and/or** cables through holes in walls. This violation was **observed** on or about April 13, 2011, and times thereafter:

- a) In the custom trailer department, where a flexible cord ran through a hole approximately five (5) feet from the ground in the metal wall from the plasma cutting area and was supplying power to a welder.
- b) In the custom trailer department, where a flexible cord ran through a hole in the metal wall from the northwest corner of plasma cutting area and was supplying power to a welder.
- c) In the custom trailer department, where a flexible cord ran through a hole in the metal wall from the northwest corner of plasma cutting area and was supplying power to a plasma cutter.
- d) In the hydraulic brake area of the finishing department, where a flexible cord ran through the metal wall from the drying area and was powering a portable band saw and drill.

THE EMPLOYER WAS PREVIOUSLY **CITED** FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.305(g)(1)(iii), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 309537827, CITATION NUMBER 1, ITEM NUMBER 9, ISSUED ON OCTOBER 11, 2006, WITH RESPECT TO A WORKPLACE LOCATED AT 1807 FM 2352, SUMNER, TX 75486, AND WAS AFFIRMED AS A FINAL ORDER ON MARCH 26, 2007.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that flexible cords **and/or** cables are not run through holes in walls, ceilings, or floors.

Date By Which Violation Must be Abated: **10/05/2011**

See pages I 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: PJ Trailers Mfg., Co. **Inc.**; Delco Trailers
Inspection Site: 1807 FM 2352, **Sumner**, TX 75486

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

Citation 3 Item 8a Type of Violation: **Repeat**

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

The employer uses flexible cords which are not continuous in length and which are spliced or tapped. This violation was most recently observed on or about May 26, 2011; where in the hydraulic brake area of the finishing department, a flexible cord was taped and was powering a drill.

THE EMPLOYER WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.305(g)(2)(ii), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 312125578, CITATION NUMBER 1, ITEM NUMBER 12a, ISSUED ON MARCH 02, 2010, WITH RESPECT TO THE EMPLOYER'S DELCO TRAILERS WORKPLACE LOCATED AT 4131 CR 35500, SUMNER, TX 75486, AND WAS AFFIRMED AS A FINAL ORDER ON MARCH 24, 2010.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that flexible cords **and/or** cables are used in continuous lengths without splices or taps.

Date By Which Violation Must be Abated:	10/05/2011
Proposed Penalty:	\$ 35000.00

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: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486

Citation 3 Item 8b Type of Violation: **Repeat**

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:

The employer does not ensure flexible cords are connected to devices and fittings so that tension is not transmitted to joints or terminal screws. This violation was observed on or about:

- a) March 28, 2011 in the floor area of the finishing department, where the outer insulation of an extension cord that was used to power a portable drill had separated from the plug exposing the conductors to strain.
- b) May 25, 2011 in the custom department where the cord plug for a welder did not have a strain relief device causing a transmission of tension to joints and or terminals.

THE EMPLOYER WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.305(g)(2)(ii), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 312125578, CITATION NUMBER 1, ITEM NUMBER 12b, ISSUED ON MARCH 2, 2010, WITH RESPECT TO THE EMPLOYER'S DELCO TRAILERS WORKPLACE LOCATED AT 4131 CR 35500, SUMNER, TX 75486, AND WAS AFFIRMED AS A FINAL ORDER ON MARCH 24, 2010.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that flexible cords are connected to devices and fittings so that tension is not transmitted to joints or terminal screws.

Date By Which Violation Must be Abated: 10/05/2011


STEPHEN BOYD
Area Director

See pages I 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
8344 East R.L. Thornton Frwy.
Suite 420
Dallas, TX 75228
Phone: (214)320-2400 **FAX:** (214)320-2598



**INVOICE/
DEBT COLLECTION NOTICE**

Company Name: PJ Trailers Mfg., Co. Inc.; Delco Trailers
Inspection Site: 1807 FM 2352, Sumner, TX 75486
Issuance Date: 09/27/2011

Summary of Penalties for Inspection Number 314181876

Citation 1, Serious = \$ **146700.00**
Citation 2, Willful = \$ **401000.00**
Citation 3, Repeat = \$ **263000.00**
TOTAL PROPOSED PENALTIES = \$ **810700.00**

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.

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



STEPHEN BOYD
Area Director

9/27/2011

Date