

U.S. Department of Labor
Occupational Safety and Health Administration
Houston North Area Office
507 N. Sam Houston Pkwy. E., Suite 400
Houston, TX 77060-4007
Phone: (281)591-2438 FAX: (281)999-7457



Citation and Notification of Penalty

To:
Petag Corp./Rettra Plastic

and its successors
2103 Lyons Ave
Houston, TX 77020

Inspection Site:
2103 Lyons Ave
Houston, TX 77020

Inspection Number: 315675413
Inspection Date(s): 08/30/2011 - 08/31/2011

Issuance Date: 12/21/2011

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 enter into an Informal Settlement Agreement or you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please read the following paragraphs 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. **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, call our office between 8:00 a.m. and 4:30 p.m. for an appointment, 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. (See the attached Invoice/Debt Collection Notice for details of the Debt Collection Act of 1982.) 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 violations which you do not contest, you should notify the U.S. Department of Labor Area Office promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation. Please inform the Area Office in writing 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, etc. Attached are is a fill-in-the blank form letter for your use to assist you in meeting this requirement.

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.

Abatement Methods - The employer is not limited to abatement methods suggested by OSHA; i.e., methods explained are general and may not be effective in all cases. Other methods of abatement may be equally or more appropriate. Ultimate responsibility for determining the most appropriate method rest with the employer, given its superior knowledge of the specific conditions at its worksite.

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, but no sooner than 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at <http://www.osha.gov>. If you have any dispute with the accuracy of the information displayed, please contact this office.

Abatement Verification - PLEASE FILL IN ABATEMENT/CORRECTION METHOD INCLUDING DATE COMPLETED FOR EACH ITEM CITED AND RETURN TO THE AREA DIRECTOR. OSHA STANDARDS REQUIRE CERTIFICATION AND/OR DOCUMENTATION FOR EACH CITED ITEM. Abatement certification is the employer's statement to OSHA that a violation has been corrected. The certification also describes the date and method of abatement and states that employees and their representatives have been informed of the abatement. Abatement documentation is evidence submitted by the employer that demonstrates that abatement is complete. The evidence will usually be photographic pictures of the abatement, receipts or work orders or other paper evidence of abatement actions taken. Abatement certification responses are due within three (3) working days after each abatement date. **ANOTHER CITATION WITH MONETARY PENALTY CAN BE ISSUED IF YOU DO NOT PROVIDE CERTIFICATION AND/OR DOCUMENTATION OF ABATEMENT.**

When the item indicates **CORRECTED DURING INSPECTION**, the compliance officer witnessed the abatement/correction during the inspection, and no certification is required.

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, but not sooner than 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at <http://www.osha.gov>. If you have any dispute with the accuracy of the information displayed, please contact this office.

Corrective Action Verification

Dear Sir:

OSHA's inspections are intended to result in the abatement/correction of violations of the OSHA Act. To verify that this has been accomplished, Section 1903.19 requires that an employer certify to OSHA, within ten (10) days of the final abatement date that each item cited has been corrected.

This abatement certification letter must include the following:

- *Name of Employer
- *OSHA Inspection Number
- *Citation and Item Numbers to which the submission relates
- *The date each item was abated, specific action taken to abate each violation and appropriate documentation for the action taken. Where appropriate, this protective equipment provided, standard operation procedures, copies of written programs, engineering controls, monitoring data, ect.

* Following is a sample format that may be used for this submittal:

Name of Employer

Citation No: Item No: Date Item Abated: Corrective Action Taken:

Date this letter of submission posted _____

I certify that the information submitted is correct.

Employer or Authorized Representative



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 12/21/2011. The conference will be held at the OSHA office located at Houston North Area Office, 507 N. Sam Houston Pkwy. E., Suite 400, Houston, TX, 77060-4007 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: Petag Corp./Retra Plastic
Inspection Site: 2103 Lyons Ave, Houston, TX 77020

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish to each of his employees a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to the hazard of fire and thermal burns.

The employer did not ensure that the doors of a furnace used by employees to load and unload the furnace are locked while operating at temperatures above 300 degrees Fahrenheit. This violation was observed on or about August 30, 2011, when the furnace in the X-ray building was unlocked while operating at a temperature of 1513 degrees Fahrenheit. Opening the doors before the furnace cools below 300 degrees Fahrenheit exposes the employees to the hazard of fire and thermal burns.

Among other methods, one feasible and acceptable means of abatement would be to follow the furnace manufacturer's instructions contained in Pollution Control Products Company's Controlled Pyrolysis Cleaning Furnace Installation, Operation, and Maintenance Manual which requires the doors on the furnace to be locked, and remain so, while the temperature of the furnace is above 300 degree Fahrenheit.

Date By Which Violation Must be Abated: 12/27/2011
Proposed Penalty: \$ 5390.00



Citation and Notification of Penalty

Company Name: Petag Corp./Rettra Plastic
Inspection Site: 2103 Lyons Ave, Houston, TX 77020

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

29 CFR 1910.23(d)(1)(iii): Flight(s) of stairs with 4 or more risers, less than 44 inches wide and having both sides open were not equipped with one standard stair railing on each side:

On or about August 30, 2011, and at times prior thereto, the employer did not ensure that a stairway used by employees to travel between the Bottle Line Plant and X-ray building was equipped with stair railings. The stairs were open on both sides and had four risers that were 35 and 1/2 inches wide. This condition exposed the employees to a fall hazard.

Date By Which Violation Must be Abated: 12/27/2011
Proposed Penalty: \$ 3080.00

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee used appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

On or about August 30, 2011, The employer did not require employees to wear eye and face protection while handling caustic chemicals. In the X-ray building, near the mixer area, employees use sodium hydroxide and sulfuric acid while processing x-ray film. This exposes the employees to the hazard of chemical burns.

Date By Which Violation Must be Abated: 12/26/2011
Proposed Penalty: \$ 5390.00

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



Citation and Notification of Penalty

Company Name: Petag Corp./Retra Plastic
Inspection Site: 2103 Lyons Ave, Houston, TX 77020

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

29 CFR 1910.138(a): The employer did not select and require employee(s) to use appropriate hand protection when employees hands were exposed to hazards such as those from skin absorption of harmful substances; severe cuts or lacerations; severe abrasions; punctures; chemical burns; thermal burns; and harmful temperature extremes:

On or about August 30, 2011, the employer did not select and require employees to wear hand protection while handling caustic chemicals. In the X-ray building, near the mixer area, employees are exposed to the hazard of chemical burns while use sodium hydroxide and sulfuric acid to remove silver from x-ray film. This condition exposed employees to the hazard of chemical burns.

Date By Which Violation Must be Abated: 12/27/2011
Proposed Penalty: \$ 5390.00

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

29 CFR 1910.146(c)(3): When the employer decided that its employees would not enter permit spaces, the employer did not comply with 29 CFR 1910.146(c)(1), 29 CFR 1910.146(c)(2), 29 CFR 1910.146(c)(6), and 29 CFR 1910.146(c)(8):

On August 30, 2011, and at time prior thereto, the employer failed to inform employees of identified permit required confined spaces by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces. In the X-ray building two mixers were identified by the employer as being permit required confined spaces that employees were not intended to enter. Neither mixer was marked with any form of warning. This condition exposed the employees to the hazard of an oxygen deficient and/or corrosive atmosphere.

Date By Which Violation Must be Abated: 12/27/2011
Proposed Penalty: \$ 5390.00

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



Citation and Notification of Penalty

Company Name: Petag Corp./Rettra Plastic
Inspection Site: 2103 Lyons Ave, Houston, TX 77020

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

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

On August 30, 2011, the employer allowed employees to blow off their cloths with compressed air. In addition, the employer allowed employees to use compressed air at a 116 psi to clean equipment. These conditions exposed employees to a struck-by and injection hazard.

Date By Which Violation Must be Abated: 12/27/2011
Proposed Penalty: \$ 5390.00

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

29 CFR 1910.1200(h)(1): Employees were not provided information and training as specified in 29 CFR 1910.1200(h)(1) and (2) on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard was introduced into their work area:

On or about August 30, 2011, the employer did not provide initial training to employees to inform them of hazards associated with chemicals in their work area. Employees hired October 12, 2006, to present, have not been trained on the hazards posed by chemicals such as, but not limited to, sulfuric acid and sodium hydroxide, in their work area. This condition exposed employees to multiple chemical exposure hazards.

Date By Which Violation Must be Abated: 12/27/2011
Proposed Penalty: \$ 5390.00

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



Citation and Notification of Penalty

Company Name: Petag Corp./Rettra Plastic
Inspection Site: 2103 Lyons Ave, Houston, TX 77020

Citation 2 Item 1 Type of Violation: Repeat

29 CFR 1910.141(d)(1): Washing facilities were not maintained in a sanitary condition.

On August 30, 2011, and at times prior thereto, the washing facilities in the employee restrooms were not maintained in a sanitary condition. The hand washing sinks inside the employee restrooms located next to the break room in the Bottle Line Plant were covered with what appeared to be mold and other filth.

PETAG CORPORATION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.141(d)(1), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 308594878, CITATION NUMBER 02, ITEM NUMBER 001 AND WAS AFFIRMED AS A FINAL ORDER ON 12/26/2006, WITH RESPECT TO A WORKPLACE LOCATED AT 2103 LYONS, HOUSTON, TX 77020.

Date By Which Violation Must be Abated: 12/27/2011
Proposed Penalty: \$ 1540.00

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



Citation and Notification of Penalty

Company Name: Petag Corp./Retra Plastic
Inspection Site: 2103 Lyons Ave, Houston, TX 77020

Citation 2 Item 2 Type of Violation: Repeat

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

On or about August 30, 2011, the employer did not ensure that eyewash and shower stations had clear access for employee's immediate emergency use. Two eyewash and shower stations located in the X-ray building had their access blocked and were not maintained in a clean ready to use condition. This condition exposed employees to the hazard of chemical burns.

- a. The eyewash and shower station on the north end of the X-ray building is located near the sulfuric acid supply and was blocked by a large tank of antifoaming agent.
- b. The eyewash and shower station closest to the mixers was blocked with pallets of sodium hydroxide.

PETAG CORPORATION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.151(c), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 308594878, CITATION NUMBER 01, ITEM NUMBER 004 AND WAS AFFIRMED AS A FINAL ORDER ON 12/26/2006, WITH RESPECT TO A WORKPLACE LOCATED AT 2103 LYONS, HOUSTON, TX 77020.

Date By Which Violation Must be Abated: 12/27/2011
Proposed Penalty: \$ 10780.00

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



Citation and Notification of Penalty

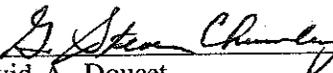
Company Name: Petag Corp./Rettra Plastic
Inspection Site: 2103 Lyons Ave, Houston, TX 77020

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

29 CFR 1910.134(k)(6): The employer did not provide the basic advisory information on respirators, as presented in Appendix D of this section, in written or oral format to employees who wear respirators when such use was not required by the employer:

On or about August 30, 2011, an employee who had not been provided with the information in Appendix D of 29 CFR 1910.134, was permitted to voluntarily use an N95 filtering face piece respirator while sweeping dust from the floor in the X-ray building storage area.

Date By Which Violation Must be Abated: 12/27/2011
Proposed Penalty: \$ 0.00

for 
David A. Doucet
Area Director

See pages 1 through 7 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
Houston North Area Office
507 N. Sam Houston Pkwy. E., Suite 400
Houston, TX 77060-4007
Phone: (281)591-2438 FAX: (281)999-7457



INVOICE/ DEBT COLLECTION NOTICE

Company Name: Petag Corp./Rettra Plastic
Inspection Site: 2103 Lyons Ave, Houston, TX 77020
Issuance Date: 12/21/2011

Summary of Penalties for Inspection Number 315675413

Citation 1, Serious	= \$	35420.00
Citation 2, Repeat	= \$	12320.00
Citation 3, Other	= \$	0.00
TOTAL PROPOSED PENALTIES	= \$	47740.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above or the amounts agreed to in an Informal Settlement Agreement following an Informal Conference. 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 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.

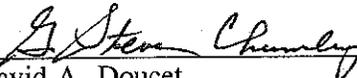
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts 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 four percent (4%). 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 second and subsequent demand letters sent in an attempt to collect the unpaid debt. Costs will not be assessed for first demand letters and payment default letters.

for 

David A. Doucet
Area Director

12/21/2011

Date