

U.S. Department of Labor
Occupational Safety and Health Administration
El Paso Area Office
4849 North Mesa, Suite 200
El Paso, TX 79912
Phone: 915-534-6251 Fax: 915-534-6259



Citation and Notification of Penalty

To:
Plastic Systems, LLC
and its successors
15055 32 Mile Rd.
Bruce Township, MI 48065

Inspection Number: 958341
Inspection Date(s): 02/12/2014 - 05/08/2014
Issuance Date: 08/07/2014

Inspection Site:
1305 Henry Brennan Drive
El Paso, TX 79936

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

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

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

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

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

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

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

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

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

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

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

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

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

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

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

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

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. 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 08/07/2014. The conference will be held by telephone or at the OSHA office located at 4849 North Mesa, Suite 200, El Paso, TX 79912 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 958341

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936
Issuance Date: 08/07/2014

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 4849 North Mesa, Suite 200, El Paso, TX 79912**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

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

29 CFR 1910.147(c)(2)(ii): The employer's tagout energy control program procedures did not successfully comply with 29 CFR 1910.147(c)(3) and no lockout was provided for employee protection:

On or about February 12, 2014, and at times prior thereto, at the B-5 injection-molding machine, Cincinnati-VH-250-29-3902A21/91-24, the employer's tagout system for the electrical disconnect and pneumatic valve did not provide full employee protection. Employees were exposed to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by or electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/13/2014
Proposed Penalty:	\$6930.00



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

29 CFR 1910.147(c)(3)(i): The tagout device used on an energy isolating device, which was capable of being locked out, was not attached at the same location that the lockout device would have been attached:

On or about February 12, 2014, and at times prior thereto, at the B-5 injection-molding machine, Cincinnati-VH-250-29-3902A21/91-24, tags were not attached at the electrical disconnect nor at the pneumatic valve, which were capable of being locked out, exposing employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by or electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/13/2014



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

29 CFR 1910.147(c)(5)(ii)(D): Lockout devices and tagout devices did not indicate the identity of the employee applying the device(s):

On or about February 12, 2014, and at times prior thereto, at the injection-molding machine B-5 (Cincinnati-VH-250-29-3902A21/91-24) the tagout devices attached to the busway switch handle rope and the pneumatic air line did not identify the employee applying the tagout devices, exposing employees to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by or electrical hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/13/2014
Proposed Penalty:	\$6930.00

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: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

29 CFR 1910.147(c)(8): Lockout or tagout was not performed only by the authorized employees who performed the servicing or maintenance:

The employer did not ensure that Lockout or tagout was performed by an authorized employee who performed servicing or maintenance:

- a) On or about February 13, 2014, on Machine A04,
- b) On or about February 13, 2014, on Machine A14,
- c) On or about February 13, 2014 on Machine AA2,
- d) On or about February 18, 2014, on Machine B-1,

Employees were exposed to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by and electrical hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/13/2014
Proposed Penalty:	\$6930.00



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

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

29 CFR 1910.147(d)(1): The authorized employee did not have knowledge of the type and magnitude of the energy, the hazards of the energy to be controlled, and the method or means to control the energy before the authorized or affected employee turned off machine:

On or about February 12, 2014, and at times prior thereto, at the Injection Molding Machine C-0 Toyo 1992 90-Ton, T190G2-1087208, an authorized employee was not knowledgeable of the sources of energy, the hazards, and the methods and means necessary to control all sources of hazardous energy. After attempting to perform lockout, the machine remained energized, exposing the employee to unexpected movement of the machine, caught-between, struck-by and electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/13/2014
Proposed Penalty:	\$6930.00



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

29 CFR 1910.147(d)(2): The machine or equipment was not turned off or shut down using the procedures established for the machine or equipment:

On or about February 12, 2014, and at times prior thereto, at Injection Molding Machine C-0, Toyo 1992 90-Ton, T190G2-1087208, an authorized employee did not perform shutdown and lockout of the machine according to procedures established. The machine remained energized, exposing the employee to unexpected movement of the machine, caught-between, struck-by or electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/13/2014



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

29 CFR 1910.147(d)(3): All energy isolating devices that were needed to control the energy to the machine or equipment were not physically located and operated in such a manner as to isolate the machine or equipment from the energy source(s):

On or about February 12, 2014, and at times prior thereto, at Injection molding machine C-0, Toyo 1992 90 Ton, T190G2-1087208, an authorized person did not locate and operate all energy isolating devices during lockout of this machine. Verification of lockout resulted in machine movement, exposing the employee to caught-between, struck-by and electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/13/2014



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazards created by in-going nip points, rotating parts, and/or flying chips and sparks:

On or about February 12, 2014, and at times prior thereto, the employer did not provide machine guards to protect the operators and other affected employees in the machine area from hazards such as those created by rotating parts, flying plastic particles and thermal burns.

- a) Injection Molding Machine A-5 (1998 88-Ton TOYO, FN1000/S08T026), purge cover guard was broken.
- b) Injection Molding Machine A-4 (1993 396 Ton Nissei, FS360S100AS/ES36M058), plexiglass door guard was broken.
- c) Injection Molding Machine E-6 (1996 400-Ton Engel, ES2000/400AH/7611/400/95), plexiglass and seal on the door guard at the operators station was broken
- d) Injection Molding Machine A-4 (1993 396 Ton Nissei, FS360S100AS/ES36M058), injection heat barrel guard was missing.
- e) Injection Molding Machine C-12 (1997 150-Ton Toyo, TM150H/1140059), injection-heat barrel guard was missing.

Date By Which Violation Must be Abated: 08/13/2014
Proposed Penalty: \$4950.00



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

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

29 CFR 1910.303(b)(1): Electrical equipment was not free from recognized hazards that were likely to cause death or serious physical harm to employees:

On or about February 12, 2014, and at times prior thereto, on the production floor, employees were exposed to electrical hazards in the following instances:

- a) At Injection Molding Machine A-4 (1993 396-Ton Nissei, FS360S100AS/ES36M058), 480V conductors (band heater wiring) was left suspended and not contained just below the injection barrel exposing employees to electrical hazards.
- b) At Injection Molding Machine A-5 (1997 150-Ton Toyo, TM150H/1140032), 480V conductors (band heater wiring) was left suspended and not contained just below the injection barrel exposing employees to electrical hazards.
- c) At Injection Molding Machine C-12 (1997 150-Ton Toyo, TM150H/1140059), 480V conductors (band heater wiring) left suspended and not contained just below the injection barrel exposing employees to electrical hazards.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/13/2014
\$4950.00

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

Inspection Number: 958341
Inspection Date(s): 02/12/2014 - 05/08/2014
Issuance Date: 08/07/2014



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

29 CFR 1910.303(b)(1)(iv): Electric equipment was not free from recognized hazards that were likely to cause serious physical harm to employees, such as damaged electrical insulation:

On or about February 12, 2014, and at times prior thereto, at Injection Molding Machine A-10 (1996 500-Ton Toyo, TM500G2/1115019), the 120-volt electrical conductor supplying power to the operator's workstation had damaged insulation. Internal conductors were not protected against physical contact and damage at two locations, exposing employees to electrical shock hazards.

Date By Which Violation Must be Abated:

08/13/2014

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

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

Inspection Number: 958341
Inspection Date(s): 02/12/2014 - 05/08/2014
Issuance Date: 08/07/2014



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

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

On or about February 12, 2014, and at times prior thereto, on the production floor at Injection Molding Machine E-7 (1999 850-Ton Cincinnati, MH-850-76/H08A0400001), the employer used an extension cord connected to a relocatable power tap, a condition specifically prohibited by the listing and labeling instructions. The cord was used to power the conveyor belt and operators workstation light. Employees were exposed to electrical hazards.

Date By Which Violation Must be Abated:	08/13/2014
Proposed Penalty:	\$2970.00

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: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

29 CFR 1910.303(b)(8)(i): Electrical equipment was not firmly secured to the surface on which it was mounted:

On or about February 12, 2014, and at times prior thereto, on the production floor, two 480V Sorgel Transformers were not secured to the floor, exposing employees to fire and electrical hazards:

- a) The 480V Transformer Cat No. 45t3H located against the entrance wall was not firmly secured. Movement forced the transformer into the wall not allowing proper ventilation in accordance with transformer ventilation requirements of National Electrical Code (NEC) Article 450.9, which is to provide enough ventilation so the transformer does not overheat by ensuring the openings are not blocked by walls or other obstructions.
- b) The 480V Transformer Cat No. 45t3H located against the entrance wall was not firmly secured. The transformer was pushed approximately within 1-inch of the wall and not allowing for proper ventilation in accordance with transformer ventilation requirements of National Electrical Code (NEC) Article 450.9, which is to provide enough ventilation so the transformer does not overheat by ensuring the openings are not blocked by walls or other obstructions.

Date By Which Violation Must be Abated: 08/13/2014
Proposed Penalty: \$4950.00

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: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

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

29 CFR 1910.305(a)(2)(ix): Lamps for general illumination were not protected from accidental contact or breakage by a suitable fixture or lamp holder with a guard:

On or about February 12, 2014, and at times prior thereto, on the production floor, the fluorescent lighting at operator workstations was not guarded from accidental contact or breakage. The lighting measured 5-feet 8-inches from the floor. Employees were exposed to potential contact hazards in the following instances:

- a) A-10, fluorescent lighting at operator workstation was left unguarded.
- b) A-5, fluorescent lighting at operator workstation was left unguarded.
- c) C-12, fluorescent lighting at operator workstation was left unguarded.
- d) E-6, fluorescent lighting at operator workstation was left unguarded.
- e) E-7, fluorescent lighting at operator workstation was left unguarded.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/13/2014
\$3960.00



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

CFR 29 1910.305(b)(3)(i): Boxes shall provide a complete enclosure for the contained conductors or cables:

On or about February 12, 2014, and at times prior thereto, on the production floor the circuit breaker boxes against the wall were damaged, employees were exposed to electrical shock and burn hazards in the following instances:

- a) There was damage to 208V circuit breaker box-V; at the bottom, left corner the box was bent inward which left an open gap into the box.

- b) There was damage to 208V circuit breaker box-W; the door would not close completely leaving an open gap at the bottom.

Date By Which Violation Must be Abated: 08/13/2014

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

Inspection Number: 958341
Inspection Date(s): 02/12/2014 - 05/08/2014
Issuance Date: 08/07/2014



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

29 CFR 1910.305(j)(1)(i): Fixtures, lampholders, lamps, rosettes, and receptacles located within 8 feet of the floor had live parts exposed to employee contact:

On or about February 12, 2014, and at times prior thereto, on the production floor at Injection Molding Machine C-12 (1997 150-Ton Toyo, TM150H/1140059), the operator's workstation light fixture had exposed live wiring. The light fixture measured 5-feet 8-inches from the floor. Employees were exposed to electrical shock and burn hazards.

Date By Which Violation Must be Abated:

08/13/2014

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: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

29 CFR 1910.147(c)(4)(ii): Procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited to, 29 CFR 1910.147(c)(4)(ii)(A), (c)(4)(ii)(B), (c)(4)(ii)(C) and (c)(4)(ii)(D):

On or about February 12, 2014, and at times prior thereto, for injection molding machines including but not limited to 1 - 8, lockout/tagout procedures did not clearly address specific techniques to be utilized for the control of hazardous energy sources associated with each machine. Employees were exposed to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by or electrical shock hazards.

- | | | | | |
|----|--|------------|--------------|-------------|
| a) | Injection Molding Machine A-4 (1993 396 Ton) | Nissei | FS360S100AS | ES36M058 |
| b) | Injection Molding Machine A14 (1997 150 Ton) | Toyo | TM150H | 1140047 |
| c) | Injection Molding Machine B-1 (1998 231 Ton) | Nissei | FS2210S50ASE | S21G020 |
| d) | Injection Molding Machine C-1 (1992 85 Ton) | Van Dorn | 85-RS-SF-HT | 368 |
| e) | Injection Molding Machine E-5 (1996 500 Ton) | Engel | ES2000/500AH | 7298/500/95 |
| f) | Injection Molding Machine E-6 (1996 400 Ton) | Engel | ES2000/400AH | 7611/400/95 |
| g) | Injection Molding Machine E-7 (1999 850 Ton) | Cincinnati | MH-850-76 | H08A0400001 |
| h) | Injection Molding Machine E-9 (1997 600 Ton) | Mitsubishi | 610MJ-80 | 3G508052 |

Plastic Systems, LLC was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.147(c)(4)(i), which was contained in OSHA inspection number 313499501, citation number 002, item number 001 and was affirmed as a final order on July 13, 2011, with respect to a workplace located at 1305 Henry Brennan, El Paso, TX 79936.

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

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

Inspection Number: 958341
Inspection Date(s): 02/12/2014 - 05/08/2014
Issuance Date: 08/07/2014



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

Plastic Systems, LLC was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.147(c)(4)(ii), which was contained in OSHA inspection number 313784613, citation number 001, item number 001a and was affirmed as a final order November 9, 2010, with respect to a workplace located at 13950 US Rte 68 S., Kenton, OH 43326.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/13/2014
Proposed Penalty:	\$34650.00

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: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

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

On or about February 12, 2014, and at times prior thereto, annual periodic inspections of the employer's energy control procedures were not conducted. Documentation provided by the employer indicated last inspections were performed in 2012. Employees were exposed to unexpected energization or startup of the machines or equipment, or release of stored energy causing caught-between, struck-by or electrical shock hazards.

Plastic Systems, LLC was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.147(c)(6)(i), which was contained in OSHA inspection number 313499501, citation number 002, item number 002 and was affirmed as a final order on July 13, 2011, with respect to a workplace located at 1305 Henry Brennan, El Paso, TX 79936.

Plastic Systems, LLC was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.147(c)(6)(i), which was contained in OSHA inspection number 313784613, citation number 001, item number 002 and was affirmed as a final order November 9, 2010, with respect to a workplace located at 13950 US Rte 68 S., Kenton, OH 43326.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/26/2014
Proposed Penalty:	\$34650.00



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

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 was 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:

On or about February 12, 2014, and at times prior thereto, the employer's failure to effectively train employees resulted in the employee(s) not knowing how to identify each potential energy source and isolate those sources during maintenance and servicing operations. Failing to isolate all potential energy sources during maintenance and servicing operations could result in serious injuries such as crush-by, struck-by, impalements, third and fourth degree burns and/or electrical shock hazards.

Plastic Systems, LLC was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.147(c)(7)(i), which was contained in OSHA inspection number 313784613, citation number 001, item number 003 and was affirmed as a final order on November 9, 2010, with respect to a workplace located at 13950 US Rte 68 S., Kenton, OH 43326.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/13/2014
Proposed Penalty:	\$13860.00



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

29 CFR 1910.157(c)(4): Portable fire extinguishers were not maintained in a fully charged and operable condition and kept in their designated places at all times except during use:

On or about February 12, 2014, and at times prior thereto, the employer did not assure that portable fire extinguishers were maintained in a fully charged and operable condition and kept in their designated places at all times. This condition exposed employees to fire hazards.

- a) Near the 50-Ton Engel Injection Molding Machine A-1, located on beam #3, the fire extinguisher was missing.
- b) Near the 500-Ton Toyo Injection Molding Machine A-10, located on beam #4, the Simplex Grinnell 10-pound ABC Fire Extinguisher was completely discharged and not operable.
- c) Near the 610-Ton Mitsubishi Injection Molding Machine E-8, the Badger 10-pound ABC fire extinguisher was completely discharged and not operable.

Plastic Systems, LLC was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.157(c)(4), which was contained in OSHA inspection number 313499501, citation number 001, item number 004a and was affirmed as a final order on July 13, 2011, with respect to a workplace located at 1305 Henry Brennan, El Paso, TX 79936.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/13/2014
Proposed Penalty:	\$9900.00



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

29 CFR 1910.157(g)(4): Employees who have been designated to use firefighting equipment as a part of the emergency action plan were not provided training in the use of appropriate equipment upon initial assignment and at least annually thereafter:

On or about February 12, 2014, and at times prior thereto, the employer's failure to effectively train employees resulted in the employee(s) not knowing how to use firefighting equipment as a part of the emergency action plan in the event of a fire. Employees were expected to use portable fire extinguishers to attempt to extinguish fires before evacuating and were exposed to fire hazards.

Plastic Systems, LLC was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.157(g)(2), which was contained in OSHA inspection number 313499501, citation number 001, item number 004b and was affirmed as a final order on July 13, 2011, with respect to a workplace located at 1305 Henry Brennan, El Paso, TX 79936.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/13/2014
Proposed Penalty:	\$9900.00



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

Citation 2 Item 6 Type of Violation: **Repeat**

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables were not connected to devices and fittings so that strain relief is provided that will prevent pull from being directly transmitted to joints and/or terminal screws:

On or about February 12, 2014, and at times prior thereto employees were exposed to electrical shock and burn hazards in the following instances:

- a) On the production floor at the 231-Ton Nissei Injection Molding Machine B-1, Grinder #1002 480V power cable had strain relief broken at the entry point of the control box.
- b) On the production floor at the 400-Ton Engel Injection Molding Machine E-6, the 120V power cable to the Conveyor had strain relief broken.
- c) On the production floor at the 400-Ton Engel Injection Molding Machine E-6, the 120V extension cord connected to the power strip used to power both operator workstation light and conveyor had strain relief broken.
- d) In the Tool Room, the Vacuum System power cable going into the 240V electrical box had strain relief broken. There was visible strain to the cable itself, the strain relief fitting had dis-engaged from the cable and box and had slid half way down the cable.

Plastic Systems, LLC was previously cited for a violation of this occupational safety and health standard 29 CFR 1910.305(g)(2)(iii), which was contained in OSHA inspection number 313499501, citation number 001, item number 008c and was affirmed as a final order on July 13, 2011, with respect to a workplace located at 1305 Henry Brennan, El Paso, TX 79936.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/13/2014
Proposed Penalty:	\$9900.00

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

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

Inspection Number: 958341
Inspection Date(s): 02/12/2014 - 05/08/2014
Issuance Date: 08/07/2014



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

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

Inspection Number: 958341
Inspection Date(s): 02/12/2014 - 05/08/2014
Issuance Date: 08/07/2014



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

Citation 3 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.32(a)(4): The employer did not post an OSHA 300A Form or equivalent from February 1 to April 30 following the year covered by the form:

On or about February 12, 2014, and at times prior thereto, the employer did not post an OSHA 300A Form or equivalent starting February 1, 2014.

Date By Which Violation Must be Abated:	08/13/2014
Proposed Penalty:	\$990.00

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: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

Citation 3 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.157(d)(1): Portable fire extinguishers were not distributed based on the classes of anticipated workplace fires and on the size and degree of hazard that would affect their use:

On or about February 12, 2014, and at times prior thereto, fire extinguishers were not distributed based on the potential for Class B fires, requiring a travel distance of 50 feet or less. The distance between fire extinguisher at beam #3 and #4 was 59.04 feet. The distance between beam #4 and #5 was 57 feet. There were approximately 120 feet between one fire extinguisher and the next, exposing employees to fire hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/13/2014
Proposed Penalty:	\$990.00

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: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

Citation 3 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1910.303(b)(7)(iv): There existed damaged parts that could have adversely affected the safe operation or mechanical strength of electrical equipment, such as parts that are broken or bent:

On or about February 12, 2014, and at times prior thereto, on the production floor, the circuit breaker boxes against the wall were damaged, employees were exposed to fire hazards in the following instances:

- a) There was damage to 208V circuit breaker box-V at the bottom left corner, the box was bent in which left an open gap into the box.
- b) The latch to 208V circuit breaker box-W door was broken; the door would not close completely leaving an open gap at the bottom.
- c) The latch to 480V circuit breaker box-FF door was broken; the door would not effectively close.

Date By Which Violation Must be Abated: 08/13/2014
Proposed Penalty: \$0.00



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

Citation 3 Item 4 Type of Violation: **Other-than-Serious**

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

On or about February 12, 2014, and at times prior thereto on the production floor, openings through which conductors enter were not effectively closed. Employees were exposed to electrical shock and burn hazards.

a) At the 231-Ton Nissei Injection Molding Machine B-1 the Thoreson McCosh Thermal-D Tech II dryer Model #TD24, Serial #8904118 had an unused opening on the side where a conductor was originally run through.

b) The 500-Ton Toyo Injection Molding Machine A-10 had an unused opening on the side where a conductor was originally run through.

Date By Which Violation Must be Abated:

08/13/2014

Proposed Penalty:

\$990.00

A handwritten signature in cursive script that reads "Joann J. Figueroa".

Joann J. Figueroa
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
El Paso Area Office
4849 North Mesa, Suite 200
El Paso, TX 79912
Phone: 915-534-6251 Fax: 915-534-6259



INVOICE / DEBT COLLECTION NOTICE

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936
Issuance Date: 08/07/2014

Summary of Penalties for Inspection Number	958341
Citation 1, Serious	\$49500.00
Citation 2, Repeat	\$112860.00
Citation 3, Other-than-Serious	\$2970.00
TOTAL PROPOSED PENALTIES	\$165330.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your

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

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Joann J. Figueroa

Area Director



Date

U.S. Department of Labor **Occupational Safety and Health Administration**
El Paso Area Office
4849 North Mesa, Suite 200
El Paso, Texas 79912
Phone: 915-534-6251 Fax: 915-534-6259
<http://www.osha.gov>



August 7, 2014

Plastic Systems, LLC
and its successors
15055 32 Mile Rd.
Bruce Township, MI 48065

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

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

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

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

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

Or, call Toll Free: 1-888-REGFAIR

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

Your support in worker occupational health and safety is appreciated.

Sincerely,


JOANN J. FIGUEROA
Area Director

U.S. Department of Labor

Occupational Safety and Health Administration
El Paso Area Office
4849 North Mesa, Suite 200
El Paso, TX 79912
Phone: 915-534-6251 Fax: 915-534-6259



Citation and Notification of Penalty

To:

Plastic Systems, LLC
and its successors
15055 32 Mile Rd.
Bruce Township, MI 48065

Inspection Number: 958234

Inspection Date(s): 02/12/2014 - 02/12/2014

Issuance Date: 08/07/2014

Inspection Site:

1305 Henry Brennan Drive
El Paso, TX 79936

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

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

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

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

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

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

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

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

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

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

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

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

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

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

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

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

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. 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 08/07/2014. The conference will be held by telephone or at the OSHA office located at 4849 North Mesa, Suite 200, El Paso, TX 79912 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 958234

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936
Issuance Date: 08/07/2014

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 4849 North Mesa, Suite 200, El Paso, TX 79912**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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

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

Inspection Number: 958234
Inspection Date(s): 02/12/2014 - 02/12/2014
Issuance Date: 08/07/2014



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

29 CFR 1910.106(e)(9)(i): Maintenance and operating practices did not control leakage and prevent accidental escape of flammable liquids:

On or about February 12, 2014, the storage cabinet in the Tool Room was not maintained in a clean and orderly and in a sanitary condition. Items, such as but not limited to, propane bottles, paints, cleaners, degreasers and other unknown substances were stored haphazardly. One unlabeled container of an unknown substance lay open without cap. Employees were exposed to chemical, burn and health hazards.

Date By Which Violation Must be Abated:	08/13/2014
Proposed Penalty:	\$4950.00

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

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

Inspection Number: 958234
Inspection Date(s): 02/12/2014 - 02/12/2014
Issuance Date: 08/07/2014



Citation and Notification of Penalty

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936

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

29 CFR 1910.1200(h)(3)(iv): Employee training did not include an explanation of the labels received on shipped containers and the workplace labeling system used by the employer; and the safety information found in the safety data sheet, including the order of information, and how employees could obtain and use the hazard information:

On February 12, 2014, and times prior to, employees were not trained properly in the new label elements found in the safety data sheets. This condition exposed employee to potential health hazards associates with chemicals.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/19/2014
\$3960.00

A handwritten signature in cursive script, reading "Joann J. Figueroa".

Joann J. Figueroa
Area Director

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

U.S. Department of Labor
Occupational Safety and Health Administration
El Paso Area Office
4849 North Mesa, Suite 200
El Paso, TX 79912
Phone: 915-534-6251 Fax: 915-534-6259



INVOICE / DEBT COLLECTION NOTICE

Company Name: Plastic Systems, LLC
Inspection Site: 1305 Henry Brennan Drive, El Paso, TX 79936
Issuance Date: 08/07/2014

Summary of Penalties for Inspection Number	958234
Citation 1, Serious	\$8910.00
TOTAL PROPOSED PENALTIES	\$8910.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

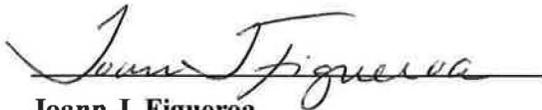
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Joann J. Figueroa

Area Director

08/07/14
Date

U.S. Department of Labor **Occupational Safety and Health Administration**
El Paso Area Office
4849 North Mesa, Suite 200
El Paso, Texas 79912
Phone: 915-534-6251 Fax: 915-534-6259
<http://www.osha.gov>



August 7, 2014

Plastic Systems, LLC
and its successors
15055 32 Mile Rd.
Bruce Township, MI 48065

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

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

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

Or, call Toll Free: 1-888-REGFAIR

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

Your support in worker occupational health and safety is appreciated.

Sincerely,


JOANN J. FIGUEROA
Area Director