

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1000 Liberty Avenue  
Room 905  
Pittsburgh, PA 15222  
Phone: 412-395-4903 Fax: 412-395-6380



## Citation and Notification of Penalty

**To:**  
Portersville Sales & Testing, Inc.  
and its successors  
P.O. BOX 131  
Portersville, PA 16051

**Inspection Number:** 1091963  
**Inspection Date(s):** 09/15/2015 - 09/21/2015  
**Issuance Date:** 11/30/2015

**Inspection Site:**  
1406 Perry Highway  
Portersville, PA 16051

*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](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

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**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.

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## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1091963**

Company Name: Portersville Sales & Testing, Inc.  
Inspection Site: 1406 Perry Highway, Portersville, PA 16051  
Issuance Date: 11/30/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 1000 Liberty Avenue, Room 905, Pittsburgh, PA 15222**

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

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

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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:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees from improper use of fiberglass stepladders:

(a) Facility, 1406 Perrysville Highway, Portersville, PA: On or about July 27, 2015 an employee utilized a fiberglass stepladder to access the roof area without using it in accordance with the manufacturer's recommendations. The ladder was placed inside a man basket attached to a forklift in order to gain an additional 8 feet to the roof. The ladder was used in the closed position exposing the employee to fall hazards of approximately 22 feet should the ladder slide or move.

A feasible and acceptable method of abatement is to follow the American National Standard for Ladders - Portable Reinforced Plastic - Safety Requirements, A14.5-2007 standard that addresses the proper use of stepladders that include, but are not limited to: Self-supporting ladders shall not be used as single ladders or in the partially closed position.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$2800.00

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:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees from crushing hazards:

(a) Facility, 1406 Perry Highway, Portersville, PA: On or about September 15, 2015 the employer was using homemade jack stands that have not been proof tested nor did they have any rated capacity markings or other identifying marks. Employees use the jacks for supporting trailers and no rated capacity markings are on the stands to ensure they are capable of supporting the loads imposed on them.

A feasible and acceptable method of abatement is to ensure that the jack stands are proof tested in accordance with ASME PASE-2014 and the rated capacity is marked in a prominent location on the stand by a casting imprint, metal stamp or other durable material and attachment method.

Date By Which Violation Must be Abated: 12/24/2015  
Proposed Penalty: \$2000.00



**Citation and Notification of Penalty**

**Company Name:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

29 CFR 1910.176(b): Storage of material created a hazard:

(a) Facility, Load Bay, 1406 Perry Highway, Portersville, PA: On or about August 4, 2015 the storage of 10 jumbo tubes on a portable yard trailer created a hazard in that the load was not properly distributed on the trailer to prevent collapse. The 10 tubes, weighing approximately 44000 lbs. had been moved to the front of the trailer and did not distribute the weight over the load bearing portion of the axle and wheels. Storing the tubes on the trailer in the manner caused it to break and collapse.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	12/24/2015
Proposed Penalty:	\$2800.00

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

**Inspection Number:** 1091963  
**Inspection Date(s):** 09/15/2015 - 09/21/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

29 CFR 1910.178(m)(5)(i): When a powered industrial truck is left unattended, load engaging means were not fully lowered, controls were not neutralized, power was not shut off, and brakes set:

(a) Facility, 1406 Perry Highway, Portersville, PA: On or about July 27, 2015 the Linde powered industrial truck was left unattended with the load engaging means fully extended with an attachment in place. The truck had a basket attached and was fully extended so an employee could access the roof area from a ladder used inside the basket. The truck was left unattended while the basket (load) was fully extended.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$2800.00

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:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

29 CFR 1910.219(e)(3)(i): Vertical or inclined belt(s) were not enclosed by guard(s) conforming to the requirements specified at 29 CFR 1910.219(m) and (o):

(a) Facility, 1406 Perry Highway, Portersville, PA: On or about September 15, 2015 the inclined belts on the conveyor for the wheelabrator were not guarded to prevent contact with the moving parts. Employees have to reach across the conveyor to retrieve the controls for the hoist used to lift and/or push the tube off the belt exposing them to being caught in the rotating belts.

(b) Facility, 1406 Perry Highway, Portersville, PA: On or about September 21, 2015 employees are exposed to the unguarded, rotating inclined belts on the conveyor for the wheelabrator when the tubes moving on the conveyor get stuck and the employees hook up a manual ratchet tool to turn the tube or stand on the tube to provide additional weight to help move it along.

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/24/2015  
\$2000.00

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

**Inspection Number:** 1091963  
**Inspection Date(s):** 09/15/2015 - 09/21/2015  
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**Citation and Notification of Penalty**

**Company Name:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

29 CFR 1910.244(a)(1)(ii): Rated load(s) of portable jack(s) were not legibly and permanently marked in a prominent location on the jack(s) by casting, stamping, or other suitable means:

(a) Facility, 1406 Perry Highway, Portersville, PA: On or about September 15, 2015 the portable jacks used by employees to lift trailers did not have any rated load capacity marked in a prominent location.

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/24/2015  
\$2000.00

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:** 1091963  
**Inspection Date(s):** 09/15/2015 - 09/21/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

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

(a) Facility, 1406 Perry Highway, Portersville, PA: On or about September 15, 2015 the flexible cord on the floor fan had been repaired and the splice did not retain the original insulating factor and was being used by employees to move air in the welding area.

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/10/2015  
\$1200.00

  
\_\_\_\_\_  
**Christopher M. Robinson**  
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  
1000 Liberty Avenue  
Room 905  
Pittsburgh, PA 15222  
Phone: 412-395-4903 Fax: 412-395-6380



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051  
**Issuance Date:** 11/30/2015

<b>Summary of Penalties for Inspection Number</b>	<b>1091963</b>
<b>Citation 1, Serious</b>	<b>\$15600.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$15600.00</b>

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To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

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

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

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

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



\_\_\_\_\_  
Christopher M. Robinson  
Area Director



\_\_\_\_\_  
Date

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1000 Liberty Avenue  
Room 905  
Pittsburgh, PA 15222  
Phone: 412-395-4903 Fax: 412-395-6380



## Citation and Notification of Penalty

**To:**  
Portersville Sales & Testing, Inc.  
and its successors  
P.O. BOX 131  
Portersville, PA 16051

**Inspection Number:** 1068065  
**Inspection Date(s):** 06/05/2015 - 09/30/2015  
**Issuance Date:** 11/30/2015

**Inspection Site:**  
1406 Perry Highway  
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\_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1068065**

Company Name: Portersville Sales & Testing, Inc.  
Inspection Site: 1406 Perry Highway, Portersville, PA 16051  
Issuance Date: 11/30/2015

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

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
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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:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

29 CFR 1910.106(e)(2)(iv)(d): Flammable liquids were not drawn from or transferred into vessels, containers, or portable tanks within a building only through a closed piping system, from safety cans, by means of a device drawing through the top, or from a container or portable tanks by gravity through an approved self-closing valve:

a) In the Mixing Room, on or about September 10, 2015 - Flammable liquids were not transferred into containers within a building through a closed piping system, from safety cans, by means of a device drawing through the top, or from a container or portable tanks by gravity through an approved self-closing valve. Employees transfer Genesis Plan C (C35) 3.5 VOC, Red, a flammable, from one 5-gallon container to another 5-gallon container.

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/10/2015  
\$2100.00

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

**Inspection Number:** 1068065  
**Inspection Date(s):** 06/05/2015 - 09/30/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

29 CFR 1910.107(b)(5)(i): The spraying operations was not designed, installed or maintained that the average air velocity over the open face of the booth (or booth cross section during spraying operations) shall be not less than 100 linear feet per minute

a) In the Lower Paint Bay, on or about September 10, 2015 - The spraying operations was not designed, installed or maintained to ensure that the average air velocity was at least 100 linear feet at the booth cross section. The average velocity was measured at 16 linear feet per minute.

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/24/2015  
\$2100.00

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:** 1068065  
**Inspection Date(s):** 06/05/2015 - 09/30/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

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

a) In Bay Area, on or about August 6, 2015 - The space within the spray booth on the downstream and upstream sides of the filters were not protected with automatic sprinklers. Employees paint inside the paint booth using 2.1 QTM Low VOC Urethane Primer (Part A), Gray containing Methyl Ethyl Ketone, a flammable, when spray painting compressed gas cylinders.

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/24/2015  
\$2100.00

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:** 1068065  
**Inspection Date(s):** 06/05/2015 - 09/30/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

29 CFR 1910.107(c)(2): Open flame or spark producing equipment was not kept from a spraying area nor within 20 feet, unless separated from by a partition:

a) In the Middle Paint Bay, on or about September 10, 2015 - Light fixtures , lining the middle paint bay, were open without a glass covering and not separated from the spray area by a partition. The light fixtures were live and operational.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	12/24/2015
Proposed Penalty:	\$4900.00

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

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

**Inspection Number:** 1068065  
**Inspection Date(s):** 06/05/2015 - 09/30/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

29 CFR 1910.107(d)(2): Spraying areas were not provided with adequate mechanical ventilation to remove flammable vapors, mists, or powders to a safe location and to confine and control combustible residues so that life was not endangered:

a) In the Middle Paint Bay, on or about September 10, 2015 - Spraying areas were not provided with adequate mechanical ventilation to remove flammable vapor mists and control combustible residue. Employees spray with Sherwin Williams Genesis Hardner, a flammable, when spray painting trailers. An employee designated as a painter was exposed to 100% of the LEL for Sherwin Williams Genesis Plan C paint and Sherwin Williams Genesis Hardner.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	12/24/2015
Proposed Penalty:	\$4900.00

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

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

**Inspection Number:** 1068065  
**Inspection Date(s):** 06/05/2015 - 09/30/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

29 CFR 1910.107(f)(4): An adequate supply of suitable portable fire extinguishers were not installed near all spraying areas:

a) In the Middle Paint Bay, on or about September 10, 2015 - Fire extinguishers were not installed near spray areas.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	12/24/2015
Proposed Penalty:	\$4900.00

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

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

**Inspection Number:** 1068065  
**Inspection Date(s):** 06/05/2015 - 09/30/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

29 CFR 1910.107(g)(2): All spraying areas were not kept as free from the accumulation of deposits of combustible residues as practical, with cleaning conducted daily if necessary:

a) In the Middle Paint Bay, on or about June 4, 2015 - The spray area was not kept as free from the accumulation of deposits of combustible residues as practical. There were accumulation of deposits of combustible residues on light bulbs, electrical equipment, and the ventilation system.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	12/24/2015
Proposed Penalty:	\$4900.00

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

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

**Inspection Number:** 1068065  
**Inspection Date(s):** 06/05/2015 - 09/30/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

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

29 CFR 1910.1000(a)(2): Employee(s) were exposed to an airborne concentration of Total Dust listed in Table Z-1 in excess of the 8 hour Time Weighted Average concentration of 15 mg/m<sup>3</sup>:

a) In the Middle Paint Bay, on or about September 10, 2015 - An employee designated as a painter was exposed to Total Dust to an airborne concentration of 16.3 milligrams per cubic meter. This is approximately 1.09 times in excess of the permissible exposure limit of 15 milligrams per cubic meter. Sampling was conducted for 100 minutes and zero exposure was assumed for 380 minutes.

Date By Which Violation Must be Abated:  
Proposed Penalty:

05/25/2016  
\$2100.00

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:** 1068065  
**Inspection Date(s):** 06/05/2015 - 09/30/2015  
**Issuance Date:** 11/30/2015



**Citation and Notification of Penalty**

**Company Name:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051

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

29 CFR 1910.1000(e): Feasible administrative or engineering controls were not determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000(a) through (d):

a) In the Middle Paint Bay, on or about September 10, 2015 - Feasible administrative or engineering controls were to implemented to achieve compliance with the Particulates not otherwise regulated exposure limit. An employee designated as a painter was exposed to Total Dust to an airborne concentration of 16.3 milligrams per cubic meter. This is approximately 1.09 times in excess of the permissible exposure limit of 15 milligrams per cubic meter. Sampling was conducted for 100 minutes and zero exposure was assumed for 380 minutes.

Date By Which Violation Must be Abated:

05/25/2016

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: 1068065  
Inspection Date(s): 06/05/2015 - 09/30/2015  
Issuance Date: 11/30/2015



**Citation and Notification of Penalty**

Company Name: Portersville Sales & Testing, Inc.  
Inspection Site: 1406 Perry Highway, Portersville, PA 16051

**Citation 2 Item 1** Type of Violation: **Other-than-Serious**

29 CFR 1910.107(g)(7): "NO SMOKING" sign(s) in large letters on contrasting back grounds were not conspicuously posted at areas where flammable materials are being sprayed:

a) In the Middle Paint Bay, on or about September 10, 2015 - "No Smoking" signs were not posted at areas where flammable materials were being sprayed. Employees spray with Sherwin Williams Genesis Plan C paint, a flammable, when spraying trailers.

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/10/2015  
\$0.00

A handwritten signature in blue ink, appearing to read "C.M.R.", written over a horizontal line.

Christopher M. Robinson  
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  
1000 Liberty Avenue  
Room 905  
Pittsburgh, PA 15222  
Phone: 412-395-4903 Fax: 412-395-6380



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Portersville Sales & Testing, Inc.  
**Inspection Site:** 1406 Perry Highway, Portersville, PA 16051  
**Issuance Date:** 11/30/2015

<b>Summary of Penalties for Inspection Number</b>	<b>1068065</b>
<b>Citation 1, Serious</b>	<b>\$28000.00</b>
<b>Citation 2, Other-than-Serious</b>	<b>\$0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$28000.00</b>

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To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

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

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

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

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



\_\_\_\_\_  
**Christopher M. Robinson**  
Area Director



\_\_\_\_\_  
Date