

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

Inspection Number: 963718
Inspection Date(s): 03/18/2014 - 03/20/2014
Issuance Date: 09/12/2014



Citation and Notification of Penalty

Company Name: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

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

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

(a) On or about March 20, 2014, and at times prior to that date, for employees exposed to fall hazards of approximately 15 feet where the top of grain hopper railcars were accessed to open hatch covers for product loading at the railcar load out elevator, 500 Fifth Street NE, Lake Preston, South Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated: 09/30/2014
Proposed Penalty: \$5390.00

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

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Citation and Notification of Penalty

Company Name: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

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

29 CFR 1910.146(d)(5)(i): The employer failed to test or adequately test conditions in the permit space to determine if acceptable entry conditions existed before entry was authorized to begin:

(a) On or about March 20, 2014, and at times prior to that date, for employees exposed to potential health and/or physical hazards where the main elevator boot pit was entered for cleaning and other maintenance activities at 106 Second Street NE, Lake Preston, South Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated:
Proposed Penalty:

09/16/2014
\$5390.00

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: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

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 3A Type of Violation: **Serious**

29 CFR 1910.219(d)(1): Pulleys with parts seven feet or less from the floor or work platform were not guarded:

(a) On or about March 20, 2014, and at times prior to that date, for employees exposed to caught-in hazards while operating and working around the corn cracking machine at the main elevator, 106 Second Street NE, Lake Preston, South Dakota.

(b) On or about March 20, 2014, and at times prior to that date, for employees exposed to caught-in hazards while operating and working around the grain cleaning machine at the main elevator, 106 Second Street NE, Lake Preston, South Dakota.

Abatement Note: Abatement certification is required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated: 09/22/2014
Proposed Penalty: \$3850.00



Citation and Notification of Penalty

Company Name: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

Citation 1 Item 3B 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) On or about March 20, 2014, and at times prior to that date, for employees exposed to caught-in hazards while operating and working around the corn cracking machine at the main elevator, 106 Second Street NE, Lake Preston, South Dakota.

(b) On or about March 20, 2014, and at times prior to that date, for employees exposed to caught-in hazards while operating and working around the grain cleaning machine at the main elevator, 106 Second Street NE, Lake Preston, South Dakota.

Abatement Note: Abatement certification is required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated:

09/22/2014

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

Inspection Number: 963718
Inspection Date(s): 03/18/2014 - 03/20/2014
Issuance Date: 09/12/2014



Citation and Notification of Penalty

Company Name: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

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

29 CFR 1910.272(g)(1)(iii): The atmosphere within a bin, silo, or tank in the grain handling facility was not tested for the presence of combustible gases, vapors, and toxic agents prior to employee entry:

(a) On or about March 15, 2014, and at times prior to that date, for employees exposed to health and/or physical hazards where grain storage bins were entered for cleaning and other maintenance activities at the railcar load out elevator, 500 Fifth Street NE, Lake Preston, South Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated: 09/16/2014
Proposed Penalty: \$5390.00

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Citation and Notification of Penalty

Company Name: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

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

29 CFR 1910.272(g)(2): The employer did not equip employee(s) walking or standing on grain stored at depths which poses an engulfment hazard with a body harness with lifeline or a boatswain's chair:

(a) On or about March 15, 2014, for the employee who was engulfed in soybeans approximately 12 feet deep while unclogging a floor chute in the east 400k grain bin at the railcar load out elevator, 500 Fifth Street NE, Lake Preston, South Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated:
Proposed Penalty:

09/16/2014
\$5390.00

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: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

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 6A Type of Violation: **Serious**

29 CFR 1910.272(j)(1): The employer did not develop and implement a written housekeeping program that established the frequency and the method determined best to reduce accumulations of fugitive grain dust on ledges, floors, equipment, and other exposed surfaces:

- (a) On or about March 20, 2014, and at times prior to that date, for employees exposed to fire and/or explosion hazards while performing work activities in the main elevator where dust accumulations on ledges, equipment, and other exposed secondary surfaces in the boot pit were in excess of 1/8-inch in depth at 106 Second Street NE, Lake Preston, South Dakota.
- (b) On or about March 20, 2014, and at times prior to that date, for employees exposed to fire and/or explosion hazards while performing work activities in the main elevator where dust accumulations on ledges, equipment, and other exposed secondary surfaces on the elevator main floor level were in excess of 1/8-inch in depth at 106 Second Street NE, Lake Preston, South Dakota.
- (c) On or about March 20, 2014, and at times prior to that date, for employees exposed to fire and/or explosion hazards while performing work activities in the main elevator where dust accumulations on ledges, equipment, and other exposed secondary surfaces in the head house were in excess of 1/8-inch in depth at 106 Second Street NE, Lake Preston, South Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated: 09/30/2014
Proposed Penalty: \$5390.00



Citation and Notification of Penalty

Company Name: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

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

29 CFR 1910.272(j)(2)(ii): The employer did not immediately remove any fugitive grain dust accumulations whenever they exceeded 1/8-inch (.32cm) at priority housekeeping areas, pursuant to the housekeeping program for grain elevators:

- (a) On or about March 20, 2014, and at times prior to that date, for employees exposed to fire and/or explosion hazards while performing work activities in priority areas in the main elevator where dust accumulations on the floor in the boot pit were in excess of 1/8-inch in depth at 106 Second Street NE, Lake Preston, South Dakota.
- (b) On or about March 20, 2014, and at times prior to that date, for employees exposed to fire and/or explosion hazards while performing work activities in priority areas in the main elevator where dust accumulations along floor edges and under/around equipment were up to 5 inches in depth at 106 Second Street NE, Lake Preston, South Dakota.
- (c) On or about March 20, 2014, and at times prior to that date, for employees exposed to fire and/or explosion hazards while performing work activities in priority areas in the main elevator where dust accumulations on the floor in the head house were up to $\frac{1}{4}$ inches in depth at 106 Second Street NE, Lake Preston, South Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated: 09/18/2014

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

Inspection Number: 963718
Inspection Date(s): 03/18/2014 - 03/20/2014
Issuance Date: 09/12/2014



Citation and Notification of Penalty

Company Name: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

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

29 CFR 1910.272(o)(1): The employer did not provide at least two means of emergency escape from galleries (bin decks) in the grain handling facility:

(a) On or about March 20, 2014, and at times prior to that date, for employees exposed to fire-related hazards while performing work activities on top of the exterior bins at the main elevator, 106 Second Street NE, Lake Preston, South Dakota.

(b) On or about March 20, 2014, and at times prior to that date, for employees exposed to fire-related hazards while performing work activities on top of the exterior bins at the railcar load out elevator, 500 Fifth Street NE, Lake Preston, South Dakota.

Abatement Note: Abatement certification is required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated:
Proposed Penalty:

10/15/2014
\$3850.00

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: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

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

29 CFR 1910.307(c)(2)(i): Equipment used in the hazardous (classified) location was not approved for the ignitable or combustible properties of the dust that was present:

- (a) On or about March 20, 2014, and at times prior to that date, for employees exposed to fire and/or explosion hazards where a shop-built vacuum with exposed wiring was operated in the main elevator at 106 Second Street NE, Lake Preston, South Dakota.
- (b) On or about March 20, 2014, and at times prior to that date, for employees exposed to fire and/or explosion hazards where a modified general service extension cord was used during cleaning activities in the main elevator at 106 Second Street NE, Lake Preston, South Dakota.
- (c) On or about March 20, 2014, and at times prior to that date, for employees exposed to fire and/or explosion hazards where a corn cracking machine was operated in the main elevator and the electrical conduit leading out of the junction box was broken at 106 Second Street NE, Lake Preston, South Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated: 09/16/2014
Proposed Penalty: \$5390.00



Citation and Notification of Penalty

Company Name: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

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

29 CFR 1910.272(g)(1)(ii): Prior to entry, all mechanical, electrical, hydraulic, and pneumatic equipment which presented a danger to employees inside grain storage structures in the grain handling facility were not disconnected, locked out and tagged, blocked-off, or otherwise preventing operation by other equally effective means:

- (a) On or about March 15, 2014, and at times prior to that date, for employees exposed to caught-in and/or amputation hazards where grain storage bins were entered while the bin sweep auger was operated at the railcar load out elevator, 500 Fifth Street NE, Lake Preston, South Dakota.
- (b) On or about March 15, 2014, and at times prior to that date, for employees exposed to caught-in and/or amputation hazards where grain storage bins were entered while the bin conveying auger was operated at the railcar load out elevator, 500 Fifth Street NE, Lake Preston, South Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated: 09/16/2014
Proposed Penalty: \$61600.00



Citation and Notification of Penalty

Company Name: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

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

29 CFR 1910.23(a)(8): Every floor hole into which persons can accidentally walk was not guarded:

(a) On or about March 15, 2014, and at times prior to that date, for employees exposed to trip hazards while sweeping out bins during cleanout operations with the conveyor chutes being uncovered at the railcar load out elevator, 500 Fifth Street NE, Lake Preston, South Dakota.

(b) On or about March 20, 2014, and at times prior to that date, for employees exposed to an approximate 60-foot fall hazard while performing work activities around a floor hole opening around the man lift shaft on the bin floor at the main elevator, 500 Fifth Street NE, Lake Preston, South Dakota.

Note: This company was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard which was contained in OSHA Inspection Number 314777830, Citation 2, Item 1, and was affirmed as a final order on April 1, 2011, with respect to a workplace located at 200 Main Avenue South, Lake Preston, South Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated: 09/22/2014
Proposed Penalty: \$7700.00



Citation and Notification of Penalty

Company Name: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

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

29 CFR 1910.146(e)(1): Before entry was authorized, the employer did not document the completion of measures required by 29 CFR 1910.146(d)(3) by preparing an entry permit:

(a) On or about March 20, 2014, and at times prior to that date, for employees exposed to potential health and/or physical hazards where the main elevator boot pit was entered for cleaning and other maintenance activities at 106 Second Street NE, Lake Preston, South Dakota.

Note: This Company was previously cited for a violation of this occupational safety and health standard or its equivalent standard which was contained in OSHA Inspection Number 315257097, Citation 1, Item 2B, and was affirmed as a final order on April 20, 2011, with respect to a workplace located at 100 South Railroad Avenue, Oldham, South Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated: 09/16/2014
Proposed Penalty: \$10780.00



Citation and Notification of Penalty

Company Name: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

Citation 4 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace, including a reasonable estimate of employee exposures to respiratory hazards and identification of the contaminant's chemical state and physical form:

- (a) On or about March 20, 2014, and at times prior to that date, for employees exposed to potential respiratory hazards with potential overexposure to grain dust while conducting grain elevator work activities at 106 Second Street NE, Lake Preston, South Dakota.
- (b) On or about March 20, 2014, and at times prior to that date, for employees exposed to potential respiratory hazards with potential overexposure to grain dust while conducting grain elevator work activities at 500 Fifth Street NE, Lake Preston, South Dakota.

Abatement Note: Abatement certification is required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated:	10/15/2014
Proposed Penalty:	\$0.00



Citation and Notification of Penalty

Company Name: Prairie Ag Partners
Inspection Site: 101 Main Avenue South, Lake Preston, SD 57249

Citation 4 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.272(m)(3): A certification record maintained of each inspection by the employer in the grain facility was not in accordance with 29 CFR 1910.272(1):

(a) On or about March 20, 2014, and at times prior to that date, where the employer failed to document preventative maintenance activities at 106 Second Street NE, Lake Preston, South Dakota.

(b) On or about March 20, 2014, and at times prior to that date, where the employer failed to document preventative maintenance activities at 500 Fifth Street NE, Lake Preston, South Dakota.

Abatement Note: Abatement certification is required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated:
Proposed Penalty:

09/22/2014
\$0.00

A handwritten signature in cursive script, appearing to read "Eric R. Brooks", written over a horizontal line.

Eric R. Brooks
Area Director