

U.S. Department of Labor
Occupational Safety and Health Administration
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131
Phone: 216-447-4194 Fax: 216-520-1624



Citation and Notification of Penalty

To:
Republic Steel
4135 Commerce Drive SW
Massillon, OH 44646

Inspection Number: 943172
Inspection Date(s): 10/08/2013 - 10/09/2013
Issuance Date: 03/24/2014

Inspection Site:
4135 Commerce Drive SW
Massillon, OH 44646

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 03/24/2014. The conference will be held by telephone or at the OSHA office located at 6393 Oak Tree Blvd, Suite 203, Independence, OH 44131 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 943172

Company Name: Republic Steel
Inspection Site: 4135 Commerce Drive SW, Massillon, OH 44646
Issuance Date: 03/24/2014

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, 6393 Oak Tree Blvd, Suite 203, Independence, OH 44131**

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: 943172
Inspection Date(s): 10/08/2013 - 10/09/2013
Issuance Date: 03/24/2014



Citation and Notification of Penalty

Company Name: Republic Steel

Inspection Site: 4135 Commerce Drive SW, Massillon, OH 44646

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

29 CFR 1910.24(b): Fixed stairs were not provided for access from one structure level to another where operations necessitated regular travel between levels, and for access to operating platforms at any equipment which requires attention routinely during operations:

a) Main Production Area: Fixed stairs were not provided for access to the ladder on the backside of the King vertical turret lathe. Employees climb onto the apparatus to access the ladder for lubrication of parts.

b) Main Production Area: Fixed stairs were not provided for access to the ladder on the backside of the 450 ton horizontal press. Employees step onto the apparatus to access the press for setup purposes.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/24/2014

Proposed Penalty:

\$5500.00

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

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

Inspection Number: 943172
Inspection Date(s): 10/08/2013 - 10/09/2013
Issuance Date: 03/24/2014



Citation and Notification of Penalty

Company Name: Republic Steel

Inspection Site: 4135 Commerce Drive SW, Massillon, OH 44646

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

29 CFR 1910.219(c)(2)(i): All exposed part(s) of horizontal shafting seven (7) feet or less from floor or working platform were not protected by stationary casing(s) enclosing shafting completely or by trough(s) enclosing sides and top or sides and bottom of shafting:

Main Production Area: The King Machine Tool Co., vertical turret lathe did not have the rotating shaft fully enclosed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/08/2014

Proposed Penalty:

\$5500.00

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

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

Inspection Number: 943172
Inspection Date(s): 10/08/2013 - 10/09/2013
Issuance Date: 03/24/2014



Citation and Notification of Penalty

Company Name: Republic Steel

Inspection Site: 4135 Commerce Drive SW, Massillon, OH 44646

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

29 CFR 1910.219(f)(3): Sprocket wheels and chains which were seven -7 feet or less above floors or platforms were not enclosed:

Main Production Area: Sprocket wheels and chains were exposed on the Transcon, Inc., conveyor system for the lathe chips. A section of the guard was missing and was approximately 6 feet from floor level.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5500.00

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



Citation and Notification of Penalty

Company Name: Republic Steel

Inspection Site: 4135 Commerce Drive SW, Massillon, OH 44646

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

29 CFR 1910.303(g)(2)(ii): In locations where electric equipment was likely to be exposed to physical damage, enclosures or guards were not so arranged and of such strength as to prevent such damage:

- a) Main Production Area: The Marvel band saw was equipped with a lamp for general illumination which was not protected from accidental contact.
- b) Main Production Area: The tool grinder was equipped with a lamp for general illumination which was not protected from accidental contact.
- c) Main Production Area: The Rockwell 20" drill press was equipped with a lamp for general illumination which was not protected from accidental contact.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/24/2014

Proposed Penalty:

\$5500.00

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

Inspection Number: 943172
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Issuance Date: 03/24/2014



Citation and Notification of Penalty

Company Name: Republic Steel
Inspection Site: 4135 Commerce Drive SW, Massillon, OH 44646

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

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and/or cables were used as a substitute for the fixed wiring of a structure:

Main Production Area: A flexible cord was used in lieu of fixed wiring for a read-out on the Bridgeport Milling machine. The flexible cord was hung over a cabinet and broom handle.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/03/2014
Proposed Penalty:	\$3300.00

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: Republic Steel

Inspection Site: 4135 Commerce Drive SW, Massillon, OH 44646

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

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

- (a) Main Production Area: The Lodge & Shipley #4 CNC lathe guard was not guarded.
- (b) Main Production Area: The chip conveyor side guard was not adequately guarded.
- (c) Main Production Area: The Marvel horizontal bandsaw did not have the unused portion(s) of the blade guarded.
- (d) Main Production Area: The Niagara shear, operated by foot pedal, did not have the back of the shear guarded;
- (e) Man Production Area: The Hill ACME metal worker, operated by foot pedal, did not have the hold down guarded.

Republic Steel, was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.212(a)(1), which was contained in OSHA inspection number 313199960, citation number 1, item number 5, and was affirmed as a final order September 1, 2009, on with respect to a workplace located at 3075 Lake Shore Road, Blasdell, NY 14219.

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

Inspection Number: 943172
Inspection Date(s): 10/08/2013 - 10/09/2013
Issuance Date: 03/24/2014



Citation and Notification of Penalty

Company Name: Republic Steel
Inspection Site: 4135 Commerce Drive SW, Massillon, OH 44646

Pursuant to 29 C.F.R. 1903.19, the employer must submit an abatement plan with (25 days) describing the actions it is taking to guard all points of operation, and to ensure that the guards remain in place; its schedule for completing these actions; and what it is doing to protect employees until all other guards are installed. Every 30 days thereafter, the employer shall submit a progress report stating how many guards it has installed and how many it still needs to install; whether it is meeting the schedule set for in its abatement plan, and if not why not; and whether it is maintaining the guards that have already been installed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/14/2014
Proposed Penalty:	\$27500.00

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



Citation and Notification of Penalty

Company Name: Republic Steel

Inspection Site: 4135 Commerce Drive SW, Massillon, OH 44646

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

29 CFR 1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

- (a) Main Production Area: The Hill ACME metal worker, operated by foot pedal, did not have the notcher adequately guarded.
- (b) Main Production Area: The Hill ACME metal worker, operated by foot pedal, did not have the punch guarded.
- (c) Main Production Area: The Hill ACME metal worker, operated by foot pedal, did not have the angle guarded.
- (d) Main Production Area: The Hill ACME metal worker, operated by foot pedal, did not have the shear guarded.

Republic Steel, was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.212(a)(1), which was contained in OSHA inspection number 313199960, citation number 1, item number 5, and was affirmed as a final order September 1, 2009, on with respect to a workplace located at 3075 Lake Shore Road, Blasdell, NY 14219.

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

Inspection Number: 943172
Inspection Date(s): 10/08/2013 - 10/09/2013
Issuance Date: 03/24/2014



Citation and Notification of Penalty

Company Name: Republic Steel

Inspection Site: 4135 Commerce Drive SW, Massillon, OH 44646

Pursuant to 29 C.F.R. 1903.19, the employer must submit an abatement plan with (25 days) describing the actions it is taking to guard all points of operation, and to ensure that the guards remain in place; its schedule for completing these actions; and what it is doing to protect employees until all other guards are installed. Every 30 days thereafter, the employer shall submit a progress report stating how many guards it has installed and how many it still needs to install; whether it is meeting the schedule set for in its abatement plan, and if not why not; and whether it is maintaining the guards that have already been installed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/08/2014

Proposed Penalty:

\$27500.00

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



Citation and Notification of Penalty

Company Name: Republic Steel

Inspection Site: 4135 Commerce Drive SW, Massillon, OH 44646

Citation 2 Item 3 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 was provided that would prevent pull from being directly transmitted to joints or terminal screws:

Main Production Area: The four (4) Patton industrial fans equipped with flexible cords did not contain protection from sharp edges of the fan base. The Flexible cord ran through the bottom plate through an opening which did not have grommets in place.

Republic Steel was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.305(g)(2)(iii), which was contained in OSHA inspection number 311446272, citation number 3, item number 6 and was affirmed as a final order on April 9, 2009, with respect to a workplace located at 2633 8th Street NE, Canton, OH 44074.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/24/2014

Proposed Penalty:

\$220.00

A handwritten signature in black ink, appearing to read "H. B. Eberts", written over a horizontal line.

Howard B. Eberts
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131
Phone: 216-447-4194 Fax: 216-520-1624



INVOICE / DEBT COLLECTION NOTICE

Company Name: Republic Steel
Inspection Site: 4135 Commerce Drive SW, Massillon, OH 44646
Issuance Date: 03/24/2014

Summary of Penalties for Inspection Number	943172
Citation 1, Serious	\$25300.00
Citation 2, Repeat	\$55220.00
TOTAL PROPOSED PENALTIES	\$80520.00

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.

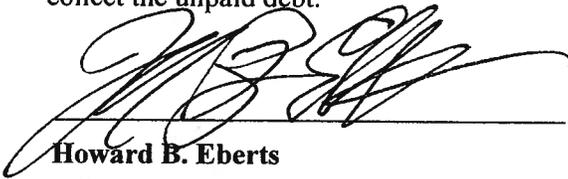
The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.



Howard B. Eberts

Area Director

3-24-2014

Date