

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1222 Spruce Street  
Room 9.104  
St. Louis, MO 63103  
Phone: (314)425-4249 FAX: (314)425-4289



## Citation and Notification of Penalty

**To:**  
RESOURCE MANAGEMENT COMPANIES  
and its successors  
4375 Rider Trail North  
Earth City, MO 63045

**Inspection Number:** 315652776  
**Inspection Date(s):** 06/12/2011 -  
**Issuance Date:** 12/06/2011  
**Reply to the Attn of:** Strategic Team Leader

**Inspection Site:**  
4375 Rider Trail North  
Earth City, MO 63045

*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 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. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

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

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

If you decide to request an informal conference, please complete, remove and post the page 4 Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

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

**Penalty Payment** - Penalties are due within 15 working days of receipt of this notification unless contested. (See the 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.

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

**Notification of Corrective Action** - For violations which you do not contest, you should notify the U.S. Department of Labor Area Office promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation. Please inform the Area Office in writing of the abatement steps you have taken and of their dates, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc.

**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.

THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 affords workers the right to a safe workplace. OSHA requires employers to provide a workplace that is free of serious recognized hazards and in compliance with OSHA standards. Workers have the right to FILE A COMPLAINT WITH OSHA if they believe that there are either violations of OSHA standards or serious workplace hazards. Contact the OSHA Area office nearest you or contact our toll free number: 1-800-321-OSHA (6742)... TTY 1-877-889-5627. To file a complaint online or obtain information on your rights in the workplace, see OSHA's Worker Rights page.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 12/06/2011. The conference will be held at the OSHA office located at 1222 Spruce Street, Room 9.104, St. Louis, MO, 63103 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.



**Citation and Notification of Penalty**

**Company Name:** RESOURCE MANAGEMENT COMPANIES  
**Inspection Site:** 4375 Rider Trail North, Earth City, MO 63045

---

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

29 CFR 1910.22(a)(1): All place(s) of employment were not kept clean:

Employees were exposed to explosive dust hazards. Explosive Dust was found in the following locations:

- (a) Tail pulley of Incline container conveyor
- (b) Retaining wall under incline conveyor for Bollegraaf baler
- (c) C331 presort area, 2nd floor mezzanine
- (d) Under starter screen take away conveyor
- (e) Starter screen take away conveyor

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**12/30/2011**  
**\$ 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: RESOURCE MANAGEMENT COMPANIES  
Inspection Site: 4375 Rider Trail North, Earth City, MO 63045

---

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

29 CFR SECTION 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program as described in paragraphs (c) through (o) of this section whenever employee noise exposures equaled or exceeded an 8 hour time weighted average sound level (TWA) of 85 decibals A-weighted (dBA):

The employer failed to administer a continuing, effective hearing conservation program, when employee noise exposures equaled or exceeded an 8-hour time-weighted average sound level (TWA) of 85 dBA. Noise dosimetry conducted on 8/19/2011 indicated that the skid steer operators are exposed to an 8 hr time weighted average of 88 dBA. Equipment in operation included the Skid Steer, Front end loader, Fork trucks, balers, conveyors, and air compressors.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 12/30/2011  
Proposed Penalty: \$ 6930.00



**Citation and Notification of Penalty**

**Company Name:** RESOURCE MANAGEMENT COMPANIES  
**Inspection Site:** 4375 Rider Trail North, Earth City, MO 63045

---

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

29 CFR SECTION 1910.95(g)(1): An audiometric testing program was not established and maintained for all employees whose noise exposure equaled or exceeded an 8 hour time weighted average of 85 dBA:

Employees were exposed to noise levels at a time weighted average of 88 dBA and were not provided initial and annual hearing tests as required.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 12/30/2011  
Proposed Penalty: \$ 6930.00

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

29 CFR 1910.132(a): Protective equipment, including personal protective equipment for eyes, face, head, and extremities, was not provided, used, and maintained wherever it was necessary:

The employer allowed an employee to use 142 solvent 66/3 in the Parts Washer without the appropriate personal protective equipment.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citations.

Date By Which Violation Must be Abated: 12/30/2011  
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:** RESOURCE MANAGEMENT COMPANIES  
**Inspection Site:** 4375 Rider Trail North, Earth City, MO 63045

---

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

29 CFR 1910.146(c)(1): The employer did not evaluate the workplace to determine if any spaces were permit-required confined spaces:

The employer failed to evaluate the workplace to determine if any spaces were permit required confined spaces. As a result, on June 12, 2011 an employee entered the Selco Baler to clear a jam. Upon the jam being cleared, the employee became caught inside the baler, which amputated his legs and eventually caused his decease.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citations.

Date By Which Violation Must be Abated:	12/30/2011
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:** RESOURCE MANAGEMENT COMPANIES  
**Inspection Site:** 4375 Rider Trail North, Earth City, MO 63045

---

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

29 CFR 1910.146(d)(1): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not implement the measures necessary to prevent unauthorized entry:

The employer failed to implement measures necessary to prevent unauthorized entry of permit required confined spaces. As a result, on June 12, 2011 an employee entered the Selco Baler to clear a jam. Upon the jam being cleared, the employee became caught inside the baler, which amputated his legs and eventually caused his decease.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated:	12/30/2011
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: RESOURCE MANAGEMENT COMPANIES  
Inspection Site: 4375 Rider Trail North, Earth City, MO 63045

---

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

29 CFR 1910.1030(f)(1)(i): The employer did not make available the hepatitis B vaccine and vaccination series to all employees who have occupational exposure:

The employer exposed employees to medical needles without making available the hepatitis B vaccine and vaccination series.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 12/30/2011  
Proposed Penalty: \$ 6930.00

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

29 CFR 1910.1030(g)(2)(i): The employer did not ensure that employees with occupational exposure participated in a training program:

Employees were occupationally exposed to medical needles without training employees in blood borne pathogens.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 12/30/2011  
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:** RESOURCE MANAGEMENT COMPANIES  
**Inspection Site:** 4375 Rider Trail North, Earth City, MO 63045

---

#### Citation 2 Item 1 Type of Violation: **Other**

29 CFR SECTION 1910.132(f)(1): The employer did not provide training to each employee who is required by this section to use personal protective equipment:

Employees are required to wear hard hats, safety vests, gloves, and safety glasses and were not provided training on proper usage of the personal protective equipment.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated:	12/30/2011
Proposed Penalty:	\$ 0.00

#### Citation 2 Item 2 Type of Violation: **Other**

29 CFR 1910.134(c)(2)(i): When the employer determined that voluntary respirator use was permissible, the employer did not provide the respirator users with the information contained in Appendix D to the standard ("Information for Employees Using Respirators When Not Required Under the Standard"):

The employer failed to provide employee's with the information contained in Appendix D to the standard ("Information for Employees Using Respirators When Not Required Under the Standard"). Employees voluntarily wear North 7140 N95 disposable respirators during the course of their duties.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citations.

Date By Which Violation Must be Abated:	12/30/2011
Proposed Penalty:	\$ 0.00

---

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:** RESOURCE MANAGEMENT COMPANIES  
**Inspection Site:** 4375 Rider Trail North, Earth City, MO 63045

---

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

29 CFR 1910.134(c)(2)(ii): Where respirator use was not required, the employer did not ensure that any employee using a respirator voluntarily was medically able to use that respirator:

The employer failed to provide medical evaluation to ensure employee's were medically able to to use the North 7140 N95 disposable respirators that they used during the course of their duties.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citations.

Date By Which Violation Must be Abated:	12/30/2011
Proposed Penalty:	\$ 0.00

---

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: RESOURCE MANAGEMENT COMPANIES  
Inspection Site: 4375 Rider Trail North, Earth City, MO 63045

---

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

29 CFR 1910.1200(h)(1): The employer did not provide employees with effective information and training on hazardous chemicals in their work area:

The employer failed to provide effective information and training on the parts washing solvent in the maintenance department. An employee did not know where the MSDS for the parts washing solvent was located.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 12/30/2011  
Proposed Penalty: \$ 0.00

  
\_\_\_\_\_  
William D. McDonald  
Area Director

---

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



## INVOICE/ DEBT COLLECTION NOTICE

---

**Summary of Penalties for Inspection Number 315652776**

<b>Citation 1, Serious</b>	= \$	<b>55440.00</b>
<b>Citation 2, Other</b>	= \$	<b>0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	= \$	<b>55440.00</b>

---

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.

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

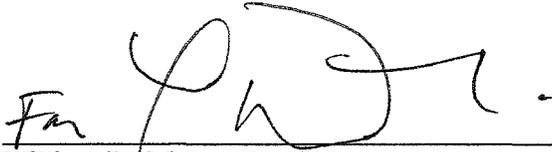
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and 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 3%. 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.

  
\_\_\_\_\_  
William D. McDonald, CSP  
Area Director

12/6/11  
\_\_\_\_\_  
Date

Corrective action taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Citation and Notification of Penalty.

If the hazards itemized on this citation(s) are not abated/corrected and a follow-up inspection is conducted, your establishment may receive a Failure to Abate Citation for the uncorrected hazards with subsequent additional monetary penalties of up to thirty (30) times the original penalty amount of the uncorrected hazards.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the Citation(s).

