

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
606 N. Carancahua, Suite 700  
Corpus Christi, TX 78401  
Phone: 361-888-3420 Fax: 361-888-3424



## Citation and Notification of Penalty

**To:**  
Rich Products Corporation  
and its successors  
3555 East 14th  
Brownsville, TX 78521

**Inspection Number:** 1081533  
**Inspection Date(s):** 07/23/2015 - 07/24/2015  
**Issuance Date:** 01/21/2016

Attn: Eddie De La Rosa

**Inspection Site:**  
3555 East 14th  
Brownsville, TX 78521

*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:

<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 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](http://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 01/21/2016. The conference will be held by telephone or at the OSHA office located at 606 N. Carancahua, Suite 700, Corpus Christi, TX 78401 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1081533**

Company Name: Rich Products Corporation  
Inspection Site: 3555 East 14th, Brownsville, TX 78521  
Issuance Date: 01/21/2016

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" or "Quick Fix" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 606 N. Carancahua, Suite 700, Corpus Christi, TX 78401**

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

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

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

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

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

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

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



**Citation and Notification of Penalty**

**Company Name:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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

29 CFR 1910.95(g)(8)(i): When a comparison of the annual audiogram to the baseline audiogram indicates a standard threshold shift, as defined in 29 CFR 1910.95(g)(10) has occurred, the employee was not informed of this fact in writing, within 21 days of the determination:

The employer did not provide employees in writing of a threshold shift employees whose noise exposure levels exceeded the action level 85dbA, the employer was notified of employees threshold shifts on December 11, 2014 as follows:

Employee S6 was determined to have a threshold shift on December 11, 2014  
Employee S5 was determined to have a threshold shift on December 11, 2014

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$ 6,600.00



**Citation and Notification of Penalty**

**Company Name:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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

29 CFR 1910.95(g)(8)(ii)(B): Unless a physician determines that the standard threshold shift is not work-related or aggravated by occupational noise exposure, the employer did not ensure, when a standard threshold shift occurs, that for employees already using hearing protectors, employees be refitted and retrained in the use of hearing protectors and provided with hearing protectors offering greater attenuation if necessary:

Employees exposed to noise exposure levels which exceeded the action level of 85 dbA were not refitted with hearing protection with greater attenuation or retrained on the use of hearing protectors after employer was notified of their possible standard threshold shift.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$ 6,600.00

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

**Inspection Number:** 1081533  
**Inspection Date(s):** 07/23/2015 - 07/24/2015  
**Issuance Date:** 01/21/2016



**Citation and Notification of Penalty**

**Company Name:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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

29 CFR 1910.95(g)(8)(ii)(C): Unless a physician determines that the standard threshold shift is not work-related or aggravated by occupational noise exposure, the employer did not ensure, when a standard threshold shift occurs, the employee was referred for a clinical audiological evaluation or an ontological examination, as appropriate, if additional testing is necessary or if the employer suspects that a medical pathology of the ear is caused or aggravated by wearing of hearing protectors:

The employer did not ensure a physician determined that the standard threshold shift was not work-related.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$ 7,000.00

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:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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

29 CFR 1910.119(d)(3)(ii): The employer did not document that equipment complies with recognized and generally accepted good engineering practices:

This violation was most recently observed on or about July 23, 2015 and times thereafter, in the Ammonia Refrigeration Process at Rich Products Corporation located in Brownsville, Texas when the engine room front and back access doors were not equipped with tight-fitting seal and self-closing as stipulated in RAGAGEP (Recognized and Generally Accepted Engineering Practice), such as, but not limited to, ANSI/ASHRAE Standard 15 - 2013 section 8.12.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/07/2016
Proposed Penalty:	\$ 7,000.00



**Citation and Notification of Penalty**

**Company Name:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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

29 CFR 1910.119(e)(5): The employer did not establish a system to promptly address the team's findings and recommendations:

This violation was most recently observed on or about July 23, 2015 and times thereafter, in the Ammonia Refrigeration Process at Rich Products Corporation located in Brownsville, Texas; when the employer did not resolve in a timely manner the 2014 PHA team's findings and recommendations; including but not limited to:

1. Site associates must ensure Piping and Instrument Diagram (P&ID) are updated appropriately following MOC changes (BRO-PHA-1404). Target Date of Completion 11/2014. As of July 23, 2015 this PHA item had not been completed.
2. Site associates should evaluate the practice of having the delivery truck pull a vacuum prior to disconnection as an SOP (BRO-PHA-1417). Target Date of Completion 01/2015. As of July 23, 2015 this PHA item had not been completed.
3. Should the response activities be outsourced, site associates should document their Memorandum of Understanding (MOU) with the local fire department and the Local Emergency Planning Commission (LEPC) (BRO-PHA-1421). Target Date of Completion 04/2015. As of July 23, 2015 this PHA item had not been completed.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 03/07/2016  
Proposed Penalty: \$ 7,000.00



**Citation and Notification of Penalty**

**Company Name:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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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 6 a** Type of Violation: **Serious**

29 CFR 1910.119(j)(2): The employer did not implement written procedures to maintain the on-going integrity of process equipment.

This violation was most recently observed on or about July 23, 2015 in the engine room when the employer did not implement Mechanical Integrity procedure to ensure the insulation on process piping, such as, but not limited to, -49 F Recirculator Outlet to Main Liquid Valve was repaired and sealed to prevent condensation and corrosion.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/07/2016
Proposed Penalty:	\$ 7,000.00



**Citation and Notification of Penalty**

**Company Name:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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

29 CFR 1910.119(j)(5): The employer did not correct deficiencies in equipment that are outside acceptable limits (defined by the process safety information in paragraph (d) of this section) before further use or in a safe and timely manner when necessary means are taken to assure safe operation.

This violation was most recently observed on or about July 23, 2015 in the engine room when the employer failed to ensure the insulation on process piping, such as, but not limited to, -49 F Recirculator Outlet to main liquid valve was repaired and sealed to prevent condensation and corrosion.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

03/07/2016

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

**Inspection Number:** 1081533  
**Inspection Date(s):** 07/23/2015 - 07/24/2015  
**Issuance Date:** 01/21/2016



**Citation and Notification of Penalty**

**Company Name:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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

29 CFR 1910.119(j)(4)(i): Inspections and tests were not performed on process equipment:

This violation was most recently observed on or about July 23, 2015 and times thereafter, in the Ammonia Refrigeration Process at Rich Products Corporation located in Brownsville, Texas when the employer failed to perform inspections and tests on the eight Ammonia detectors (Honeywell Analytics) and alarms located in the machine room, freezers, cooler and dock area.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/07/2016
Proposed Penalty:	\$ 7,000.00

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:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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

29 CFR 1910.119(l)(4): When a change covered by this paragraph resulted in a change in the process safety information required by paragraph (d) of this section, such information was not updated accordingly.

This violation was most recently observed on or about July 23, 2015 and times thereafter, in the Ammonia Refrigeration Process at Rich Products Corporation located in Brownsville, Texas when the Piping and Instrument Diagram (P&ID) was not updated to reflect the addition of the 6-inch relief header in 2012.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/07/2016
Proposed Penalty:	\$ 3,300.00



**Citation and Notification of Penalty**

**Company Name:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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

29 CFR 1910.120(q)(1): The employer did not develop and implement an emergency response plan to handle anticipated emergencies prior to commencement of emergency response operations:

On or about July 23, 2015 and times thereafter, the employer did not implement an emergency response plan that addressed provisions, such as but not limited to pre-emergency planning and coordination with outside parties such as with the Brownsville Fire Departments.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/12/2016
Proposed Penalty:	\$ 7,000.00

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

**Inspection Number:** 1081533  
**Inspection Date(s):** 07/23/2015 - 07/24/2015  
**Issuance Date:** 01/21/2016



**Citation and Notification of Penalty**

**Company Name:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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**Citation 1 Item 10** Type of Violation: **Serious**

29 CFR 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator, before the employee was fit tested or required to use the respirator in the workplace:

On or about July 23, 2015, in the Ammonia Refrigeration Process at Rich Products, LLC located in Brownsville, Texas, the employer did not ensure employees who are required to use tight-fitting facepiece respirators were provided with a medical evaluation prior to use.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/12/2016
Proposed Penalty:	\$ 7,000.00

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:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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**Citation 1 Item 11** Type of Violation: **Serious**

29 CFR 1910.134(f)(2): The employer did not ensure that an employee using a tight-fitting facepiece respirator was fit tested prior to initial use of the respirator, and at least annually thereafter.

On or about July 23, 2015, in the Ammonia Refrigeration Process at Rich Products, LLC located in Brownsville, Texas, the employer did not ensure employees who are required to use tight-fitting facepiece respirators were fit tested at least annually.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/07/2016
Proposed Penalty:	\$ 7,000.00



**Citation and Notification of Penalty**

**Company Name:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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

29 CFR 1910.119(d)(3)(i)(D): Process safety information pertaining to the equipment in the process did not include Relief system design and design basis;

This violation was most recently observed on or about July 23, 2015 and times thereafter, in the Ammonia Refrigeration Process at Rich Products Corporation located in Brownsville, Texas when the process safety information did not include the relief system design and design basis.

Rich Products Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard 29 CFR 1910.119(d)(3)(I)(D): which is contained in OSHA Inspection Number 314096546, Citation Number 1 Item 8 a, issued on May 16, 2012 with respect to a workplace located at 200 Glyndale Drive, Brunswick, GA. This file became Final Order on June 7, 2012.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/07/2016
Proposed Penalty:	\$ 27,500.00



**Citation and Notification of Penalty**

**Company Name:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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

29 CFR 1910.119(d)(3)(i)(E): Process safety information pertaining to the equipment in the process did not include the ventilation system design;

This violation was most recently observed on or prior to July 23, 2015, in the Ammonia Refrigeration Process at Rich Products Corporation located in Brownsville, Texas when accurate calculations of the engine room ventilation system design and design basis were not included in the process safety information.

Rich Products Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard 29 CFR 1910.119(d)(3)(i)(E): which is contained in OSHA Inspection Number 314096546, Citation Number 1 Item 6 b, issued on May 16, 2012 with respect to a workplace located at 200 Glyndale Drive, Brunswick, GA. This file became Final Order on June 7, 2012.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	03/07/2016
Proposed Penalty:	\$ 27,500.00



**Citation and Notification of Penalty**

**Company Name:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521

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

29 CFR 1910.119(f)(1)(i)(B): The employer's written operating procedures covering the steps for each operating phase did not address normal operations;

Throughout the ammonia refrigeration system, on or about July 23, 2015 and at times prior to, the standard operating procedures were not adequate, in that a single oil pot draining procedure was developed for vessels that were maintained at positive pressure (-28 F Recirculator and +15 F Intercooler) and negative pressure (-49 F Recirculator).

Rich Products Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard 29 CFR 1910.119(f)(1)(i)(B): which is contained in OSHA Inspection Number 314096546, Citation Number 1 Item 9 a, issued on May 16, 2012 with respect to a workplace located at 200 Glyndale Drive, Brunswick, GA. This file became Final Order on June 7, 2012.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 03/07/2016  
Proposed Penalty: \$ 27,500.00

A handwritten signature in black ink, appearing to read "Travis G. Clark", is written over a horizontal line.

Travis G. Clark  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
606 N. Carancahua, Suite 700  
Corpus Christi, TX 78401  
Phone: 361-888-3420 Fax: 361-888-3424



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Rich Products Corporation  
**Inspection Site:** 3555 East 14th, Brownsville, TX 78521  
**Issuance Date:** 01/21/2016

<b>Summary of Penalties for Inspection Number</b>	<b>1081533</b>
<b>Citation 1, Serious</b>	<b>\$ 72,500.00</b>
<b>Citation 2, Repeat</b>	<b>\$ 82,500.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$ 155,000.00</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

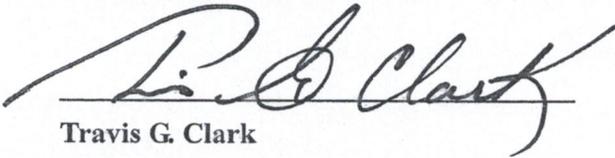
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.



Travis G. Clark  
Area Director

January 21, 2016  
Date

U.S. Department of Labor

**Occupational Safety and Health Administration**

Corpus Christi Area Office  
606 N. Carancahua, Suite 700  
Corpus Christi, Texas 78401  
Phone: 361-888-3420 Fax: 361-888-3424  
Email: OSHACorpusChristi@dol.gov  
<http://www.osha.gov>



Dear Employer:

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

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

SBA Ombudsman  
Office of the National Ombudsman  
409 Third Street, S.W., MC2120  
Washington, DC 20024-0005  
Phone: (202) 205-2417  
Fax: (202) 481-5719

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

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

Or, call Toll Free: 1-888-REGFAIR

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

Your support in worker occupational health and safety is appreciated.

A handwritten signature in black ink that reads "Travis G. Clark". The signature is written in a cursive, flowing style.

Travis G. Clark  
Area Director