

U.S. Department of Labor

Occupational Safety and Health Administration

401 New Karner Road

Suite 300

Albany, NY 12205

Phone: (518)464-6742 FAX: (518)464-4337



Notification of Failure to Abate Alleged Violations

To:

SA Baxter LLC
and its successors
37 Elkay Dr. Suite 33
Chester, NY 10918

Original Inspection Number: 315751693
Original Inspection Date: 12/14/2011-04/18/2012

Inspection Number: 315752261
Inspection Date(s): 10/18/2012-04/15/2013
Issuance Date: 04/16/2013

Inspection Site:

37 Elkay Dr. Suite 33
Chester, NY 10918

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.

After the original inspection, a Citation(s) was issued to you in accordance with the provisions of the Occupational Safety and Health Act of 1970 (the Act), notifying you of certain violations of the Act and the dates by which they were to be abated. Based upon reinspection, it is alleged that you have failed to abate the violation(s) listed below within the time prescribed, and the following additional penalties are proposed. The additional penalty is computed by multiplying a daily penalty times the number of days the violation(s) remained unabated. You are to notify the Area Director in writing of the date and nature of the corrective action taken. If you do not abate the violation(s), further penalties may be proposed and other enforcement action to compel abatement may be taken under section 11(b) of the Act.

You are further notified that you must pay the ADDITIONAL PENALTY unless you inform the Area Director in writing that you intend to contest the Notification or the Additional Penalty within 15 working days (excluding weekends and Federal holidays) from your receipt of this notification. If you do not contest within 15 working days after receipt, the Notification and the additional penalties will become the final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court of agency. Issuance of this Notification 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, if contested, unless the Notification is affirmed by the Review Commission.

Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the Notification of Failure to Abate Alleged Violations issued on 04/16/2013 . The conference will be held at the OSHA office located at 401 New Karner Road, Suite 300, Albany, NY, 12205 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

U.S. Department of Labor
Occupational Safety and Health Administration
401 New Karner Road
Suite 300
Albany, NY 12205
Phone: (518)464-6742 FAX: (518)464-4337



INVOICE/ DEBT COLLECTION NOTICE

Company Name: SA Baxter LLC
Inspection Site: 37 Elkay Dr. Suite 33, Chester, NY 10918
Issuance Date: 04/16/2013
Opt. Insp. Nr:

Summary of Penalties for Inspection Number	315751693
Followup Inspection Number	315752261
TOTAL ADDITIONAL PROPOSED PENALTIES	= \$79200.00

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.

OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than 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 two (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 2%. 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.~~



Kimberly Castillon, CIH
Area Director

4/16/13

Date

U.S. Department of Labor
Occupational Safety and Health Administration
401 New Karner Road
Suite 300
Albany, NY 12205
Phone: 518-464-4338 Fax: 518-464-4337



Citation and Notification of Penalty

To:
SA BAXTER LLC
37 ELKAY DR. SUITE 33
Chester, NY 10918

Inspection Number: 694578
Inspection Date(s): 10/18/2012 - 04/15/2013
Issuance Date: 04/16/2013

Inspection Site:
37 ELKAY DR. SUITE 33
Chester, NY 10918

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.

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.

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 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 04/16/2013. The conference will be held at the OSHA office located at 401 New Karner Road, Suite 300, Albany, NY 12205 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 694578

Company Name: SA BAXTER LLC
Inspection Site: 37 ELKAY DR. SUITE 33, Chester, NY 10918
Issuance Date: 04/16/2013

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, 401 New Karner Road, Suite 300, Albany, NY 12205**

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: 694578
Inspection Date(s): 10/18/2012 - 04/15/2013
Issuance Date: 04/16/2013



Citation and Notification of Penalty

Company Name: SA BAXTER LLC
Inspection Site: 37 ELKAY DR. SUITE 33, Chester, NY 10918

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

29 CFR 1910.134(k): The employer did not provide comprehensive, understandable training which did not occur annually and/or more often if necessary:

(a) On or about 10/16/2012, at slurry room, the foundry operator making a batch of slurry was required to wear either a North full-face or half-face respirator. The employer did not train employee on respiratory protection.

ABATEMENT NOTE: The employer must ensure that each employee can demonstrate knowledge of all items in (k)(1)(i) thru (vii).

Date By Which Violation Must be Abated:	05/19/2013
Proposed Penalty:	\$2200.00

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: 694578
Inspection Date(s): 10/18/2012 - 04/15/2013
Issuance Date: 04/16/2013



Citation and Notification of Penalty

Company Name: SA BAXTER LLC
Inspection Site: 37 ELKAY DR. SUITE 33, Chester, NY 10918

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

29 CFR 1910.134(h)(2)(i): Respirators were not stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals:

(a) On or about 10/18/2012, at plating room, for the plater handling chemicals such as but not limited to, Activator-T, containing corrosive acids. The employer did not implement storage procedures, respirators were hanging on a rack in the plating room.

SA Baxter LLC was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard 1910.134(h)(2)(i) which was contained in OSHA inspection #315751693, Citation 1, Item 2c. This citation was issued April 26, 2012; became a final order on May 18, 2012 and had final abatement day of July 21, 2012.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 04/29/2013
Proposed Penalty: \$4400.00

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: SA BAXTER LLC
Inspection Site: 37 ELKAY DR. SUITE 33, Chester, NY 10918

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

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

(a) On or about 10/16/2012, at slurry room, for the foundry operator making a batch of slurry containing components such as, but not limited to, crystalline silica quartz, zirconium silicate, and aluminum silicate. A written hazard communication program was not implemented for the worksite.

(b) On or about 10/18/2012, at plating room, for the plater handling chemicals such as but not limited to, Activator-T, containing corrosive acids. A written hazard-communication program was not implemented for the worksite.

SA Baxter LLC was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard 1910.1200(e)(1) which was contained in OSHA inspection #315751693, Citation 1, Item 5a. This citation was issued April 26, 2012, became a final order on May 18, 2012 and had final abatement day of July 21, 2012.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 05/19/2013
Proposed Penalty: \$4400.00



Citation and Notification of Penalty

Company Name: SA BAXTER LLC
Inspection Site: 37 ELKAY DR. SUITE 33, Chester, NY 10918

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

29 CFR 1910.1200(h): Employees were not provided information and training as specified in 29 CFR 1910.1200(h)(1) and (2) on hazardous materials in their work area, at the time of their initial assignment and whenever a new hazard is introduced into their work area:

(a) On or about 10/16/2012, at slurry room, for the foundry operator making a batch of slurry containing components such as, but not limited to, crystalline silica quartz, zirconium silicate, and aluminum silicate. Employees were not provided information and training on the hazardous materials they work with and that are in their work area.

(b) On or about 10/18/2012, at plating room, for the plater handling chemicals such as but not limited to, Activator-T, containing corrosive acids. Employees were not provided information and training on the hazardous materials they work with and that are in their work area.

SA Baxter LLC was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard 1910.1200(h) which was contained in OSHA inspection #315751693, Citation 1, Item 5c. This citation was issued April 26, 2012, became a final order on May 18, 2012 and had final abatement day of July 21, 2012.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/19/2013

Proposed Penalty:

\$4400.00

A handwritten signature in black ink, appearing to read "Kim Castillon", written over a horizontal line.

Kimberly Castillon, CIH
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
401 New Karner Road
Suite 300
Albany, NY 12205
Phone: 518-464-4338 Fax: 518-464-4337



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: SA BAXTER LLC
Inspection Site: 37 ELKAY DR. SUITE 33, Chester, NY 10918
Issuance Date: 04/16/2013

Summary of Penalties for Inspection Number	694578
Citation 1, Serious	\$2200.00
Citation 2, Repeat	\$13200.00
TOTAL PROPOSED PENALTIES	\$15400.00

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.

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 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.

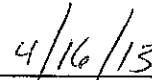
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (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.



Kimberly Castillon, CIH
Area Director



Date

U.S. Department of Labor
Occupational Safety and Health Administration
401 New Karner Road
Suite 300
Albany, NY 12205
Phone: 518-464-4338 Fax: 518-464-4337



Citation and Notification of Penalty

To:
SA BAXTER LLC
37 ELKAY DR. SUITE 33
Chester, NY 10918

Inspection Number: 694599
Inspection Date(s): 10/18/2012 - 04/15/2013
Issuance Date: 04/16/2013

Inspection Site:
37 ELKAY DR. SUITE 33
Chester, NY 10918

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.

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.

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 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 04/16/2013. The conference will be held at the OSHA office located at 401 New Karner Road, Suite 300, Albany, NY 12205 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 694599

Company Name: SA BAXTER LLC
Inspection Site: 37 ELKAY DR. SUITE 33, Chester, NY 10918
Issuance Date: 04/16/2013

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, 401 New Karner Road, Suite 300, Albany, NY 12205**

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: 694599
Inspection Date(s): 10/18/2012 - 04/15/2013
Issuance Date: 04/16/2013



Citation and Notification of Penalty

Company Name: SA BAXTER LLC
Inspection Site: 37 ELKAY DR. SUITE 33, Chester, NY 10918

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

29 CFR 1910.37(b)(6): Each exit sign was not illuminated to a surface value of at least five foot-candles (54 lux) by a reliable light source and be distinctive in color:

- a) On or about October 18, 2012, polishing room: exit sign was not illuminated by any means of light.
- b) On or about October 18, 2012, plating room: exit sign was not illuminated by any means of light.
- c) On or about October 18, 2012, slurry room: exit sign was not illuminated by any means of light.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/28/2013
\$1320.00

A handwritten signature in black ink, appearing to read "Kim Castillon", written over a horizontal line.

Kimberly Castillon, CIH
Area Director

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

U.S. Department of Labor
Occupational Safety and Health Administration
401 New Karner Road
Suite 300
Albany, NY 12205
Phone: 518-464-4338 Fax: 518-464-4337



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: SA BAXTER LLC
Inspection Site: 37 ELKAY DR. SUITE 33, Chester, NY 10918
Issuance Date: 04/16/2013

Summary of Penalties for Inspection Number	694599
Citation 1, Serious	\$1320.00
TOTAL PROPOSED PENALTIES	\$1320.00

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.

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 or conditions do not exist.

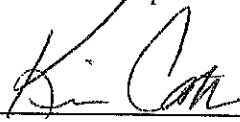
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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

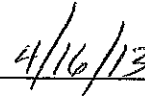
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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



Kimberly Castillon, CIH

Area Director



Date

U.S. Department of Labor
Occupational Safety and Health Administration
401 New Karner Road
Suite 300
Albany, NY 12205
Phone: (518)464-6742 FAX: (518)464-4337



Notification of Failure to Abate Alleged Violations

To:
SA Baxter LLC
and its successors
37 Elkay Dr. Suite 33
Chester, NY 10918

Original Inspection Number: 315751628
Original Inspection Date: 12/12/2011-12/12/2011

Inspection Number: 315752279
Inspection Date(s): 10/18/2012-04/15/2013
Issuance Date: 04/16/2013

Inspection Site:
37 Elkay Dr. Suite 33
Chester, NY 10918

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.

After the original inspection, a Citation(s) was issued to you in accordance with the provisions of the Occupational Safety and Health Act of 1970 (the Act), notifying you of certain violations of the Act and the dates by which they were to be abated. Based upon reinspection, it is alleged that you have failed to abate the violation(s) listed below within the time prescribed, and the following additional penalties are proposed. The additional penalty is computed by multiplying a daily penalty times the number of days the violation(s) remained unabated. You are to notify the Area Director in writing of the date and nature of the corrective action taken. If you do not abate the violation(s), further penalties may be proposed and other enforcement action to compel abatement may be taken under section 11(b) of the Act.

You are further notified that you must pay the ADDITIONAL PENALTY unless you inform the Area Director in writing that you intend to contest the Notification or the Additional Penalty within 15 working days (excluding weekends and Federal holidays) from your receipt of this notification. If you do not contest within 15 working days after receipt, the Notification and the additional penalties will become the final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court of agency. Issuance of this Notification 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, if contested, unless the Notification is affirmed by the Review Commission.

Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the Notification of Failure to Abate Alleged Violations issued on 04/16/2013 . The conference will be held at the OSHA office located at 401 New Karner Road, Suite 300, Albany, NY, 12205 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

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



Notification of Failure to Abate Alleged Violation

Original Inspection: 315751628 **Inspection:** 315752279
Original Inspection Dates: 12/12/2011 - 12/12/2011 **Inspection Dates:** 10/18/2012 - 04/15/2013
Issuance Date: 04/16/2013

Company Name: SA Baxter LLC
Inspection Site: 37 Elkay Dr. Suite 33, Chester, NY 10918

Citation 1 Item 1

29 CFR 1910.37(b)(2): Each exit was not clearly visible and marked by a sign reading "Exit":

- a) On or about October 18, 2012, main/finishing room: office exit door was not marked with a sign reading "Exit".

ABATEMENT DOCUMENTATION AND CERTIFICATION IS REQUIRED FOR THIS ITEM

Additional Penalty: \$ 6600.00

Citation 1 Item 2

29 CFR 1910.157(g)(1): An education program was not provided for all employees to familiarize them with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting:

- a) On or prior to October 18, 2012, at the facility: employees were not trained in the use of portable fire extinguishers.

Abatement Note: the employer must either correct the alleged violation item(s) or implement a Fire Safety Policy, as outlined in 29 CFR 1910.38(a) and (b), which includes the evacuation requirements of 29 CFR 1910.157(b).

ABATEMENT DOCUMENTATION AND CERTIFICATION IS REQUIRED FOR THIS ITEM

Additional Penalty: \$ 8800.00

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



Notification of Failure to Abate Alleged Violation

Original Inspection: 315751628
Original Inspection Dates: 12/12/2011 - 12/12/2011

Inspection: 315752279
Inspection Dates: 10/18/2012 - 04/15/2013
Issuance Date: 04/16/2013

Company Name: SA Baxter LLC
Inspection Site: 37 Elkay Dr. Suite 33, Chester, NY 10918

Citation 1 Item 5

29 CFR 1910.305(b)(1)(ii): Unused openings in boxes, cabinets, or fittings were not effectively closed:

- a) On or about October 10, 2012, polishing room: an unused opening in a cabinet (GE motor controller for Baldor polisher/grinder) was partially covered with duct tape.

ABATEMENT DOCUMENTATION AND CERTIFICATION IS REQUIRED FOR THIS ITEM

Additional Penalty: \$ 6600.00

A handwritten signature in black ink, appearing to read "K. Castillon".

Kimberly Castillon, CIH
Area Director

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Occupational Safety and Health Administration
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Albany, NY 12205
Phone: (518)464-6742 FAX: (518)464-4337



INVOICE/ DEBT COLLECTION NOTICE

Company Name: SA Baxter LLC
Inspection Site: 37 Elkay Dr. Suite 33, Chester, NY 10918
Issuance Date: 04/16/2013
Opt. Insp. Nr: 1301

Summary of Penalties for Inspection Number	315751628
Followup Inspection Number	315752279
TOTAL ADDITIONAL PROPOSED PENALTIES	= \$22000.00

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Kimberly Castillon, CIH
Area Director

4/16/13

Date