

U.S. Department of Labor
Occupational Safety and Health Administration
2183 Northlake Parkway
Building 7, Suite 110
Tucker, GA 30084
Phone: 770-493-6644 Fax: 770-493-7725



Citation and Notification of Penalty

To:
Schwans Global Supply Chain, Inc.
and its successors
One Lemon Lane
Atlanta, GA 30307

Inspection Number: 941314
Inspection Date(s): 09/11/2013 - 12/19/2013
Issuance Date: 03/07/2014

Inspection Site:
One Lemon Lane
Atlanta, GA 30307

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

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

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

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

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

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

Notification of Corrective Action – For each violation which you do not contest, you must provide *abatement certification* to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that *abatement documentation* is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 03/07/2014. The conference will be held by telephone or at the OSHA office located at 2183 Northlake Parkway, Building 7, Suite 110, Tucker, GA 30084 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 941314

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307
Issuance Date: 03/07/2014

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 2183 Northlake Parkway, Building 7, Suite 110, Tucker, GA 30084**

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: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

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

29 CFR 1910.22(c): Covers and/or guardrails were not provided to protect personnel from the hazards of open pits, tanks, vats, ditches, etc.

On or about 9/11/13, at the 1 Lemon Lane facility, employees were exposed to fall and trip hazards as drain pits not guarded or covered. Instances included:

1 - Wast Water building - hole at drain for pump next to Flocculation tank measured 3' deep. 16"x42"

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

04/02/2014
\$6600.00



Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

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

29 CFR 1910.23(c)(1): Open-sided floors and/or platforms four feet or more above adjacent floor or ground level were not guarded with standard railings (or equivalent) and toeboards.

On or about 9/11/13, at the 1 Lemon Lane, Atlanta Schwan facility, employees were exposed to fall hazards. Instances included:

- 1 - Fruit Platform - at the kettles openings measuring 11 in. were left between uprights where no guardrails were installed - platform was 61.6 inches to lower levels
- 2 - Fruit Platform - where a single chain guardrail was installed and did not have a mid-rail
- 3- Colborne Line 1 & 2 & Baker Perkins Oven @ top of ovens is platform to access top of ovens fall hazards 7 ft 4 in to lower levels.
- 4 - IBL Line 1 - Breddo Likifier platform - fall hazard 50 1/2 in.
- 5 - Mixing platform IBL1 & IBL3 Mix station 58 1/2 in. falls
- 6 - Hot Fill Platform - openings at pipes = 32 in. separation -fall hazards = 58 1/2 in.
- 7 - Cookie Jar Platform - 15' falls
- 8- Fruit Freezer catwalk - 16 ft. fall to lower levels
- 9 - Old Cookie Oven- Fall hazard 6 1/2 ft to 10 ft
- 10 - On roof fall hazard 8 - 17 ft. to lower levels
- 11- B&G Shop Office and Technical services/Purchase Manager Office - 10 foot fall hazard

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

04/02/2014
\$7000.00

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: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

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

29 CFR 1910.36(g)(2): Exit access(es) were not at least 28 inches (71.1 cm) wide at all points.

On or about 9/11/13, at the 1 Lemon Lane, Atlanta facility, the employer did not ensure all egress paths from employee work stations were at least 28 inches wide. Instances included:

- 1 - At the output side of the tray wash area - egress was blocked by the tray conveyor and guardrails at the area and limited egress to 11 inches.
- 2 - At the Mixing station at IBL 3 - egress path to the stairs was blocked by product that is routinely set onto the platform for use and limited egress path to the stairs to 13 inches.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

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\$6600.00

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Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

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

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

On or about 9/11/13, in Ammonia engine room 1, the intended exit door was labeled "Not an EXIT".

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

04/02/2014
\$5500.00

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

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Occupational Safety and Health Administration

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Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

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 5 a Type of Violation: **Serious**

29 CFR 1910.119(c)(3): The employer did not provide employees and their representatives access to process hazard analyses and to all other information required to be developed under this standard.

On or about 9/11/13, at the 1 Lemon Lane, Atlanta facility, the employer has not made Process Hazard Analyses and Process Safety Information available to refrigeration tech employees working at the facility.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

04/02/2014
\$5500.00

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Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

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

29 CFR 1910.119(g)(1)(i): Each employee involved in operating a process was not trained in the safe work practices applicable to the employee's job tasks.

On or about 9/11/13, at the 1 Lemon Lane, Atlanta facility, ammonia refrigeration employees did not receive training in the safe work practices applicable to the ammonia system in operation at the facility.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:

04/23/2014

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: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

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(d)(3)(i): Process safety information pertaining to the equipment in the process did not include the elements specified in 29 CFR 1910.119(d)(3)(i)(A) through (H).

On or about 9/11/13, at the 1 Lemon Lane, Atlanta Ga facility, the employer did not have process safety information pertaining to evaporative condenser 3 East, Frick Model #XLP2-1218-1075, serial number U122874001-01, installed in 2012.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

04/02/2014
\$5500.00

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

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Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

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

29 CFR 1910.119(d)(3)(i)(D): The employer did not maintain an accurate listing of the location, function, and inspection information for all Relief Valves (RV) within a covered process.

On or about 9/11/13, at the 1 Lemon Lane, Atlanta Ga Schwan facility, the employer did not maintain information pertaining to relief valves for the ammonia refrigeration system on site, such as the relief system design and design basis.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:

04/23/2014

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
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Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

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

29 CFR 1910.119(d)(3)(i)(E): The employer did not have a compilation for written process safety information pertaining to the ventilation system design.

On or about 9/11/2013, at the 1 Lemon Lane, Atlanta, Georgia facility, the employer did not have information for the ventilation system design of the ammonia engine rooms located at the facility, i.e. current ventilation calculations.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:

04/23/2014

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

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Occupational Safety and Health Administration

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Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

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

29 CFR 1910.119(d)(3)(i)(B): The employer's piping and instrument diagrams were not accurate and did not represent equipment that was existing and was part of the process.

On or about 9/11/13, at the 1 Lemon Lane, Atlanta Ga facility, the employer's piping and instrument diagrams were not accurate. PID 07 has four relief valves on condenser piping that are not installed on the system.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

04/23/2014
\$5500.00

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Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 8 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.

On or about 9/11/13, in the ammonia engine room, employees were exposed to an ammonia inhalation hazard as doors leading from the machine room into the production room were not tight fitting, self-closing open outward and equipped with panic hardware doors.

or in the alternative:

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to an ammonia inhalation hazard when doors leading from the machine room into the production room were not tight fitting, self-closing open outward and equipped with panic hardware doors.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

One acceptable means of abatement is compliance with ANSI/IIAR 2-2008, Section 13.3.3.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/02/2014
\$5500.00

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Occupational Safety and Health Administration

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Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

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

29 CFR 1910.119(f)(2): Operating procedures were not readily accessible to employees who work in or maintain a process area.

On or about 9/11/13, at the 1 Lemon Lane, Atlanta Ga facility, the employer did not make documented operating procedures available to employees servicing and maintaining the ammonia refrigeration system.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

04/02/2014
\$5500.00

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

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Occupational Safety and Health Administration

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Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

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

29 CFR 1910.119(f)(3): The employer did not annually certify that operating procedures were current and accurate.

On or about 9/11/13, at the 1 Lemon Lane, Atlanta Ga facility, the employer did not review and certify operating procedures, at least annually, used to maintain and operate the ammonia refrigeration system were current and accurate.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

04/02/2014
\$5500.00

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Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 11 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.

On or about 9/11/13, the employer did not ensure inspections and tests were performed on ammonia process equipment to ensure mechanical integrity of the system.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

04/23/2014
\$5500.00

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



Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 12 Type of Violation: **Serious**

29 CFR 1910.119(l)(1): The employer did not implement procedures to manage changes to process chemicals, technology, equipment, and procedures, and changes to facilities that affect a covered process.

On or about 9/11/13, at the 1 Lemon Lane, Atlanta Ga facility, the employer had not ensured management of changes were performed to assure considerations were addressed prior to any change for equipment including:

- 1 - Condenser 3 East
- 2 - Condenser 2
- 3 - Controls for Ammonia sensors
- 4 - Cut and cap of Air Units
- 5 - Coil #18 replacements
- 6 - Booster #1 suction valve replacement

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

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\$5500.00

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Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.119(n): The emergency action plan did not include procedures for handling small releases.

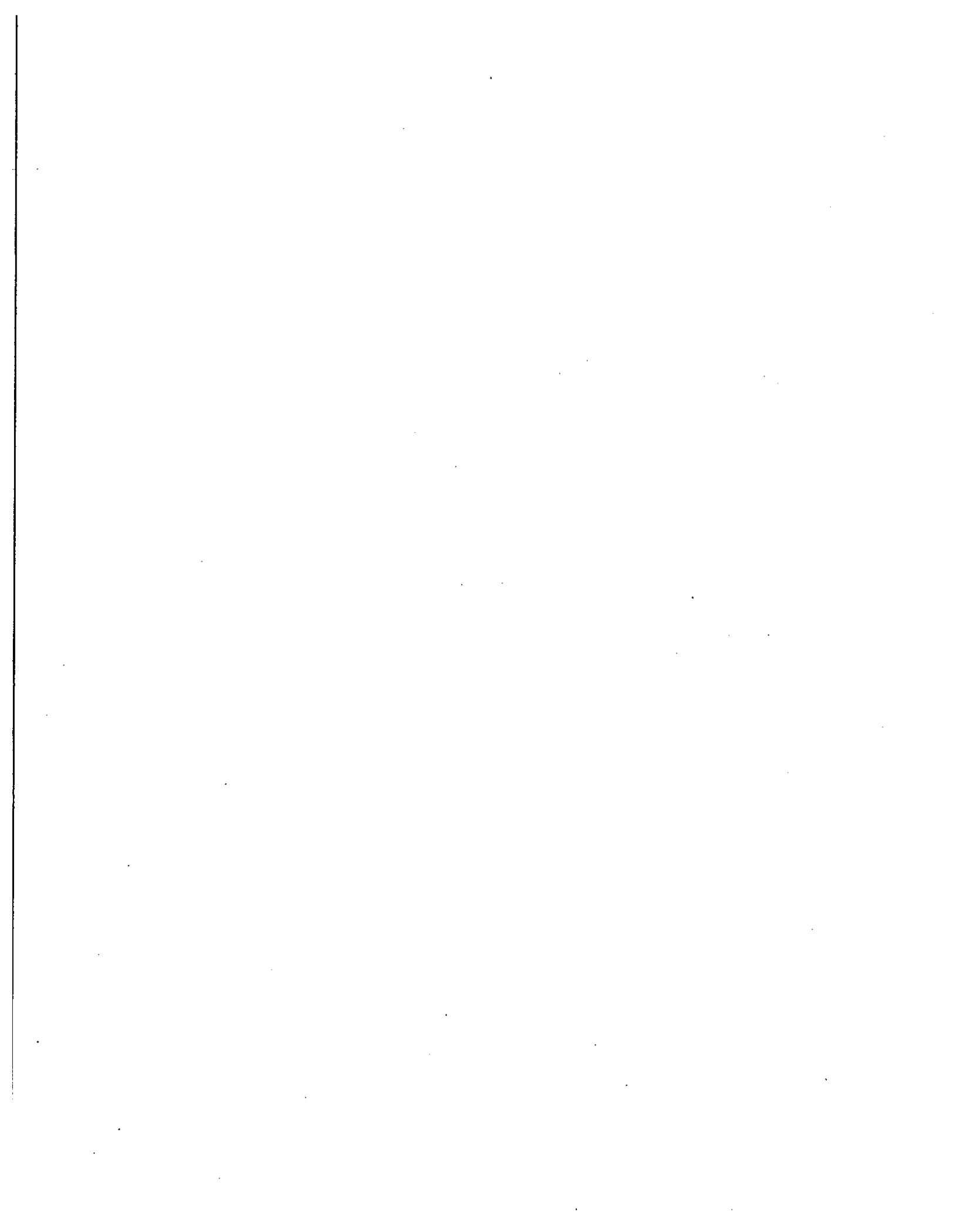
On or about 9/11/13, at the 1 Lemon Lane, Atlanta Ga facility, the employer did not include procedures for handling small releases, including Ammonia releases, when employees were instructed to detect, stop and repair equipment involved in the leak.

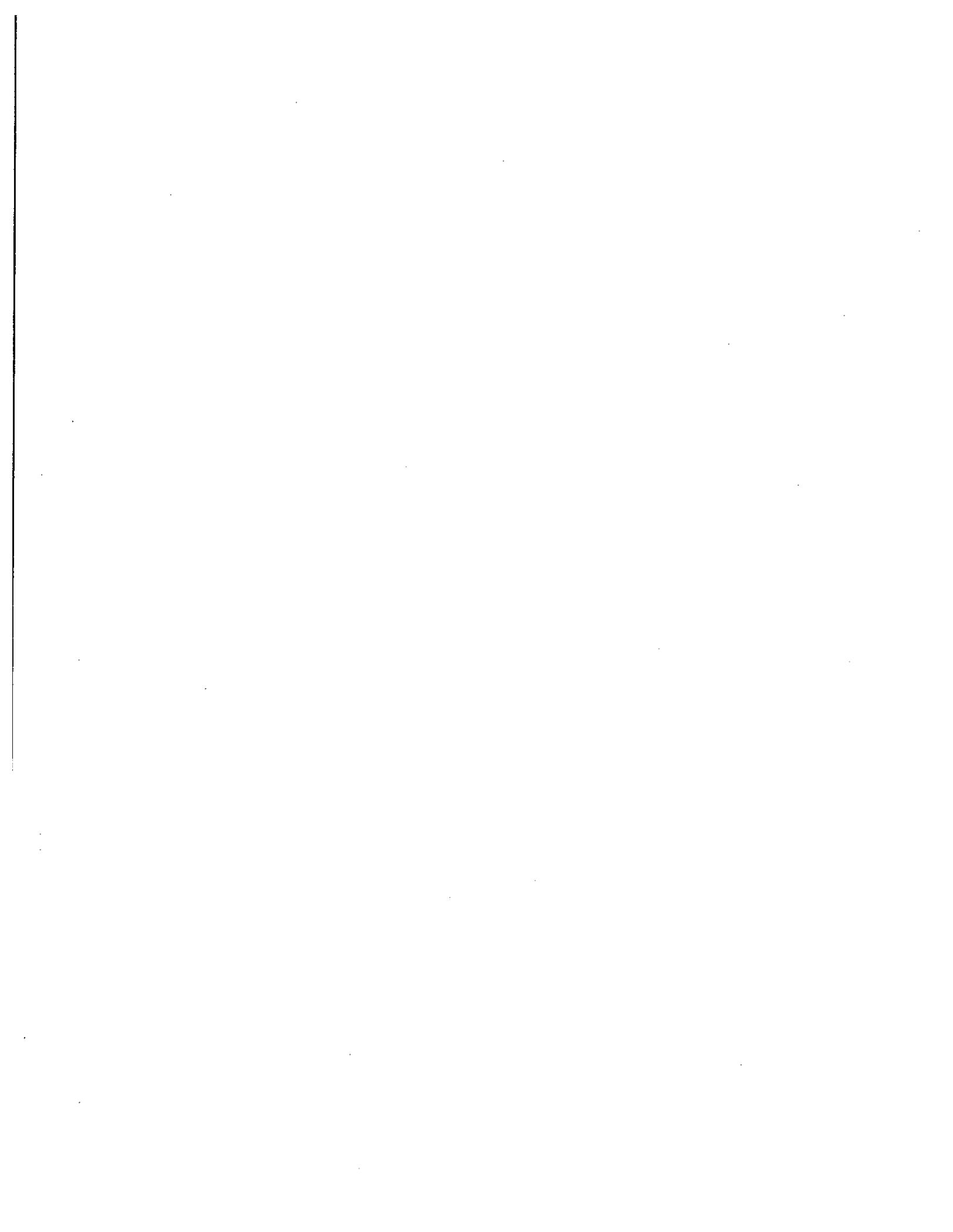
In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

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Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section.

On or about 9/11/13, at the 1 Lemon Lane, Atlanta, job site, the employer did not ensure specific written procedures were created for equipment, including:

- 1 - Streusel Depositor with metering belt
- 2 - 2 Belt weigh XE Check Weigher
- 3 - Pre-sliced Pie w/ paper dividers
- 4 - Cartoner at Wedge Line
- 5 - Cookie Jar Silo/Auger
- 6 - 20 XW Intensifier

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
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04/23/2014
\$7000.00



Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed:

On 9/11/13, at the 1 Lemon Lane, Atlanta facility, the employer did not conduct a periodic inspection on an annual basis that corrected for deviations identified on the specific written procedures, included a review between the inspector and each authorized employee, and certification of the inspection including the machine/equipment, date of the inspection, employees included in the inspection and the authorized employee performing the inspection.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Issuance Date: 03/07/2014



Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

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 16 a Type of Violation: **Serious**

29 CFR 1910.147(c)(7)(i): The employer did not provide training to ensure that the purpose and function of the energy control program are understood by employees and that the knowledge and skills required for the safe application, usage, and removal of the energy controls are acquired by employees.

On or about 9/11/13, at the Atlanta Schwan facility, production line employees who were trained as "Affected" employees under the company's LOTO program were assigned and performing service and maintenance work to equipment on production lines.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

04/23/2014
\$7000.00

See pages I 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: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 16 b Type of Violation: **Serious**

29 CFR 1910.147(c)(7)(i)(A): Authorized employee(s) did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation.

On or about 9/11/13, at the Atlanta facility, the employer did not provide training in established written specific LOTO procedures to designated "Authorized" employees performing service and maintenance work to equipment at the facility.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/23/2014

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

Inspection Number: 941314
Inspection Date(s): 09/11/2013 - 12/19/2013
Issuance Date: 03/07/2014



Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 17 Type of Violation: **Serious**

29 CFR 1910.184(d): Slings and fastenings were not inspected each day or during use and were not removed from service when damaged or defective.

On or about 9/11/2013, at the new cookie oven, slings used with the die roller lift device, were not removed from service when damaged.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

04/23/2014
\$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: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks.

On or about 9/11/13, at the 1 Lemon Lane, Atlanta Ga Schwans facility, employees were exposed to machine guarding hazards (amputations, cuts, broken bones, and crushing injuries) in the production areas. Instances include:

1- Colborne Line 1 & conveyor:

Dough Sheeter & Dough Docker- ingoing nip points
Flour Hopper & Dough Divider- rotating arms and ingoing nip points
Dough Sweep-ingoing nip points
Bottom Dough Roller and Dough Sweep- exposed moving parts, & pinch points
Transfer from Colborne to pecan depositor- exposed ingoing nip points
Discharge for elevator sweep- ingoing nip points
Elevator Sweep- exposed ingoing nip points on conveyor
Dough Docker & Dough Sheeter- exposed pinch points
Dough Crimper/Spinner Assembly- exposed pinch points

2- Colborne Line 2 & conveyor -SAME MACHINES AND EXPOSURES AS ON COLBORNE LINE 1

@ the Turn Conveyor -ingoing pinch point

3- IBL 1 & conveyor:

Crumb press- pinch points at press
Garnish Depositor- moving auger left open
Browning Oven on IBL 1- multiple pinch points on conveyor

4- IBL 2 & conveyor:

Crumb press- pinch points at press
Filling Depositor & Topping Depositor-moving fill heads

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: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Discharge Sweep-spinning arm

5-Old Cookie Oven Conveyor:
At transfer to incline at discharge of oven- ingoing nip point on conveyor

6- Hot Fill Platform and IBL 3 Mix Platform:
Mixers - moving beaters/augers

7- Artofex Mixing Bowls: Dough Mix Room and IBL1 area:
- openings cut into existing guards on each mixer measure 5x9 inch and 30x9 inch openings and are 40 inches above floor levels
- the top rotating vertical shafts of the mixers are left exposed

8 -Cookie Jar Platform:
Flywheel for auger drive on platform left unguarded on underside where employee platform is located

9 - Packaging Area- Conveyor Line 5 & 6:
Pinch points on conveyors

10 -Packaging/Shipping Area:
Tape Machines -Box packaging arm swings up and down exposing employees to struck by hazards

11 -IBL 3 & conveyor:
Depositor/Filling stations - pinch points

12 - Maintenance Rooms:
Small Maintenance Room -
Dayton 20" Drill Press - #4 - no guard - no serial number ¥20" Drill Press - #3 - no guard #SHP-003

Large Maintenance Room -
Kingston Lathe 1 and Lathe 2 16x54 No guards - No serial numbers on equipment
Drill Presses - No guards - Jet 15 (serial #10110360), Turn Pro Mill and Drill (serial #932553), Bridge Port Press (serial #34670), #1 HQT (No serial # on press)

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: 941314
Inspection Date(s): 09/11/2013 - 12/19/2013
Issuance Date: 03/07/2014



Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

13- Dough Mix Room blender - lid is opened to add ingredients at the control platform

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	04/23/2014
Proposed Penalty:	\$5500.00

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



Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 19 Type of Violation: **Serious**

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

On or about 9/11/13, in the production areas located at 1 Lemon Lane, Atlanta, the employer did not ensure horizontal shafts were enclosed. Instances included:

- 1 - Old Cookie Oven conveyors at transfer to incline - vibrator shaft
- 2 - Colborne Line 1 - under conveyor 1 crossing over to conveyor 2
- 3 - PPL #3 - guard did not fully enclose shaft
- 4 - Packaging conveyors - shafts on underside and inside conveyor areas
- 5 - New cookie oven conveyor shafts
- 6 - Line IBL 1 line at back of conveyor

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

04/02/2014
\$5500.00

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

Inspection Number: 941314
Inspection Date(s): 09/11/2013 - 12/19/2013
Issuance Date: 03/07/2014



Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 20 Type of Violation: **Serious**

29 CFR 1910.219(c)(4)(i): Projecting shaft ends shall present a smooth edge and end and shall not project more than one-half the diameter of the shaft unless guarded by nonrotating caps or safety sleeves.

On or about 9/11/13, in the production area at 1 Lemon Lane, Atlanta, the employer did not ensure projecting shaft ends were guarded. Instances included:

- 1 - at Old Cookie Oven conveyor cleaning system
- 2 - at Packaging Line 4 conveyor
- 3 - at New Cookie Oven conveyor cleaning system
- 4 - New Cookie Oven - 15 count

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

04/02/2014
\$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: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 21 Type of Violation: **Serious**

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

On or about 9/11/13, at the 1 Lemon Lane, Atlanta Ga facility, employees were exposed to machine guarding hazards (amputations, cuts, broken bones, and crushing injuries) as they operate production lines with exposed chain and sprockets within 7' of floor levels. Instances include:

- 1 - Colborne Line 1 & conveyor
Exposed Chain and Sprockets on Dough Divider
Dough Sweep at operator station
Bottom Dough Roller and Dough Sweep -exposed chain and sprockets
Dough Sweep -exposed chain and sprocket at waist to chest height MULTIPLE
Elevator Sweep -exposed chain and sprocket
Transfer from Colborne to pecan depositor -exposed chain and sprocket at operator station
Filling Depositor-chain and sprockets exposed -5x5 inch opening at operator waist to chest height
Colborne Line 1 shaft leading from conveyor 1 to 2on under side with exposed chain and sprockets-
within 26 inches of floor
Elevator Sweep -exposed chain and sprockets - waist height - 5 ½ x 7 inch openings
Dough Docker and Dough Sheeter - exposed chain and sprockets at operator station - reach in directly
adjacent to operator
Dough Crimper - exposed chain and sprockets
- 2 - Colborne Line 2 and conveyor - All equipment on Colborne Lines 1 and 2 are identical and with the
same guarding deficiencies.
At the Turn Conveyor - exposed chain and sprockets
- 3 - IBL 1 conveyor:
Discharge for IBL 1 Browning conveyor
- 4 - IBL 2 conveyor:
Discharge Sweep - chain and sprockets exposed

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: 941314
Inspection Date(s): 09/11/2013 - 12/19/2013
Issuance Date: 03/07/2014



Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

5 - Old Cookie Oven:

Chain and Sprocket on outside of oven - knee height from floor

Wire cutter for Old Cookie Oven - multiple exposed chain & sprocket - approximately chest height

6 - Waste Water:

DAF tank in waste water with exposed chain and sprocket

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/02/2014

Proposed Penalty:

\$7000.00

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: 941314
Inspection Date(s): 09/11/2013 - 12/19/2013
Issuance Date: 03/07/2014



Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 22 Type of Violation: **Serious**

29 CFR 1910.242(b): Compressed air used for cleaning purposes was not reduced to less than 30 p.s.i..

On or about 9/11/13, in the production area at IBL 1 line compressed air, set to 90 psi, was used for cleaning purposes.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

04/02/2014
\$5500.00

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

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

Inspection Number: 941314
Inspection Date(s): 09/11/2013 - 12/19/2013
Issuance Date: 03/07/2014



Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 23 Type of Violation: **Serious**

29 CFR 1910.263(e)(1)(i): Mixers with external power application did not have all belts, chains, gears, pulleys, sprockets, clutches, and other moving parts completely enclosed.

On or about 9/11/13, at the 1 Lemon Lane, Atlanta facility, where Artofex mixing bowls were located, bottom external gears were left exposed and were not guarded, including bowls in the Dough Mixing room and at the IBL 1 line.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

04/02/2014
\$5500.00

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

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

Inspection Number: 941314
Inspection Date(s): 09/11/2013 - 12/19/2013
Issuance Date: 03/07/2014



Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

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 24 a Type of Violation: **Serious**

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

On or about 9/11/13, at 1 Lemon Lane, Atlanta, outside the refrigeration office, the water fountain was powered with a temporary electrical extension cord in lieu of fixed wiring.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

04/02/2014
\$6600.00

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: 941314
Inspection Date(s): 09/11/2013 - 12/19/2013
Issuance Date: 03/07/2014



Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 24 b Type of Violation: **Serious**

29 CFR 1910.305(j)(1)(i): Fixtures, lampholders, lamps, rosettes, and receptacles located within 8 feet of the floor had live parts exposed to employee contact.

On or about 9/11/13, at the 1 Lemon Lane facility, employees were exposed to electrical hazards as receptacles had live parts exposed to contact and were not protected. Instances included:

- 1 - Ammonia Refrigeration Office receptacle
- 2 - Receptacle mounted on upright post at Colborne 1 line in production area

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:

04/02/2014

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: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 1 Item 25 Type of Violation: **Serious**

29 CFR 1910.305(j)(4)(v): The disconnecting means was not readily accessible. If more than one disconnect is provided for the same equipment, only one need be readily accessible.

On or about 9/11/13, in the production area of 1 Lemon Lane, Atlanta, the employer did not ensure access and working space was maintained about electrical equipment. Instances include:

- 1 - At the IBL 3 conveyor 480 volt disconnect for conveyor was blocked by the conveyor itself and permitted no access to the knife switch controlling the conveyor
- 2 - Dough Mix room Four 208 disconnects and one 230 volt disconnect for mix equipment in room were blocked with food materials

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

04/02/2014
\$4400.00

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

Inspection Number: 941314
Inspection Date(s): 09/11/2013 - 12/19/2013
Issuance Date: 03/07/2014



Citation and Notification of Penalty

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.147(c)(5)(ii): Lockout devices and tagout devices were utilized for other purposes than controlling energy and were not singularly identified.

On or about 9/11/13, at 1 Lemon Lane, Atlanta, employees used Lockout locks, i.e. locks reserved for service/maintenance purposes, for indication equipment was out of service or had operational problems and did not identify the person that affixed the lock to the equipment.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/23/2014

Proposed Penalty:

\$0.00

A handwritten signature in black ink, appearing to read "William C. Fulcher". The signature is written over a horizontal line.

William C. Fulcher
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
2183 Northlake Parkway
Building 7, Suite 110
Tucker, GA 30084
Phone: 770-493-6644 Fax: 770-493-7725



INVOICE / DEBT COLLECTION NOTICE

Company Name: Schwans Global Supply Chain, Inc.
Inspection Site: One Lemon Lane, Atlanta, GA 30307
Issuance Date: 03/07/2014

Summary of Penalties for Inspection Number	941314
Citation 1, Serious	\$145000.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$145000.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed

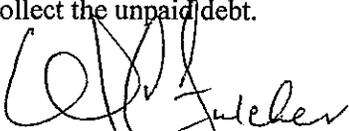
account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



William C. Fulcher
Area Director

03/07/2014

Date

