

U.S. Department of Labor
Occupational Safety and Health Administration
55 North Robinson
Suite 315
Oklahoma City, OK 73102
Phone: 405-278-9560 Fax: 405-278-9572



Citation and Notification of Penalty

To:
Seaboard Foods LLC
and its successors
2700 NE 28th Street
Guymon, OK 73942

Inspection Number: 999145
Inspection Date(s): 10/08/2014 - 10/08/2014
Issuance Date: 02/05/2015

Inspection Site:
2700 N 28th St.
Guymon, OK 73942

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 02/05/2015. The conference will be held by telephone or at the OSHA office located at 55 North Robinson, Suite 315, Oklahoma City, OK 73102 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 999145

Company Name: Seaboard Foods LLC
Inspection Site: 2700 N 28th St., Guymon, OK 73942
Issuance Date: 02/05/2015

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, 55 North Robinson, Suite 315, Oklahoma City, OK 73102**

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: 999145
Inspection Date(s): 10/08/2014 - 10/08/2014
Issuance Date: 02/05/2015



Citation and Notification of Penalty

Company Name: Seaboard Foods LLC
Inspection Site: 2700 N 28th St., Guymon, OK 73942

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

29 CFR 1910.24(i): The employer does not ensure the vertical clearance above the stair tread to an overhead obstruction was at least 7 feet measured from the leading edge of the tread.

The violation occurred outside of the Main Ammonia Refrigeration Room on or about October 8, 2014 and at times prior thereto. Employees were exposed to a struck-by and fall hazard when the employer failed to ensure at least a 7-foot vertical overhead clearance where pipe obstructions hindered access at the top of the stair platform to the elevated ammonia refrigeration receiver.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure vertical clearance above the stair tread to an overhead obstruction was at least 7 feet measured from the leading edge of the tread.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

02/23/2015
\$5000.00

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: Seaboard Foods LLC
Inspection Site: 2700 N 28th St., Guymon, OK 73942

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

29 CFR 1910.119(d)(3)(ii): The employer does not ensure that it documents that equipment in the process complied with recognized and generally accepted good engineering practices (RAGAGEP).

- a. The violation occurred in the Main Engine Room and the Valve Alley Enclosure on or about October 8, 2014 and at times prior thereto. Employees were exposed to fire, explosion, and/or inhalation hazards when the employer failed to ensure emergency mechanical ventilation system(s) was activated by an ammonia detector; OR ran continuously and provided with an alarm to detect failure or shutdown of the system in accordance with ASHRAE-15.
- b. The violation occurred in the Main Engine Room and the Valve Alley Enclosure on or about October 8, 2014 and at times prior thereto. Employees were exposed to fire, explosion, and/or inhalation hazards when the employer failed to ensure that emergency mechanical ventilation system(s) was on a separate electrical circuit and had a control switch immediately outside the entrance door to the machine room in accordance with ASHRAE-15 and IIAR 2.
- c. The violation occurred in the GCS and Main Engine Rooms on or about October 8, 2014 and at times prior thereto. Employees were exposed to fire, explosion, and/or inhalation hazards when the employer failed to ensure a safety shower and eye wash station was installed external to the machinery room exit in accordance with IIAR-2.
- d. The violation occurred in the GCS and Main Engine Rooms on or about October 8, 2014 and at times prior thereto. Employees were exposed to fire, explosion, and/or inhalation hazards when the employer failed to ensure the thickness of severely corroded un-insulated piping ammonia piping was in accordance IIAR 2 and IIAR 110.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure it documented that equipment in the process complies with recognized and generally accepted good engineering practices.

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: 999145
Inspection Date(s): 10/08/2014 - 10/08/2014
Issuance Date: 02/05/2015



Citation and Notification of Penalty

Company Name: Seaboard Foods LLC
Inspection Site: 2700 N 28th St., Guymon, OK 73942

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/23/2015
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.



Citation and Notification of Penalty

Company Name: Seaboard Foods LLC
Inspection Site: 2700 N 28th St., Guymon, OK 73942

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

29 CFR 1910.119(f)(1)(iv): The employer does not ensure written procedures address the requirements for the safety systems and their functions.

The violation occurred in the Main and GCS Ammonia Refrigeration Systems on or about October 8, 2014 and at times prior thereto. Employees were exposed to fire, explosion, and/or inhalation hazards from ammonia vapors when the employer failed to ensure the written operating procedures addressed the requirements for the safety systems and their functions. Identified safety systems and functions include but not limited to:

- a. High Discharge Pressure Shuts Down Compressors
- b. High Discharge Temperature Shuts Down Compressors
- c. High/Low Oil Pressure Differential Shuts Down Compressors
- d. High Accumulator Level Shuts Down Compressors
- e. Low Accumulator Level Shuts Down Pumps
- f. Ammonia Detector Alarms and Interlock Activation Of Ventilation System(s)
- g. Emergency Stops Outside of Entry to Engine Room

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure written procedures address the requirements for the safety systems and their functions.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

02/23/2015
\$7000.00



Citation and Notification of Penalty

Company Name: Seaboard Foods LLC
Inspection Site: 2700 N 28th St., Guymon, OK 73942

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

29 CFR 1910.119(f)(4): The employer does not ensure development and implementation of safe work practices for control over entrance into a facility by maintenance, contractor, laboratory, and other personnel.

a. The violation occurred in the GCS, Main, and Valve Alley enclosure/machine rooms on or about October 8, 2014 and at times prior thereto. Employees were exposed to fire, explosion, and/or inhalation hazards from ammonia vapors when the employer failed to ensure it developed and implemented written procedures for controlling access into the ammonia refrigeration facility and equipment by maintenance, contractor, production, and other personnel.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure development and implementation of safe work practices for control over entrance into a facility by maintenance, contractor, laboratory, and other personnel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/23/2015
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Seaboard Foods LLC
Inspection Site: 2700 N 28th St., Guymon, OK 73942

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

29 CFR 1910.119(g)(1)(i): The employer does not ensure employees involved in operating a process are provided initial training that included emphasis on specific safety and health hazards of the process and emergency operations including shutdown and safe work practices applicable to the employees job tasks.

a. The violation occurred in the GCS and Main Ammonia Refrigeration Areas on or about October 8, 2014 and at times prior thereto. Employees were exposed to fire, explosion, and/or inhalation hazards when the employer failed to ensure initial training was provided for employees who operated ammonia refrigeration equipment that included emergency shutdown, written operating procedures, and safe work practices.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure employees involved in operating a process are provided initial training that included emphasis on specific safety and health hazards of the process and emergency operations including shutdown, and safe work practices applicable to the employees job tasks.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 02/23/2015
Proposed Penalty: \$7000.00



Citation and Notification of Penalty

Company Name: Seaboard Foods LLC
Inspection Site: 2700 N 28th St., Guymon, OK 73942

The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

29 CFR 1910.119(j)(2): The employer does not ensure written procedures are established and implemented to maintain the on-going mechanical integrity of process equipment.

The violation occurred in the GCS and Main Ammonia Refrigeration Engine Rooms on or about October 8, 2014 and at times prior thereto. Employees were exposed to fire, explosion, and/or inhalation hazards from ammonia vapors when the employer failed to ensure detailed written procedures were established and implemented for the testing and/or inspection of safety systems. Identified safety systems include but not limited to:

- a. Compressor Discharge High/Low Pressure
- b. Compressor High/Low Oil Pressure Differential
- c. Compressor High Discharge Temperature
- d. Emergency Shutdown Systems (E-Stop)
- e. Emergency Ventilation Systems
- f. High/Low Vessel Levels
- g. Ammonia Detectors
- h. Pressure Relief Valve Vents.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure written procedures are established and implemented to maintain the on-going mechanical integrity of process equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/23/2015

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: 999145
Inspection Date(s): 10/08/2014 - 10/08/2014
Issuance Date: 02/05/2015



Citation and Notification of Penalty

Company Name: Seaboard Foods LLC
Inspection Site: 2700 N 28th St., Guymon, OK 73942

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.



Citation and Notification of Penalty

Company Name: Seaboard Foods LLC
Inspection Site: 2700 N 28th St., Guymon, OK 73942

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

29 CFR 1910.119(j)(4)(i): The employer does not ensure that inspections and tests were performed on process equipment to maintain its mechanical integrity.

The violation occurred in the GCS and Main ammonia refrigeration engine rooms on or about October 8, 2014 and at times prior thereto. Employees were exposed to fire, explosion, and/or inhalation hazards from ammonia vapors when the employer failed to ensure inspection and tests were performed on process equipment such as but not limited to:

- a. Machine/Engine Room Emergency Shutdown (E-Stop)
- b. Machine/Engine Room Emergency Ventilation Systems
- c. Compressor High Discharge Temperature Cut Out
- d. Ammonia System Shut off /King Valves

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing that it is in compliance with the standard, including describing the steps it is taking to ensure that inspections and tests were performed on process equipment to maintain its mechanical integrity.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/23/2015



Citation and Notification of Penalty

Company Name: Seaboard Foods LLC
Inspection Site: 2700 N 28th St., Guymon, OK 73942

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

29 CFR 1910.119(j)(4)(ii): The employer does not ensure that inspection and testing procedures performed on process equipment to maintain its mechanical integrity followed recognized and generally accepted good engineering practices (RAGAGEP).

The violation occurred in the GCS and Main ammonia refrigeration engine rooms on or about October 8, 2014 and at times prior thereto. Employees were exposed to fire, explosion, and/or inhalation hazards from ammonia vapors when the employer failed to ensure testing and inspections of safety systems were conducted in accordance with RAGAGEP for safety systems such as but not limited to:

- a. Compressor High Discharge Pressure Cut Out
- b. Compressor High/Low Oil Pressure Differential Cut Out
- c. High/Low Accumulator Vessel Level Cut Out
- d. Ammonia Detectors

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing that it is in compliance with the standard, including describing the steps it is taking to ensure that inspection and testing procedures performed on process equipment to maintain its mechanical integrity followed recognized and generally accepted good engineering practices (RAGAGEP).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/23/2015

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: 999145
Inspection Date(s): 10/08/2014 - 10/08/2014
Issuance Date: 02/05/2015



Citation and Notification of Penalty

Company Name: Seaboard Foods LLC
Inspection Site: 2700 N 28th St., Guymon, OK 73942

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

29 CFR 1910.212(a)(5): The employer does not ensure fan guard openings on the periphery of the blades is no larger than one-half (1/2) inch.

a. The violation was observed in the Main Ammonia Refrigeration Engine Room on October 8, 2014. Employees were exposed to caught-in hazards when the employer failed to ensure the guard on the portable fan had openings smaller than one-half (1/2) inch.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure fan guard openings on the periphery of the blades is no larger than one-half (1/2) inch.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/23/2015
Proposed Penalty:	\$4000.00

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: Seaboard Foods LLC
Inspection Site: 2700 N 28th St., Guymon, OK 73942

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

29 CFR 1910.303(b)(6): The employer does not ensure electrical equipment is not located in damp and damp or wet location that have a deteriorating effect on the equipment.

a. The violation occurred in the Condenser Supply Pump enclosure on or about October 8, 2014 and at times prior thereto. Employees were exposed to electrocution hazards when the employer failed to ensure electrical equipment is not located in damp and damp or wet location that have a deteriorating effect on the equipment.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure electrical equipment is not located in damp and damp or wet location that have a deteriorating effect on the equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/23/2015

Proposed Penalty:

\$7000.00

A handwritten signature in black ink, appearing to read "David A. Bates".

David A. Bates
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
55 North Robinson
Suite 315
Oklahoma City, OK 73102
Phone: 405-278-9560 Fax: 405-278-9572



INVOICE / DEBT COLLECTION NOTICE

Company Name: Seaboard Foods LLC
Inspection Site: 2700 N 28th St., Guymon, OK 73942
Issuance Date: 02/05/2015

Summary of Penalties for Inspection Number	999145
Citation 1, Serious	\$51000.00
TOTAL PROPOSED PENALTIES	\$51000.00

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.

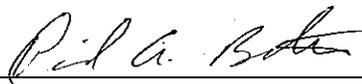
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



David A. Bates
Area Director



Date