

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

**Inspection Number:** 957322  
**Inspection Date(s):** 02/04/2014 -  
**Issuance Date:** 07/31/2014



**Citation and Notification of Penalty**

**Company Name:** Seeler Industries, Inc.  
**Inspection Site:** One Genstar Drive, Joliet, IL 60435

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

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

29 CFR 1910.22(a)(1): All places of employment, passageways, storerooms, and service rooms shall be kept clean and orderly and in a sanitary condition.

a. On or about March 6, 2014, in building 106, employees were exposed to unsanitary conditions when excessive dust was allowed to accumulate throughout the building.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/26/2014

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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**Company Name:** Seeler Industries, Inc.  
**Inspection Site:** One Genstar Drive, Joliet, IL 60435

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

29 CFR 1910.22(a)(2): The floor of every workroom shall be maintained in a clean and, so far as possible, a dry condition. Where wet processes are used, drainage shall be maintained, and false floors, platforms, mats, or other dry standing places should be provided where practicable.

a. On or about February 4, 2014, in building 101 near the filling stations, employees were exposed to slip, trip and fall hazards from uneven, wet walking and working surfaces.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

09/17/2014

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**Company Name:** Seeler Industries, Inc.  
**Inspection Site:** One Genstar Drive, Joliet, IL 60435

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

29 CFR 1910.23(c)(1): Every open-sided floor or platform 4 feet or more above adjacent floor or ground level shall be guarded by a standard railing (or the equivalent as specified in paragraph (e)(3) of this section) on all open sides except where there is entrance to a ramp, stairway, or fixed ladder. The railing shall be provided with a toeboard wherever, beneath the open sides,

a. On or about May 15, 2014, near building 106, employees were exposed to fall hazards of approximately 20 feet when required to access an elevated rail platform to attach equipment. The area adjacent to the walkway on the elevated rail platform was missing floor grates and thereby exposed employees to hazards associated with falls.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/06/2014

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**Company Name:** Seeler Industries, Inc.  
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**Citation 1 Item 3** Type of Violation: **Serious**

29 CFR 1910.23(c)(3): Regardless of height, open-sided floors, walkways, platforms, or runways above or adjacent to dangerous equipment, pickling or galvanizing tanks, degreasing units, and similar hazards shall be guarded with a standard railing and toe board.

a. On or about May 15, 2014, in building 106, the bag filling machine operator was required to work on an elevated work platform above a moving conveyor. While working on the elevated platform employee(s) were exposed to hazards such as, but not limited to a lack of platform access, moving conveyors and a lack of guarding for platforms.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

10/08/2014

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**Citation and Notification of Penalty**

**Company Name:** Seeler Industries, Inc.  
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**Citation 1 Item 4** Type of Violation: **Serious**

29 CFR 1910.132(f)(1): The employer shall provide training to each employee who is required by this section to use PPE. Each employee shall be trained to know at least the following:

- a. On or about February 4, 2014, in the facility, employees were not trained to know at least the following:
1. What PPE is necessary.
  2. When PPE is necessary.
  3. How to properly don, doff, adjust and wear PPE.
  4. The limitations of PPE.
  5. The proper care, maintenance, useful life and disposal of PPE.

Employee exposure included, but was not limited to sodium hydroxide, hydrogen peroxide, glacial acetic acid and nitrogen.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
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**Citation and Notification of Penalty**

**Company Name:** Seeler Industries, Inc.  
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**Citation 1 Item 5** Type of Violation: **Serious**

29 CFR 1910.134(e)(1): General. The employer shall provide a medical evaluation to determine the employee's ability to use a respirator, before the employee is fit tested or required to use the respirator in the workplace. The employer may discontinue an employee's medical evaluations when the employee is no longer required to use a respirator.

a. On or about February 4, 2014, in the facility, employees were required to wear respiratory protection including, but not limited to tight fitting and powered air purifying respirators. The employer failed to ensure that employees were provided with a medical evaluation before being required to wear a respirator.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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**Company Name:** Seeler Industries, Inc.  
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**Citation 1 Item 6** Type of Violation: **Serious**

29 CFR 1910.134(f)(2): The employer shall ensure that an employee using a tight-fitting facepiece respirator is fit tested prior to initial use of the respirator, whenever a different respirator facepiece (size, style, model or make) is used, and at least annually thereafter.

a. On or about February 4, 2014, in the facility, employees were required to wear respiratory protection including, but not limited to tight fitting and powered air purifying respirators. The employer failed to ensure that employees were fit tested initially and at least annually thereafter for each type respirator make and model worn.

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**Company Name:** Seeler Industries, Inc.  
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**Citation 1 Item 7** Type of Violation: **Serious**

29 CFR 1910.134(k)(3): The employer shall provide the training prior to requiring the employee to use a respirator in the workplace.

a. On or about February 4, 2014, in the facility, employees were required to wear respiratory protection including, but not limited to tight fitting and powered air purifying respirators. The employer failed to ensure that employees were provided adequate training which included, but was not limited to proper use, limitations, emergency use, inspections, cleaning and maintenance.

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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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**Citation and Notification of Penalty**

**Company Name:** Seeler Industries, Inc.  
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**Citation 1 Item 8** Type of Violation: **Serious**

29 CFR 1910.134(l)(1): The employer shall conduct evaluations of the workplace as necessary to ensure that the provisions of the current written program are being effectively implemented and that it continues to be effective.

a. On or about February 4, 2014, in the facility, employees were required to wear respiratory protection including, but not limited to tight fitting and powered air purifying respirators. The employer failed to evaluate the current written program to ensure it was implemented and effective.

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**Citation and Notification of Penalty**

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

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

29 CFR 1910.146(c)(1): The employer shall evaluate the workplace to determine if any spaces are permit-required confined spaces.

- a. On or about February 4, 2014, in the facility, the employer had not performed an evaluation to determine the presence and location of any and all permit required confined spaces.

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**Citation and Notification of Penalty**

**Company Name:** Seeler Industries, Inc.  
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**Citation 1 Item 9 b Type of Violation: **Serious****

29 CFR 1910.146(c)(2): If the workplace contains permit spaces, the employer shall inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces.

NOTE: A sign reading DANGER -- PERMIT-REQUIRED CONFINED SPACE, DO NOT ENTER or using other similar language would satisfy the requirement for a sign.

a. On or about February 4, 2014, in the facility, the employer did not inform exposed employees of the existence, location of, and the danger of permit required confined spaces, by posting signs or by any other equally effective means. The spaces not labeled as permit required confined spaces included, but were not limited to chemical storage tanks and dry material hoppers.

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

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

29 CFR 1910.178(l)(1)(i): The employer shall ensure that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (l).

a. On or about February 4, 2014, in the facility, employees were required to operate powered industrial vehicles. The employees were not provided with training on the safe operation of the powered industrial vehicles thereby exposing employees to struck by and crushing hazards.

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**Citation and Notification of Penalty**

**Company Name:** Seeler Industries, Inc.  
**Inspection Site:** One Genstar Drive, Joliet, IL 60435

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

29 CFR 1910.178(l)(4)(iii): An evaluation of each powered industrial truck operator's performance shall be conducted at least once every three years.

a. On or about February 4, 2014, in the facility, employees were required to operate powered industrial vehicles. Previously trained employees were not provided with an evaluation to determine if the employee was able to continue to operate the powered industrial vehicle(s) safely.

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

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

29 CFR 1910.1000(a)(2): Employee(s) were exposed to an airborne concentration of particulates, not otherwise classified, listed in table Z-1-A (Transitional Limits column) in excess of 15 milligrams per meter cubed (mg/m<sup>3</sup>) as an 8 hour time weighted average concentration:

a. On or about May 15, 2014, in building 106, an employee performing packaging operations was exposed to particulates, not otherwise classified, at an eight hour time weighted average (8 hour TWA) level of 82.3 mg/m<sup>3</sup>. This limit was established to prevent employees from suffering from adverse health effects such as cumulative lung damage.

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/15/2014



### Citation and Notification of Penalty

**Company Name:** Seeler Industries, Inc.  
**Inspection Site:** One Genstar Drive, Joliet, IL 60435

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

29 CFR 1910.1000(e): To achieve compliance with paragraphs (a) through (d) of this section, administrative or engineering controls must first be determined and implemented whenever feasible. When such controls are not feasible to achieve full compliance, protective equipment or any other protective measures shall be used to keep the exposure of employees to air contaminants within the limits prescribed in this section. Any equipment and/or technical measures used for this purpose must be approved for each particular use by a competent industrial hygienist or other technically qualified person. Whenever respirators are used, their use shall comply with 1910.134.  
[71 FR 16673, April 3, 2006]

Engineering and work practice controls (including administrative controls) were not implemented to reduce and maintain employee exposure to total particulates in accordance with the schedule in Table 1 of this paragraph.

a. On or about May 15, 2014, in the facility, an employee performing packaging operations was exposed to airborne total particulates at an 8 hour time weighted average of 82.3 milligrams per cubic meter (mg/m<sup>3</sup>), approximately 5.5 times the permissible exposure limit of 15 mg/m<sup>3</sup> (8 hour TWA).

General methods of control that may be applicable to the process include, but are not limited to, the following:

1. Installation and/or improvement of ventilation system(s) to reduce or control particulates which are released during the packaging process.
2. Implement a housekeeping program. Clothing, equipment and surfaces should be cleaned in such a manner as to avoid creating exposure from dust clouds.
3. Develop and implement an employee job rotation schedule to reduce exposure levels by reducing exposure times to powders and dust.

Abatement normally will be multi-step as follows:

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:** Seeler Industries, Inc.  
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STEP 1: Effective respiratory protection in accordance with 29 CFR 1910.134 shall be provided and used by exposed employees as an interim protective measure until feasible engineering and/or administrative controls can be implemented, or whenever such controls fail to reduce employee exposure to within permissible exposure limits.

Abatement Period: 1 day                      **Date by Which Abatement is Due**                      **08/06/2014**

STEP 2: Submit to the Area Director a written, detailed plan of abatement outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposure to total dust. The plan shall include, at minimum, target dates for the following actions which must be consistent with abatement dates required by this citations.

- (1) Evaluation of engineering/administrative control options;
- (2) Selection of optimum control methods and completion of design;
- (3) Procurement, installation and operation of selected control measures; and
- (4) Testing and acceptance or modification/redesign of controls.

NOTE: All proposed control measure shall be approved for each particular use by a competent industrial hygienist or other technically qualified person. Ninety (90) day progress reports are required during the abatement period.

Abatement period: 60 days                      **Date by Which Abatement is Due**                      **10/30/2014**

STEP 3: Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance.

Abatement time: 90 days.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**                      **12/15/2014**

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

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

29 CFR 1910.1200(f)(5)(i): Except as provided in paragraphs (f)(6) and (f)(7) of this section, the employer shall ensure that each container of hazardous chemicals in the workplace is labeled, tagged or marked with the identity of the hazardous chemical(s) contained therein;

a. On or about February 4, 2014, in the facility, tanks used for storage and mixing were not labeled with the identity of the hazardous chemicals(s) they contained. Employee exposure included, but was not limited to dimethylaurylamine and dimethylstearylamine.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
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### Citation and Notification of Penalty

**Company Name:** Seeler Industries, Inc.  
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Citation 1 Item 12 b      Type of Violation: **Serious**

29 CFR 1910.1200(f)(5)(ii): Except as provided in paragraphs (f)(6) and (f)(7) of this section, the employer shall ensure that each container of hazardous chemicals in the workplace is labeled, tagged or marked with the appropriate hazard warnings, or alternatively, words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical.

a. On or about February 4, 2014, in the facility, tanks used for storage and mixing were not labeled with the hazard warning(s) of the chemicals they contained. Employee exposure included, but was not limited to dimethylamylamine and dimethylstearylamine.

### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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**Citation and Notification of Penalty**

**Company Name:** Seeler Industries, Inc.  
**Inspection Site:** One Genstar Drive, Joliet, IL 60435

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

29 CFR 1910.1200(h)(1): Employers shall provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees have not previously been trained about is introduced into their work area. Information and training may be designed to cover categories of hazards (e.g., flammability, carcinogenicity) or specific chemicals. Chemical-specific information must always be available through labels and material safety data sheets.

a. On or about February 4, 2014 in the facility, employees were exposed to hazardous materials including, but not limited to sodium hydroxide, hydrogen peroxide, glacial acetic acid and nitrogen. The employer failed to provide employees with effective information and training on hazardous chemicals in their work area.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/12/2014

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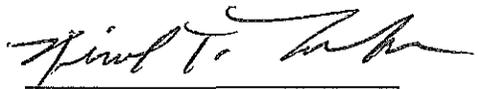
**Citation 3 Item 1** Type of Violation: **Other-than-Serious**

29 CFR 1904.40(a): Basic requirement. When an authorized government representative asks for the records you keep under Part 1904, you must provide copies of the records within four (4) business hours.

a. On or about February 4, 2014, at the facility, the employer failed to provide copies of the up to date OSHA 300 log when requested by an authorized government representative, a Compliance Safety and Health Officer of the Occupational Safety and Health Administration. The CSHO was informed by management that there had been no recordables for the calendar year when one entry had been made on the current 2014 OSHA 300 log.

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/06/2014

  
Kathy Webb  
Area Director