

U.S. Department of Labor
Occupational Safety and Health Administration
1240 East 9th Street
Room 899
Cleveland, OH 44199
Phone: 216-615-4266 Fax: 216-615-4234



Notification of Failure to Abate Alleged Violations

To:
Specialty Metals Processing, Inc.
837 Seasons Rd.
Stow, OH 44224

Original Inspection Number: 283771
Original Inspection Date: 03/27/2012 - 04/18/2012

Inspection Number: 837223
Inspection Date(s): 01/16/2013 - 01/16/2013
Issuance Date: 07/12/2013

Inspection Site:
837 Seasons Rd.
Stow, OH 44224

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

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

Notification of Corrective Action - For **each** violation which you do not contest, you are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of OSHA office issuing the citation and identified above. The certification **must** be sent by you within **10 calendar days** of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations states the abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certificate is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

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

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

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 the OSHA to discuss the Notification of Failure to Abate Alleged Violations issued on 07/12/2013. The conference will be held by telephone or at the OSHA office located at 1240 East 9th Street, Room 899, Cleveland, OH 44199 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Original Inspection Number: 283771

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224
Issuance Date: 07/12/2013

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 1240 East 9th Street, Room 899, Cleveland, OH 44199**

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.

NAME OF COMPANY OFFICIAL

DATE

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.



Notification of Failure to Abate Alleged Violation

Original Inspection: 283771

Inspection Number: 837223

Original Inspection Dates: 03/27/2012 - 04/18/2012

Inspection Date(s): 01/16/2013 - 01/16/2013

Issuance Date: 07/12/2013

Company Name: Specialty Metals Processing, Inc.

Inspection Site: 837 Seasons Rd., Stow, OH 44224

Citation 1 Item 1 b

29 CFR 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program as described in 29 CFR 1910.95(c) through (o) whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level of 85 decibels measured on the A scale, or equivalently a dose of fifty percent:

a) On April 18, 2012, the buff line operator was exposed to continuous noise levels at 340.0% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 460 minute sampling period. Exposure calculations include a zero increment for the 20 minutes not sampled.

b) On April 18, 2012, the buff line helper was exposed to continuous noise levels at 108.4% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 461 minute sampling period. Exposure calculations include a zero increment for the 19 minutes not sampled.

c) On April 18, 2012, the buff line supervisor was exposed to continuous noise levels at 104.6% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 455 minute sampling period. Exposure calculations include a zero increment for the 25 minutes not sampled.

NOTE: Below are additional sampling results conducted on 02/12/13:

a) On February 12, 2013, the buff line helper was exposed to continuous noise levels at 131.7% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 452 minute sampling period. Exposure calculations include a zero increment for the 28 minutes not sampled.

b) On February 12, 2013, the buff line operator was exposed to continuous noise levels at 96.5% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 449 minute sampling period. Exposure calculations include a zero increment for the 31 minutes not sampled.



Notification of Failure to Abate Alleged Violation

Original Inspection: 283771

Inspection Number: 837223

Original Inspection Dates: 03/27/2012 - 04/18/2012

Inspection Date(s): 01/16/2013 - 01/16/2013

Issuance Date: 07/12/2013

Company Name: Specialty Metals Processing, Inc.

Inspection Site: 837 Seasons Rd., Stow, OH 44224

c) On February 12, 2013, the coil line helper was exposed to continuous noise levels at 66.8% of the permissible daily exposure (8-hour, time-weighted average sound level of 85 dbA or equivalently, a dose of 50 percent), during the 441 minute sampling period. Exposure calculations include a zero increment for the 39 minutes not sampled.

An effective hearing conservation program as described in 29 CFR 1910.95(c) through (o) shall consist of the following:

Section (c): The employer shall develop and implement a hearing conservation program.

Section (d): The employer shall develop and implement a monitoring program.

Section (e): The employer shall notify each employee exposed at or above an 8-hour time-weighted average of 85 decibels of the results of the monitoring.

Section (f): The employer shall provide affected employees or their representatives with an opportunity to observe any noise measurements conducted pursuant to this section.

Section (g): The employer shall establish an audiometric testing program.

Section (h): The employer shall implement the audiometric testing requirements.

Section (i): The employer shall provide hearing protectors and require use based on this section requirements.

Section (j): The employer shall evaluate the hearing protectors attenuation.

Section (k): The employer shall establish an employee training program.

Section (l): The employer shall provide employee access to information and training materials.

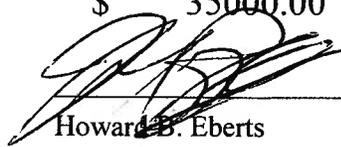
Section (m): The employer shall develop and maintain a recordkeeping program.

Section (n): Appendices

Section (o): Exemptions

Additional Penalty:

\$ 35000.00


Howard B. Eberts
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1240 East 9th Street
Room 899
Cleveland, OH 44199
Phone: 216-615-4266 Fax: 216-615-4234



INVOICE / DEBT COLLECTION NOTICE

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224
Issuance Date: 07/12/2013

Summary of Additional Penalties for Inspection Number 283771
Followup Inspection Number 837223

TOTAL ADDITIONAL PROPOSED PENALTIES \$ 35000.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

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

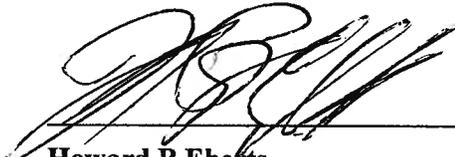
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



Howard B Eberts

Area Director

7-12-2013

Date

U.S. Department of Labor

Occupational Safety and Health Administration
1240 East 9th Street Room 899
Cleveland, OH 44199
Phone: 216-615-4266 Fax: 216-615-4234



Citation and Notification of Penalty

To:
Specialty Metals Processing, Inc.
and its successors
837 Seasons Rd.
Stow, OH 44224

Inspection Number: 98679
Inspection Date(s): 08/31/2011 - 08/31/2011
Issuance Date: 02/24/2012

Inspection Site:
837 Seasons Rd.
Stow, OH 44224

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

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

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

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

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

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

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

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance.

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

Notification of Corrective Action – For each violation which you do not contest, you must provide **abatement certification** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. **In addition**, where the citation indicates that **abatement documentation** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, 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, but not sooner than 30 calendar days after the citation issuance date. 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 02/24/2012. The conference will be held at the OSHA office located at 1240 East 9th Street, Cleveland, OH 44199 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 98679

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224
Issuance Date: 02/24/2012

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, 1240 East 9th Street, Room 899 Cleveland, OH 44199**

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: 98679
Inspection Date(s): 08/31/2011 - 08/31/2011
Issuance Date: 02/24/2012



Citation and Notification of Penalty

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224

Citation 1 Item 1 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 8/31/11, specific lockout/tagout procedures were not developed for the Pittsburgh Design Services, Inc., Gantry Plate Grinder, Serial #210-2038.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

03/25/2012
\$3850.00



Citation and Notification of Penalty

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224

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

29 CFR 1910.147(c)(4)(ii): The energy control procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, including, but not limited to Items of this section:

On or about 8/31/11, Lockout/Tagout procedures did not clearly and specifically identify the following aspects necessary to control hazardous energy on equipment such as, but not limited to; the Coil Buff Line, 48" Sheet Polishing Line, and the Cincinnati Slitting Line:

- a. Instance #1: Procedures did not specifically state how to shut down, isolate, block and secure machines or equipment to control hazardous energy;
- b. Instance #2: Procedures did not specifically identify the placement, removal and transfer of lockout/tagout devices and the responsibility for them;
- c. Instance #3: Verification steps did not have enough specificity to verify the effectiveness of the energy control measures or how to accomplish this task.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

03/25/2012
\$5390.00



Citation and Notification of Penalty

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224

Citation 1 Item 3 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 or about 8/31/11, periodic inspections were not conducted of lockout/tagout procedures necessary to control the hazardous energy of machines such as, but not limited to: gantry crane.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/25/2012
Proposed Penalty: \$3850.00

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

29 CFR 1910.147(c)(7)(i)(B): Affected employees were not instructed in the purpose and use of the energy control procedure:

On or about 8/31/11, training was not provided for affected persons, including new and temporary employees, exposed to machines under lockout/tagout during servicing and/or maintenance.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/25/2012
Proposed Penalty: \$3850.00



Citation and Notification of Penalty

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224

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

29 CFR 1910.179(j)(3): A complete periodic inspection of crane(s) had not been conducted in the past 12 months:

On or about 8/31/11, crane inspections were not conducted at least annually.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/25/2012
Proposed Penalty: \$3850.00

Citation 1 Item 6 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 8/31/11, machine guarding was not provided to address leading edges and equipment entanglement hazards for machines such as, but not limited to: the Gantry Plate Grinder, Serial Number 210-2038, located in the West Grinder Area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/25/2012
Proposed Penalty: \$5390.00

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

Inspection Number: 98679
Inspection Date(s): 08/31/2011 - 08/31/2011
Issuance Date: 02/24/2012



Citation and Notification of Penalty

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224

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

29 CFR 1910.157(g)(2): The educational program to familiarize employees with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting was not provided to all employees upon initial employment, and at least annually thereafter:

On or about August 31, 2011, employees designated to use fire extinguishers were not trained annually or initially upon hire.

The Specialty Metals Processing, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.157(g)(2), which was contained in OSHA inspection number 313893752, citation number 1, item number 6, and was affirmed as a final order on March 24, 2010, with respect to a workplace located at 837 Seasons Road, Stow, OH 44234

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:
Proposed Penalty:

03/25/2012
\$4620.00

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

Inspection Number: 98679
Inspection Date(s): 08/31/2011 - 08/31/2011
Issuance Date: 02/24/2012



Citation and Notification of Penalty

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224

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

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

On or about August 31, 2011, training was not provided for employees exposed to chemicals such as, but not limited to: propane, lubricants, and coolants.

The Specialty Metals Processing, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.1200(h)(1), which was contained in OSHA inspection number 313893752, citation number 1, item number 8(c), and was affirmed as a final order on March 24, 2010, with respect to a workplace located at 837 Seasons Road, Stow, OH 44234.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated:	03/25/2012
Proposed Penalty:	\$6160.00



Citation and Notification of Penalty

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224

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

29 CFR 1904.29(a): A Log of all Work-Related Injuries and Illnesses (OSHA Form 300), and/or the Summary of Work-Related Injuries and Illnesses, (OSHA Form 300-A), and/or the Injury and Illness Incident Report (OSHA Form 301) or equivalent forms were not kept by the establishment:

On or about 8/31/11, the OSHA Form 300 Logs and OSHA Form 301s for the years 2008, 2009 and 2010 were not kept; and the OSHA Form 301 was not created for the year 2008 and 2009.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 02/25/2012
Proposed Penalty: \$770.00

Citation 3 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.178(l)(6): The employer did not certify that each operator has been trained and evaluated as required by this paragraph (l):

On or about 8/31/11, certification of training for employees authorized to operate lift trucks, was not available.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date by which Violation must be Abated: 03/25/2012
Proposed Penalty: \$.00

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

Inspection Number: 98679
Inspection Date(s): 08/31/2011 - 08/31/2011
Issuance Date: 02/24/2012



Citation and Notification of Penalty

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224

A handwritten signature in black ink, appearing to read "H. B. Eberts", written over a horizontal line.

Howard B. Eberts
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1240 East 9th Street Room 899
Cleveland, OH 44199
Phone: 216-615-4266 Fax: 216-615-4234



INVOICE / DEBT COLLECTION NOTICE

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224
Issuance Date: 02/24/2012

Summary of Penalties for Inspection Number	98679
Citation 1, Serious	\$26180.00
Citation 2, Repeat - Serious	\$10780.00
Citation 3, Other-than-Serious	\$770.00
TOTAL PROPOSED PENALTIES	\$37730.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

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

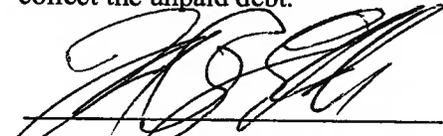
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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

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

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

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



Howard B. Eberts

Area Director

2-24-2012

Date

U.S. Department of Labor Occupational Safety and Health Administration
1240 East 9th Street,
Room 899
Cleveland, OH 44199
Phone: 216-615-4266 Fax: 216-615-4234



July 12, 2013

Specialty Metals Processing, Inc.
837 Seasons Rd.
Stow, OH 44224

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000) revised 1990, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of the date together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

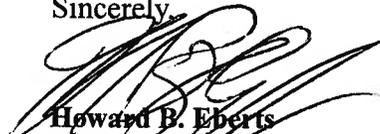
As indicated on page 8 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During an informal conference, you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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.

Sincerely,



Howard B. Eberts
Area Director

Enclosures

U.S. Department of Labor
Occupational Safety and Health Administration
1240 East 9th Street
Room 899
Cleveland, OH 44199
Phone: 216-615-4266 Fax: 216-615-4234



Citation and Notification of Penalty

To:
Specialty Metals Processing, Inc.
837 Seasons Rd.
Stow, OH 44224

Inspection Number: 837223
Inspection Date(s): 01/16/2013 - 01/16/2013
Issuance Date: 07/12/2013

Inspection Site:
837 Seasons Rd.
Stow, OH 44224

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.

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

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

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/12/2013. The conference will be held by telephone or at the OSHA office located at 1240 East 9th Street, Room 899, Cleveland, OH 44199 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 837223

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224
Issuance Date: 07/12/2013

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 1240 East 9th Street, Room 899, Cleveland, OH 44199**

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: 837223
Inspection Date(s): 01/16/2013 - 01/16/2013
Issuance Date: 07/12/2013



Citation and Notification of Penalty

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224

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

29 CFR 1910.147(c)(7)(i): Affected employees were not instructed in the purpose and use of the energy control procedure:

On or about January 16, 2013, training was not provided for affected persons, including new and temporary employees, exposed to machines under lockout/tagout during servicing and/or maintenance.

SPECIALTY METALS PROCESSING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, (1910.147(c)(7)(i)), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER (98679), CITATION NUMBER 01, ITEM NUMBER 04, AND WAS AFFIRMED AS A FINAL ORDER ON (03/20/2012), WITH RESPECT TO A WORKPLACE LOCATED AT (837 SEASONS RD. STOW, OH 44224).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/28/2013
Proposed Penalty:	\$7700.00

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: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224

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

29 CFR 1910.157(g)(2): The educational program to familiarize employees with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting was not provided to all employees upon initial employment, and at least annually thereafter:

On or about January 16, 2013, employees designated to use fire extinguishers were not trained annually or initially upon hire.

SPECIALTY METALS PROCESSING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, (1910.157(g)(2)), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER (313893752), CITATION NUMBER 01, ITEM NUMBER 06, AND WAS AFFIRMED AS A FINAL ORDER ON (03/24/2010), WITH RESPECT TO A WORKPLACE LOCATED AT (837 SEASONS RD. STOW, OH 44224).

SPECIALTY METALS PROCESSING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, (1910.157(g)(2)), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER (98679), CITATION NUMBER 02, ITEM NUMBER 01, AND WAS AFFIRMED AS A FINAL ORDER ON (03/20/2012), WITH RESPECT TO A WORKPLACE LOCATED AT (837 SEASONS RD. STOW, OH 44224).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/16/2013
\$4620.00

Howard B. Eberts
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
1240 East 9th Street
Room 899
Cleveland, OH 44199
Phone: 216-615-4266 Fax: 216-615-4234



INVOICE / DEBT COLLECTION NOTICE

Company Name: Specialty Metals Processing, Inc.
Inspection Site: 837 Seasons Rd., Stow, OH 44224
Issuance Date: 07/12/2013

Summary of Penalties for Inspection Number	837223
Citation 2, Repeat	\$12320.00
TOTAL PROPOSED PENALTIES	\$12320.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

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

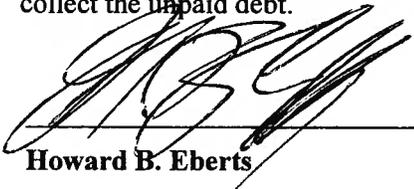
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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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.



Howard B. Eberts
Area Director

7/12/13

Date