

COPY



U.S. Department of Labor
Occupational Safety and Health Administration
J.C. Cleveland Federal Building
53 Pleasant Street, Room 3901
Concord, NH 03301
Phone: (603)225-1629 FAX: (603)225-1580

Citation and Notification of Penalty

To:
Stowe Woodward LLC
and its successors
60 Old Turnpike Rd.
Concord, NH 03301

Inspection Number: 314046335
Inspection Date(s): 03/08/2011-07/14/2011
Issuance Date: 09/06/2011

Inspection Site:
60 Old Turnpike Rd.
Concord, NH 03301

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 page 4 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 are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the 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 citation states that 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 certification 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.

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 09/06/2011. The conference will be held at the OSHA office located at J.C. Cleveland Federal Building, 53 Pleasant Street, Room 3901, Concord, NH, 03301 on _____ at _____.

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

ABATEMENT CERTIFICATION

Rosemarie Ohar, Area Director
U.S. Department of Labor - OSHA
J.C. Cleveland Federal Building
53 Pleasant Street, Room 3901
Concord, NH 03301
Phone: (603)225-1629

Stowe Woodward LLC
60 Old Turnpike Rd.
Concord, NH 03301

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by the following action: _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by the following action: _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by the following action: _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by the following action: _____

*I attest that the information contained in this document is accurate and that
the affected employees and their representatives have been informed of the
abatement activities described in this certification.*

Signature

Typed or Printed Name



Citation and Notification of Penalty

Company Name: Stowe Woodward LLC
Inspection Site: 60 Old Turnpike Rd., Concord, NH 03301

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

29 CFR 1910.110(f)(2)(ii): Containers which were stored inside were located near exits, stairways, or in areas which were normally used or intended for the safe exit of people:

- a. Exit door next to storage room #2 - Propane cylinders were stored next to the exit door.

Date By Which Violation Must be Abated: 09/12/2011
Proposed Penalty: \$ 5000.00

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

29 CFR 1910.178(q)(7): Industrial trucks were not examined before being placed in service:

- a. The Clark S/N 1015-106-7013 forklift was not examined before use during each shift.
- b. The Clark model #00350 S/N 138NC-0017-5516FA forklift was not examined before use during each shift.
- c. The Daewoo model #C30P-3 S/N GB-00670 forklift was not examined before use during each shift.

Specific abatement documentation is required.

Date By Which Violation Must be Abated: 09/12/2011
Proposed Penalty: \$ 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: Stowe Woodward LLC
Inspection Site: 60 Old Turnpike Rd., Concord, NH 03301

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

29 CFR 1910.179(j)(2): Frequent inspections of components were not conducted as required:

- a. The Philadelphia 40 ton crane S/N 93S2102-21 was not examined on a daily basis.
- b. The P&H 2-20 ton crane, S/N 338445T1& T2 was not examined on a daily basis.
- c. The Shepard Niles 40 ton crane, S/N 69133 was not examined on a daily basis.
- d. The P&H 40 ton crane, S/N CB-30 1289BP was not examined on a daily basis.
- e. The Loudon 2 ton crane, S/N 7587 was not examined on a daily basis.

Date By Which Violation Must be Abated: 09/12/2011
Proposed Penalty: \$ 5000.00

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

29 CFR 1910.215(b)(9): The distance between the abrasive wheel periphery(s) and the adjustable tongue or the end of the safety guard peripheral member at the top exceeded one fourth inch:

- a. Cincinnati model type 102 bench grinder - The tongue guard was located 1 inch from the wheel.

Date By Which Violation Must be Abated: 09/12/2011
Proposed Penalty: \$ 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: Stowe Woodward LLC
Inspection Site: 60 Old Turnpike Rd., Concord, NH 03301

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

29 CFR 1910.216(b)(1)(ii): Safety tripod top rod shall not be more than 72 inches above the level on which the operator stands:

- a. Rubber Mill #1&2 - The safety tripod was located 76 inches above the operator station.

Specific abatement documentation is required.

Date By Which Violation Must be Abated: 09/12/2011
Proposed Penalty: \$ 5000.00

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

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

- a. Compressed air used at employees workstations for cleaning purposes exceeded 30 p.s.i.

Date By Which Violation Must be Abated: 09/12/2011
Proposed Penalty: \$ 5000.00

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

29 CFR 1910.303(g)(1)(i): Workspace was less than 30 inches wide in front of electric equipment operating at 600 volts, nominal, or less:

- a. A 55 gallon vacuum drum was stored 16 inches in front of electrical disconnects.

Date By Which Violation Must be Abated: 09/12/2011
Proposed Penalty: \$ 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: Stowe Woodward LLC
Inspection Site: 60 Old Turnpike Rd., Concord, NH 03301

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

29 CFR 1910.304(g)(5): The path to ground from circuits, equipment, and enclosures was not permanent, continuous, and effective:

- a. Four shop fans had missing grounding pins.

Date By Which Violation Must be Abated:	09/12/2011
Proposed Penalty:	\$ 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: Stowe Woodward LLC
Inspection Site: 60 Old Turnpike Rd., Concord, NH 03301

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

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

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:

- a. The employer did not develop, did not document and did not utilize a lockout procedure for the Naxos Union Grinder.
- b. The employer did not develop, did not document and did not utilize a lockout procedure for the Extruder.
- c. The employer did not develop, did not document and did not utilize a lockout procedure for the Skoda Lathe.
- d. The employer did not develop, did not document and did not utilize a lockout procedure for the Niles Lathe.
- e. The employer did not develop, did not document and did not utilize a lockout procedure for the Poreba Lathe.
- f. The employer did not develop, did not document and did not utilize a lockout procedure for the Summit Grinder.
- g. The employer did not develop, did not document and did not utilize a lockout procedure for the Lobdell Grinder.
- h. The employer did not develop, did not document and did not utilize a lockout procedure for the Lchold Chemical Mixing Machine.

Stowe Woodward was previously cited for violations of this Occupational Safety and Health Standard, 29 CFR 1910.147(c)(4)(i), or equivalent standard with respect to a workplace located at 8207 Valley Pike, Middletown,

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: Stowe Woodward LLC
Inspection Site: 60 Old Turnpike Rd., Concord, NH 03301

VA, in OSHA Inspection Number 310771993, Citation Number 02, Item Number 02, with a final order date on or about May 18, 2007; and

with respect to a workplace located at 912 Haase St, Neenah, WI, in OSHA Inspection Number 103055240, Citation Number 01, Items Number 02A and 02B, with a 1991 final order date.

Specific abatement documentation is required.

Date By Which Violation Must be Abated:	09/12/2011
Proposed Penalty:	\$ 55000.00

Citation 2 Item 1b Type of Violation: Willful

29 CFR 1910.147(c)(7)(i): The employer did not provide training to ensure that employees acquired the knowledge and skills required for the safe application, usage and removal of energy control devices:

- a. The employer did not provide adequate lockout/tagout training for their employees.

Specific abatement documentation is required.

Date By Which Violation Must be Abated:	09/12/2011
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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.



Citation and Notification of Penalty

Company Name: Stowe Woodward LLC
Inspection Site: 60 Old Turnpike Rd., Concord, NH 03301

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

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

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazard(s) created by rotating parts and ingoing nip points:

- a. Naxos Union Grinder was not guarded at the following locations: the rotating chuck and rotating drive shaft. Additionally, the grinder's in-running nip point was not guarded.
- b. Extruder was not guarded at the following locations: the rotating chuck and rotating drive shaft.
- c. Skoda Lathe was not guarded at the following locations: the rotating chuck and rotating drive shaft.
- d. Niles Lathe was not guarded at the following locations: the rotating chuck and rotating drive shaft.
- e. Poreba Lathe was not guarded at the following locations: the rotating chuck and rotating drive shaft.
- f. The Summit grinder was not guarded at the following locations: the rotating chuck and rotating drive shaft.
- g. The Lobdell grinder was not guarded at the following locations: the rotating chuck and rotating drive shaft.

Stowe Woodward was previously cited for fatality-related violations of this Occupational Safety and Health Standard, 29 CFR 1910.212(a)(1) with respect to a workplace located at Everee Inn Road, Griffin, GA, in OSHA Inspection Number 300622727, Citation Number 01, Item Number 01, with a final order date on or about October 20, 1999; and

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: Stowe Woodward LLC
Inspection Site: 60 Old Turnpike Rd., Concord, NH 03301

with respect to a workplace located at 3101 McDonald Ave., Ruston, LA, in OSHA Inspection Number 309078897, Citation Number 01, Item Number 01, with a final order date on or about November 4, 2005.

In addition, Stowe Woodward was also previously cited for violations of this Occupational Safety and Health Standard, 29 CFR 1910.212(a)(1), or equivalent standard with respect to a workplace located at 2000 Donal Ross Rd., Charlotte, NC, in OSHA Inspection Number 312773815, Citation Number 01, Item Number 1, with a final order date on or about March 12, 2009; and

with respect to a workplace located at 140 Conway Black Road, Spartanburg, SC, in OSHA Inspection Number 115690414, Citation Number 01, Item Number 3, with a final order date on or about April 23, 1993; and

with respect to a workplace located at 912 Haase St, Neenah, WI, in OSHA Inspection Number 103055240, Citation Number 01, Item Number 06, with a 1991 final order date.

Specific abatement documentation is required.

Date By Which Violation Must be Abated:	09/12/2011
Proposed Penalty:	\$ 70000.00



Citation and Notification of Penalty

Company Name: Stowe Woodward LLC
Inspection Site: 60 Old Turnpike Rd., Concord, NH 03301

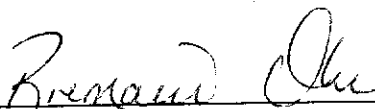
Citation 2 Item 2b Type of Violation: **Willful**

29 CFR 1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

- a. The point of operation where the cutting machine knife was applied to the roll on the Skoda lathe was not guarded.
- b. The point of operation where the cutting machine knife was applied to the roll on the Poreba lathe was not guarded.

Specific abatement documentation is required.

Date By Which Violation Must be Abated: 09/12/2011



Rosemarie Ohar
Area Director

U.S. Department of Labor

Occupational Safety and Health Administration
J.C. Cleveland Federal Building
53 Pleasant Street, Room 3901
Concord, NH 03301
Phone: (603)225-1629 FAX: (603)225-1580



INVOICE/ DEBT COLLECTION NOTICE

Company Name: Stowe Woodward LLC
Inspection Site: 60 Old Turnpike Rd., Concord, NH 03301
Issuance Date: 09/06/2011
Summary of Penalties for Inspection Number 314046335

Citation 1, Serious	= \$ 40000.00
Citation 2, Willful	= \$ 125000.00
TOTAL PROPOSED PENALTIES	= \$ 165000.00

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 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, conditions, or endorsements do not exist.

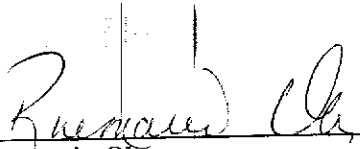
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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

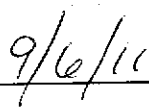
Interest. Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is 4%. Interest 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.



Rosemarie Ohar
Area Director



Date