

U.S. Department of Labor OSHA
1240 East 9th St., Rm. 899
Cleveland, OH 44199

December 5, 2012

TIMKEN CO
1835 DUEBAR AVE. S.W.
Canton, OH 44706

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 your inspection will be available 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.

Sincerely,

Bridgette A. Frank

for **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:
TIMKEN CO
1835 DUEBAR AVE. S.W.
Canton, OH 44706

Inspection Number: 462358
Inspection Date(s): 06/08/2012 - 06/18/2012
Issuance Date: 12/05/2012

Inspection Site:
2401 GAMBRINUS AVE., S.W.
Canton, OH 44706

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.

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 12/05/2012. The conference will be held 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: 462358

Company Name: TIMKEN CO

Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

Issuance Date: 12/05/2012

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



Citation and Notification of Penalty

Company Name: TIMKEN CO

Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

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

29 CFR 1910.22(a)(2): Floor(s) of workroom(s) were not maintained in a clean and, so far as possible, a dry condition:

On 6/18/2012, the Gambrinus roller bearing plant in department 74 roller grinding and department 64 roller headers had work floors that were constructed of wood blocks that were very oily and caused the work floor to be slippery.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/25/2012

Proposed Penalty:

\$3300.00

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: TIMKEN CO

Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

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

29 CFR 1910.147(f)(3)(ii)(D): Each authorized employee did not affix a personal lockout or tagout device to the group lockout device before working on the machine or equipment:

On and before 6/18/2012, the employer did not ensure that authorized employees used a personal lockout device to lock the group lockout box. Each authorized employee had a universal key for opening the group lockout boxes throughout the Gambrinus roller bearing plant.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/25/2012

Proposed Penalty:

\$5500.00

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



Citation and Notification of Penalty

Company Name: TIMKEN CO

Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

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

29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use:

On 6/18/2012, the Gambrinus roller bearing plant heat treatment department line 81 hardener area emergency eyewash was not immediately accessible. The eyewash nozzle was wrapped in plastic, the work floor at the eyewash had hoses, an electrical flexible cord and was oily and slippery.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

12/15/2012
\$4400.00

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



Citation and Notification of Penalty

Company Name: TIMKEN CO

Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

Citation 1 Item 4 Type of Violation: **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 and before 6/8/2012, the employer did not ensure that all of the designated maintenance employees at the Gambrinus roller bearing plant received annual portable fire extinguisher training.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/09/2013

Proposed Penalty:

\$3300.00



Citation and Notification of Penalty

Company Name: TIMKEN CO
Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

Citation 1 Item 5 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:

On 6/8/2012, the Gambrinus roller bearing plant had the following abrasive wheel pedestal grinders with periphery guarding that was open more than 1/4 inch.

- a. The Cincinnati pedestal grinder in the hydromation room was open to 3/4 of an inch.
- b. The Cincinnati pedestal grinder in the cold forming area was open to 1 inch.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/15/2012
Proposed Penalty:	\$3300.00

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: TIMKEN CO

Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

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

29 CFR 1910.219(i)(2): Revolving surfaces of shaft coupling(s) were not covered by a safety sleeve:

On 6/18/2012, the Gambrinus roller bearing plant roller grinding department 29 thru feed line had a lovejoy coupling at the entry conveyor that did not have a cover guard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/15/2012

Proposed Penalty:

\$4400.00

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



Citation and Notification of Penalty

Company Name: TIMKEN CO

Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

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

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

On 6/8/2012, the Gambrinus roller bearing plant had compressed air used for cleaning at 60 psi in the hydromation room for the drill press and the 1.5 inch National cold former machine.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/15/2012

Proposed Penalty:

\$3300.00

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: TIMKEN CO

Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

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

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 were not guarded with a standard railing and toe board:

On 6/18/2012, the Gambrinus roller bearing plant in the heat treat department had two rotor tumbler finishing machines with elevated work platforms that did not have standard guard railings at the machine sides of the platforms.

TIMKEN CORPORATION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD 29CFR 1910.23(c)(3) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 311162226, CITATION NUMBER 1, ITEM 1, AND WAS AFFIRMED AS A FINAL ORDER ON 1/7/2008, WITH RESPECT TO A WORKPLACE LOCATED AT 1835 DUEBER AVE. CANTON, OHIO 44706.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/25/2012
Proposed Penalty:	\$22000.00

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: TIMKEN CO

Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

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

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 6/8/2012 and 6/18/2012, the Gambrinus roller bearing plant had the following machinery that was not properly guarded at ingoing nip points and rotating parts.

- a. Department 74 roller grinding, Odd Lot machines had size gauging rotating rollers with ingoing nip points.
- b. There were Centerless grinding machines that had rotating feeder rollers with ingoing nip points.
- c. There was a Rong Fu drill press in the hydromation room that did not have rotating chuck and tooling guarding.
- d. There was a Rong Fu drill press in department 74 that did not have rotating chuck and tooling guarding.
- e. There was a Cincinnati squaring shear in the hydromation room with hold down openings of 1 inch.

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: TIMKEN CO

Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

f. Department 64 cold forming had three National header machines with rotating parts that were not guarded.

TIMKEN CORPORATION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD 29CFR 1910.212(a)(1) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 315552331, CITATION NUMBER 1, ITEM 1, AND WAS AFFIRMED AS A FINAL ORDER ON 11/15/2011, WITH RESPECT TO A WORKPLACE LOCATED AT 1835 DUEBER AVE. CANTON, OHIO 44706

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/09/2013

Proposed Penalty:

\$27500.00

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: TIMKEN CO

Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

Citation 2 Item 3 Type of Violation: **Repeat**

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):

On 6/8/2012 and 6/18/2012, the Gambrinus roller bearing plant had the following machines that did not have point of operation safeguarding.

- a. Department 74 had center less grinders that had face to face rotating abrasive wheels that grind the bearing rollers.
- b. There was a Geka ironworker in the hydromation room that had a punch press section that was not guarded.
- c. There was a Cincinnati mechanical powered press brake in the hydromation room that did not have safeguarding.
- d. There was a Cincinnati squaring shear in the hydromation room with a barrier guard opening of 9/16 of an inch.

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: TIMKEN CO

Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

e. There was a stand alone Grappee end grinder on line 6334 with a cover plate bent open approximately 12 inches.

TIMKEN CORPORATION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD 29CFR 1910.212(a)(3)(ii) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 312934086, CITATION NUMBER 1, ITEM 3, AND WAS AFFIRMED AS A FINAL ORDER ON 07/14/2010, WITH RESPECT TO A WORKPLACE LOCATED AT 1835 DUEBER AVE. CANTON, OHIO 44706

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/09/2013

Proposed Penalty:

\$27500.00

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: TIMKEN CO

Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

Citation 2 Item 4 Type of Violation: **Repeat**

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

On 6/18/2012, the Gambrinus roller bearing plant had the following machinery with sprocket and chain assemblies that were not guarded.

- a. Odd Lot Company Asset Number 15106 entry feed drive to the separator rollers.
- b. Thru Feed Line 29, entry section to the conveyor.

TIMKEN CORPORATION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD 29CFR 1910.219(f)(3) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 312934086, CITATION NUMBER 1, ITEM 5, AND WAS AFFIRMED AS A FINAL OEDER ON 7/14/2010, WITH RESPECT TO A WORKPLACE LOCATED AT 1835 DUEBER AVE. CANTON, OHIO 44706

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/25/2012
Proposed Penalty:	\$22000.00

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: TIMKEN CO

Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706

Citation 2 Item 5 Type of Violation: **Repeat**

29 CFR 1910.305(b)(1)(ii): Unused openings in boxes, cabinets, or fittings were not effectively closed:

On 6/8/2012 and 6/18/2012, the Gambrinus roller bearing plant had the following electrical disconnect switches with unused openings.

a. Roller grind department, line 35 weld receptacle electrical disconnect switch had an unused opening at the side.

b. Cold forming department, 1.5 inch National header machine, bar stock feeder table an electrical disconnect switch with an unused opening at the top.

TIMKEN CORPORATION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD 29CFR 1910.305(b)(1)(i) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 311333215, CITATION NUMBER 2, ITEM 1, AND WAS AFFIRMED AS A FINAL ORDER ON 1/7/2008, WITH RESPECT TO A WORKPLACE LOCATED AT 1835 DUEBER AVE. CANTON, OHIO 44706.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/15/2012

Proposed Penalty:

\$44000.00

Breightle A. Frank

for **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: TIMKEN CO
Inspection Site: 2401 GAMBRINUS AVE., S.W., Canton, OH 44706
Issuance Date: 12/05/2012

Summary of Penalties for Inspection Number	462358
Citation 1, Serious	\$27500.00
Citation 2, Repeat	\$143000.00
TOTAL PROPOSED PENALTIES	\$170500.00

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.

Bridgette A. Frank

for Howard B. Eberts
Area Director

12/5/12
Date