

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1100 East Campbell Road, Suite 250  
Richardson, TX 75081  
Phone: 972-952-1330 Fax: 972-952-1338



## Citation and Notification of Penalty

**To:**  
Tyson Foods, Inc., dba Tyson Foods  
and its successors  
1019 Shelbyville Street  
Center, TX 75935

**Inspection Number:** 1127717  
**Inspection Date(s):** 02/22/2016 - 02/24/2016  
**Issuance Date:** 08/15/2016

**Inspection Site:**  
1019 Shelbyville Street  
Center, TX 75935

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

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

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

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

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

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

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

**Penalty Payment** – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

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

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

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

**Inspection Activity Data** – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at [www.osha.gov](http://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 08/15/2016. The conference will be held by telephone or at the OSHA office located at 1100 East Campbell Road, Suite 250, Richardson, TX 75081 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1127717**

Company Name: Tyson Foods, Inc., dba Tyson Foods  
Inspection Site: 1019 Shelbyville Street, Center, TX 75935  
Issuance Date: 08/15/2016

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, 1100 East Campbell Road, Suite 250, Richardson, TX 75081**

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:** Tyson Foods, Inc., dba Tyson Foods  
**Inspection Site:** 1019 Shelbyville Street, Center, TX 75935

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

1910.22(a)(2): Where wet processes were used, drainage was not maintained, and false floors, platforms, mats, or other dry standing places were not provided when practicable:

(a) This violation occurred on the mezzanine located within the main processing plant where employees working were exposed to a slip-and-fall hazard from the accumulation of liquid and fatty waste during their work shifts.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that where wet processes are used, drainage is maintained, and false floors, platforms, mats, or other dry standing places are provided when practicable.

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/01/2016  
\$7839.00



**Citation and Notification of Penalty**

**Company Name:** Tyson Foods, Inc., dba Tyson Foods  
**Inspection Site:** 1019 Shelbyville Street, Center, TX 75935

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

29 CFR 1910.23(a)(8): Every floor hole into which persons can accidentally walk were not guarded:

- (a) This violation occurred in the aisle in front of the whole bird line where employees walking through this area were exposed to a tripping hazard from a drain cover approximately 4.5 inches in diameter that was recessed into the concrete approximately 1.5 inches.
- (b) This violation occurred in the main walkway between the ossid department and the leg quarter line where employees walking through this area were exposed to a tripping hazard from a drain cover approximately 12 inches in diameter that was recessed into the concrete approximately 2 inches.
- (c) This violation occurred in the main walkway by the scale booths where employees walking through this area were exposed to a tripping hazard from a drain cover approximately 12 inches in diameter that was recessed into the concrete approximately 2 inches.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that every floor hole into which persons can accidentally walk are guarded.

Date By Which Violation Must be Abated: 09/01/2016  
Proposed Penalty: \$11758.00



**Citation and Notification of Penalty**

**Company Name:** Tyson Foods, Inc., dba Tyson Foods  
**Inspection Site:** 1019 Shelbyville Street, Center, TX 75935

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

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

(a) This violation occurred on or about February 23, 2016, at the shipping/staging area of the main processing plant where the exit access was blocked by pallet loads and approximately 24 inches wide.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that exit access(es) are at least 28 inches (71.1 cm) wide at all points.

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/25/2016  
\$5880.00



**Citation and Notification of Penalty**

**Company Name:** Tyson Foods, Inc., dba Tyson Foods  
**Inspection Site:** 1019 Shelbyville Street, Center, TX 75935

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

29 CFR 1910.132(a): Protective equipment was not used when necessary whenever hazards capable of causing injury and impairment were encountered:

(a) This violation occurred in the picking room where employees wearing personal fall arrest systems when standing on conveyor structures and tying off to conveyor hangers were exposed to a fall hazard of approximately eight (8) feet.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that fall protective equipment is attached to proper anchors.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/01/2016
Proposed Penalty:	\$12471.00

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:** Tyson Foods, Inc., dba Tyson Foods  
**Inspection Site:** 1019 Shelbyville Street, Center, TX 75935

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

29 CFR 1910.144(a)(3): Physical hazards such as: Striking against, stumbling, falling, tripping, and "caught in between" were not marked in yellow to designate caution:

(a) This violation occurred in the main processing plant, where employees walking on a catwalk located between two chiller tanks were exposed to a struck-against hazard from an unmarked conveyor located perpendicular to the catwalk approximately five (5) feet above the catwalk.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that physical hazards such as: striking against, stumbling, falling, tripping, and "caught in between" are marked in yellow to designate caution.

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/25/2016  
\$7839.00

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

**Inspection Number:** 1127717  
**Inspection Date(s):** 02/22/2016 - 02/24/2016  
**Issuance Date:** 08/15/2016



**Citation and Notification of Penalty**

**Company Name:** Tyson Foods, Inc., dba Tyson Foods  
**Inspection Site:** 1019 Shelbyville Street, Center, TX 75935

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

29 CFR 1910.176(b): Storage of material created a hazard:

(a) This violation occurred at the main processing plant where employees were exposed to a struck-by hazard from falling chicken/totes due to damaged totes used to build stacks.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that storage of material does not create a hazard.

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/25/2016  
\$7839.00

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:** Tyson Foods, Inc., dba Tyson Foods  
**Inspection Site:** 1019 Shelbyville Street, Center, TX 75935

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**Citation 1 Item 7** 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:

- (a) This violation occurred in the debone area, on trim line 1 where a conveyor belt was unguarded exposing employees to a caught-in hazard.
- (b) This violation occurred in the debone area, on trim line 2 where a conveyor belt was unguarded exposing employees to a caught-in hazard.
- (c) This violation occurred in the debone area, on trim line 3 where a conveyor belt was unguarded exposing employees to a caught-in hazard.
- (d) This violation occurred in the debone area, on trim line 4 where a conveyor belt was unguarded exposing employees to a caught-in hazard.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that one or more methods of machine guarding is provided to protect the operator and other employees from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	09/01/2016
Proposed Penalty:	\$12471.00

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:** Tyson Foods, Inc., dba Tyson Foods  
**Inspection Site:** 1019 Shelbyville Street, Center, TX 75935

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

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) This violation occurred at the labeling department, on box sealing line 1, where employees lifting a guard to unstick boxes going through the machine were exposed to a burn hazard from hot glue spray.
- (b) This violation occurred at the labeling department, on box sealing line 2, where employees lifting a guard to unstick boxes going through the machine were exposed to a burn hazard from hot glue spray.
- (c) This violation occurred at the labeling department, on box sealing line 3, where employees lifting a guard to unstick boxes going through the machine were exposed to a burn hazard from hot glue spray.
- (d) This violation occurred at the labeling department, on box sealing line 4, where employees lifting a guard to unstick boxes going through the machine were exposed to a burn hazard from hot glue spray.
- (e) This violation occurred at the labeling department, on box sealing line 5, where employees lifting a guard to unstick boxes going through the machine were exposed to a burn hazard from hot glue spray.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that guard(s) on machine(s) are affixed to the machine or secured elsewhere when attachment to the machine is not possible.

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/25/2016  
\$9799.00

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

**Inspection Number:** 1127717  
**Inspection Date(s):** 02/22/2016 - 02/24/2016  
**Issuance Date:** 08/15/2016



**Citation and Notification of Penalty**

**Company Name:** Tyson Foods, Inc., dba Tyson Foods  
**Inspection Site:** 1019 Shelbyville Street, Center, TX 75935

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**Citation 1 Item 9** 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) This violation occurred in the ossid area where maintenance employees using unregulated compressed air at approximately 60 p.s.i. to dry-off and clean machines prior to start-up were exposed to a struck-by hazard.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that compressed air used for cleaning purposes is reduced to less than 30 p.s.i.

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/25/2016  
\$5880.00

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:** Tyson Foods, Inc., dba Tyson Foods  
**Inspection Site:** 1019 Shelbyville Street, Center, TX 75935

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

29 CFR 1910.253(b)(2)(iv): Valve protection caps, where cylinders were designed to accept caps, were not always in place, hand-tight, except when cylinders were in use or connected for use:

(a) This violation occurred at the maintenance shop plant where compressed gas cylinders on a cart did not have their caps on.

(b) This violation occurred at the vehicle maintenance shop where a compressed gas cylinder on a cart did not have the cap on.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that valve protection caps, where cylinders are designed to accept caps, are always in place, hand-tight, except when cylinders were in use or connected for use.

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/19/2016  
\$9799.00



**Citation and Notification of Penalty**

**Company Name:** Tyson Foods, Inc., dba Tyson Foods  
**Inspection Site:** 1019 Shelbyville Street, Center, TX 75935

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

29 CFR 1910.253(b)(4)(iii): Oxygen cylinders in storage were not separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least one-half hour:

(a) This violation occurred at the vehicle maintenance shop where oxygen and fuel gas cylinders were being stored directly next to each other on a gas cart not in use exposing employees to a fire hazard.

(b) This violation occurred at the maintenance shop located within the plant where oxygen and fuel gas cylinders were being stored directly next to each other on a gas cart not in use exposing employees to a fire hazard.

TYSON FOODS, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.253(b)(4)(iii), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 528038, CITATION NUMBER 001 ITEM NUMBER 0004 AND WAS AFFIRMED AS A FINAL ORDER ON SEPTEMBER 13, 2013, WITH RESPECT TO A WORKPALCE LOCATED AT 6600 HIGHWAY 431, ALBERTVILLE, AL 35950.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure oxygen cylinders in storage are separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire resistance rating of at least one-half hour.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/25/2016
Proposed Penalty:	\$48994.00

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

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

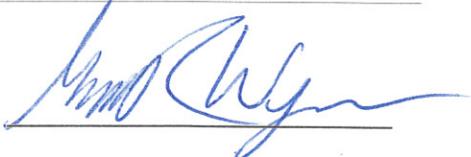
**Inspection Number:** 1127717  
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**Issuance Date:** 08/15/2016



**Citation and Notification of Penalty**

**Company Name:** Tyson Foods, Inc., dba Tyson Foods  
**Inspection Site:** 1019 Shelbyville Street, Center, TX 75935

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e **NOEL BUITRAGO**  
Acting 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  
1100 East Campbell Road, Suite 250  
Richardson, TX 75081  
Phone: 972-952-1330 Fax: 972-952-1338



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Tyson Foods, Inc., dba Tyson Foods  
**Inspection Site:** 1019 Shelbyville Street, Center, TX 75935  
**Issuance Date:** 08/15/2016

<b>Summary of Penalties for Inspection Number</b>	<b>1127717</b>
<b>Citation 1, Serious</b>	<b>\$91575.00</b>
<b>Citation 2, Repeat</b>	<b>\$48994.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$140569.00</b>

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To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

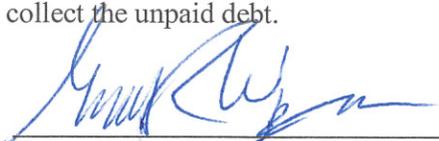
account, the bank will attempt to make the transfer up to 2 times.

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

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

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

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

  
\_\_\_\_\_  
A NOEL BUITRAGO

Acting Area Director

8/15/2016  
\_\_\_\_\_  
Date