

U.S. Department of Labor

Occupational Safety and Health Administration
7 North Wilkes-Barre Blvd.
Suite 410, The Stegmaier Building
Wilkes Barre, PA 18702
Phone: 570-826-6538 Fax: 570-821-4170

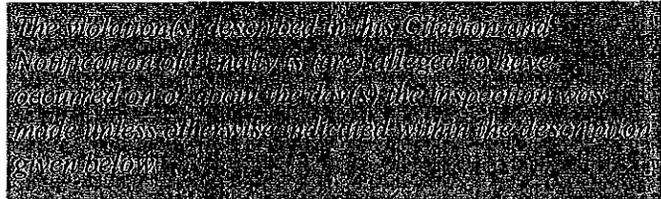


Citation and Notification of Penalty

To:
US GreenFiber, LLC
and its successors
1 Passan Drive
Building 2
Wilkes Barre, PA 18702

Inspection Number: 1102514
Inspection Date(s): 10/30/2015 - 04/28/2016
Issuance Date: 04/28/2016

Inspection Site:
1 Passan Drive
Building 2
Wilkes Barre, PA 18702



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. 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. 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 04/28/2016. The conference will be held by telephone or at the OSHA office located at 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702 on

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1102514

Company Name: US GreenFiber, LLC
Inspection Site: 1 Passan Drive, Building 2, Wilkes Barre, PA 18702
Issuance Date: 04/28/2016

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, 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702**

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: 1102514
Inspection Date(s): 10/30/2015 - 04/28/2016
Issuance Date: 04/28/2016



Citation and Notification of Penalty

Company Name: US GreenFiber, LLC
Inspection Site: 1 Passan Drive, Building 2, Wilkes Barre, PA 18702

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

29 CFR 1910.22(a)(1): All places of employment, passageways, storerooms or service rooms were not kept clean and orderly or in a sanitary condition:

a) US GreenFiber, Production Areas: There were accumulations of cellulose fiber dust, greater than or equal to 3/16 of an inch in thickness, on elevated I-beams, piping, housings, and other horizontal surfaces, as discovered on or about 12/09/2015.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:	05/28/2016
Proposed Penalty:	\$4500.00

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

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Citation and Notification of Penalty

Company Name: US GreenFiber, LLC
Inspection Site: 1 Passan Drive, Building 2, Wilkes Barre, PA 18702

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

29 CFR 1910.23(c)(3): Regardless of height, open-sided floors, walkways, platforms, or runways above or adjacent to dangerous equipment, pickling or galvanizing tanks, degreasing units, and similar hazards were not guarded with a standard railing and toe board:

a) US GreenFiber, Production Line 2 (Reynolds), Reclaim Area: An employee stood on an elevated platform while performing product reclaim operations at the Stantco 1800E reclaim hopper and the employer did not ensure that the platform was guarded on all sides with a standard railing, as discovered on or about 12/09/2016.

~~ABATED DURING INSPECTION~~
~~NO ABATEMENT CERTIFICATION REQUIRED~~

Date By Which Violation Must be Abated: _____ Corrected During Inspection
Proposed Penalty: _____ \$4500.00

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

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Citation and Notification of Penalty

Company Name: US GreenFiber, LLC
Inspection Site: 1 Passan Drive, Building 2, Wilkes Barre, PA 18702

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

29 CFR 1910.157(g)(1): An educational program was not provided for all employees to familiarize them with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting:

a) US GreenFiber, Production Areas: Fire extinguishers were present in the facility for employee use and employees were not provided with fire extinguisher training, as discovered on or about 04/14/2016.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:	06/12/2016
Proposed Penalty:	\$3600.00

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: 1102514
Inspection Date(s): 10/30/2015 - 04/28/2016
Issuance Date: 04/28/2016



Citation and Notification of Penalty

Company Name: US GreenFiber, LLC
Inspection Site: 1 Passan Drive, Building 2, Wilkes Barre, PA 18702

Citation 1 Item 4 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) US GreenFiber, Production Line 2 (Reynolds), Bagging Area: Employees were exposed to a crushing hazard in that the point of operation of the Reynolds Engineering HydraPak hydraulic press (right) was not fully guarded, as discovered on or about 12/09/2016.

ABATED DURING INSPECTION
NO ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4500.00

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: US GreenFiber, LLC
Inspection Site: 1 Passan Drive, Building 2, Wilkes Barre, PA 18702

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to dust explosion, deflagration, and/or other fire hazards from combustible paper solids:

a) US GreenFiber, Production Lines 1 (PSI) and 2 (Reynolds): The employer did not ensure that air material separators, including, but not limited to, cyclones and dust collectors, were equipped with deflagration venting systems that protect employees from deflagration hazards, as discovered on or about 11/10/2015.

b) US GreenFiber, Production Lines 1 (PSI) and 2 (Reynolds): The employer did not ensure that air moving devices, including, but not limited to, in-line blowers, were equipped with spark/fire detection and automatic suppression systems to prevent sparks and ignited material from spreading within the process and exposing employees to fire hazards, as discovered on or about 11/10/2015.

c) US GreenFiber, Production Lines 1 (PSI) and 2 (Reynolds): The employer did not ensure that material shredding equipment, including, but not limited to, hammer mills, were equipped with spark/fire detection and automatic suppression systems to prevent sparks and ignited material from spreading within the process and exposing employees to fire hazards, as discovered on or about 11/10/2015.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

ABATEMENT NOTE:

Among other methods, one feasible and acceptable method to correct this hazard includes, but is not limited to, the following:

1. Follow NFPA 654, Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids, 2013 Edition, and ensure the following:

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: US GreenFiber, LLC

Inspection Site: 1 Passan Drive, Building 2, Wilkes Barre, PA 18702

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- a) Install deflagration vents on air material separators and ensure these deflagration vents are vented through ducts to an un-occupied location outside the building or locate air material separators outside the building and provide suitable explosion prevention; and
 - b) Install an approved explosion prevention or isolation systems to prevent the propagation of the flame from the fans to other equipment Or relocate in-line blowers in a manner that prevents combustible particulate from passing through the air-moving devices; and
 - c) Install an approved explosion prevention or isolation systems to prevent the propagation of the flame from the hammer mill to other equipment; and
 - d) Install and maintain fire protection and suppression systems on all equipment that manufactures, processes, and handles combustible particulate solids.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/27/2016

Proposed Penalty:

\$49500.00

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

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Issuance Date: 04/28/2016



Citation and Notification of Penalty

Company Name: US GreenFiber, LLC
Inspection Site: 1 Passan Drive, Building 2, Wilkes Barre, PA 18702

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

29 CFR 1910.134(c)(2)(i): Respirator users were not provided with the information contained in Appendix D to 29 CFR 1910.134 when the employer determined that any voluntary respirator use was permissible:

a) US GreenFiber, Production Areas: Employees voluntarily wore dust mask respirators and were not provided with respirator training that contained the information in 1910.134, Appendix D, as discovered on or about 10/30/2015.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

05/28/2016
\$0.00

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

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Citation and Notification of Penalty

Company Name: US GreenFiber, LLC
Inspection Site: 1 Passan Drive, Building 2, Wilkes Barre, PA 18702

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

a) US GreenFiber, Production Areas: Employees worked with hazardous chemicals, including, but not limited to, cellulose fiber insulation, and these employees were not provided with hazard communication training, as discovered on or about 10/30/2015.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

05/28/2016
\$0.00

A handwritten signature in black ink, appearing to read "Mark Stelmack", written over a horizontal line.

Mark Stelmack
Area Director

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