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## Citation and Notification of Penalty

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**To:**  
Venture Metals, LLC  
10848 Luna Road  
Dallas, TX 75220

**Inspection Number:** 1311130  
**Inspection Date(s):** 04/25/2018 - 10/19/2018  
**Issuance Date:** 10/22/2018

**Inspection Site:**  
10848 Luna Road  
Dallas, TX 75220

*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.*

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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 by calling 972-952-1330. 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 10/22/2018. 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

Company Name: Venture Metals, LLC  
Inspection Site: 10848 Luna Road, Dallas, TX 75220  
Issuance Date: 10/22/2018

Inspection Number: 1311130

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: Venture Metals, LLC

Inspection Site: 10848 Luna Road, Dallas, TX 75220

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

29 CFR 1910.95(g)(6): At least annually after obtaining the baseline audiogram, the employer did not obtain a new audiogram for each employee exposed at or above an 8-hour time-weighted average of 85 decibels:

On or about May 3, 2018 and at times prior thereto employees working in the cable shop, who were exposed to occupation noise at or above the action level of 85 decibels were not provided annual audiograms:

(a) One Granulator/Shaker operator was exposed to continuous noise levels at 143.3% of the permissible 8-hour TWA. The equivalent dBA level of 143.3% is approximately 92.5 dBA. Sampling was performed for 526 minutes during one shift. The action level (AL) was adjusted to 84.3 dBA for the extended shift;

(b) One laborer working in the despoiling area was exposed to continuous noise levels at 73.88% of the permissible 8-hour TWA. The equivalent dBA level of 73.88% is approximately 87.8 dBA. Sampling was performed for 516 minutes during one shift. The action level (AL) was adjusted to 84.5 dBA for the extended shift.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

12/10/2018

Proposed Penalty:

\$9959.00

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:** Venture Metals, LLC  
**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

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

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

29 CFR 1910.134(k)(1)(vii): The employer did not ensure that each user could demonstrate knowledge of the general requirements of 29 CFR 1910.134:

(a) On or about April 25, 2018 and at times prior thereto cable shop employees using half-faced respirators could not demonstrate knowledge of the general requirements of the respiratory standard including medical evaluations, fit testing, proper storage and using tight fitting respirators with facial hair, exposing employees to respiratory hazards including airborne lead.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	12/10/2018
Proposed Penalty:	\$7114.00

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:** Venture Metals, LLC  
**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

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

29 CFR 1910.134(k)(3): Training was not provided prior to requiring employees to use a respirator in the workplace:

(a) On or about April 25, 2018 and at times prior thereto employees in the cable shop using half-faced respirators were not provided training prior to the use of those respirators, exposing employees to respiratory hazards including airborne lead.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

12/10/2018

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: Venture Metals, LLC  
Inspection Site: 10848 Luna Road, Dallas, TX 75220

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

29 CFR 1910.134(l)(1): Evaluations of the workplace were not conducted to ensure the written respiratory protection program was being effectively implemented:

(a) On or about April 25, 2018 and at times prior thereto the employer did not conduct workplace evaluations to ensure the written respiratory protection program was being effectively implemented, exposing employees to respiratory hazards including airborne copper and lead.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

12/10/2018



Citation and Notification of Penalty

Company Name: Venture Metals, LLC  
Inspection Site: 10848 Luna Road, Dallas, TX 75220

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

29 CFR 1910.252(b)(2)(iii): Workers or other persons adjacent to the welding areas were not protected from the rays by noncombustible or flameproof screens or shields or by being required to wear appropriate goggles:

(a) On or about April 25, 2018 cable shop employees working near the granulator/shaker were exposed to eye burns while working adjacent to cutting/welding areas without being protected from ultraviolet radiation by using welding screens or shields or by wearing appropriate eye protection.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

11/16/2018  
\$7114.00



**Citation and Notification of Penalty**

**Company Name:** Venture Metals, LLC  
**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

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

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

29 CFR 1910.1027(m)(1)(ii): In classifying the hazards of cadmium at least the following hazards were not addressed: Cancer; lung effects; kidney effects; and acute toxicity effects:

(a) On or about April 25, 2018 the employer did not classify the hazards of cadmium including cancer, lung effects, kidney effects and acute toxicity effects for cable shop employees who are exposed to cadmium.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	12/10/2018
Proposed Penalty:	\$9959.00

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: Venture Metals, LLC  
Inspection Site: 10848 Luna Road, Dallas, TX 75220

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

29 CFR 1910.1027(m)(1)(iii): The employers did not include cadmium in the hazard communication program established to comply with the HCS (29 CFR 1910.1200) and the employers did not ensure that each employee has access to labels on containers of cadmium and to safety data sheets, and is trained in accordance with the requirements of hazard communication standard (HCS) and paragraph (m)(4) of this section:

(a) On or about April 25, 2018 and at times prior thereto the employer did not include cadmium in the written hazard communication program and employees were not trained in accordance with the hazard communication standard, exposing employees to hazards associated with cadmium exposure.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

12/10/2018

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: Venture Metals, LLC  
Inspection Site: 10848 Luna Road, Dallas, TX 75220

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

29 CFR 1910.1027(m)(4)(i): The employer did not train each employee who is potentially exposed to cadmium in accordance with the requirements of this section and the employer did not institute a training program, ensure employee participation in the program, and maintain a record of the contents of such program.

(a) On or about April 25, 2018 the employer did not institute a training program for cable shop employees who are exposed or potentially exposed to cadmium.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

12/10/2018



**Citation and Notification of Penalty**

**Company Name:** Venture Metals, LLC

**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

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**Citation 1 Item 5** Type of Violation: **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) On or about April 25, 2018 and at times prior thereto employees working in the cable shop who are exposed to arsenic were not provided with effective information and training on arsenic;

(b) On or about April 25, 2018 and at times prior thereto employees working in the cable shop who are exposed to copper or provided with effective information and training on copper.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

12/10/2018

Proposed Penalty:

\$9959.00

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: Venture Metals, LLC  
Inspection Site: 10848 Luna Road, Dallas, TX 75220

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

29 CFR 1910.95(d)(1): When information indicated that any employee's exposure equaled or exceed the 8-hour time-weighted average of 85 decibels, the employer did not develop and implement a monitoring program:

On or about May 3, 2018 and at times prior thereto the employer did not develop and implement a monitoring program for cable shop employees exposed to occupational noise equaling or exceeding an 8-hour time-weighted average of 85 decibels.

(a) One Granulator/Shaker operator was exposed to continuous noise levels at 143.3% of the permissible 8-hour TWA. The equivalent dBA level of 143.3% is approximately 92.5 dBA. Sampling was performed for 526 minutes during one shift. The action level (AL) was adjusted to 84.3 dBA for the extended shift;

(b) One laborer working in the despoiling area was exposed to continuous noise levels at 73.88% of the permissible 8-hour TWA. The equivalent dBA level of 73.88% is approximately 87.8 dBA. Sampling was performed for 516 minutes during one shift. The action level (AL) was adjusted to 84.5 dBA for the extended shift.

VENTURE METALS, LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.95(d)(1) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1077524, CITATION NUMBER 1 ITEM NUMBER 3 AND WAS AFFIRMED AS A FINAL ORDER ON JANUARY 25, 2016, WITH RESPECT TO A WORKPALCE LOCATED AT 1970 CROWN ROAD, FARMERS BRANCH, TX 75234.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/10/2018  
\$14228.00

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: Venture Metals, LLC  
Inspection Site: 10848 Luna Road, Dallas, TX 75220

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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: Venture Metals, LLC  
Inspection Site: 10848 Luna Road, Dallas, TX 75220

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

29 CFR 1910.95(g)(5)(i): The employer did not establish, within 6 months of an employee's first exposure at or above the action level, a valid baseline audiogram against which subsequent audiograms can be compared:

On or about May 3, 2018 and at times prior thereto employees working in the cable shop, who were exposed to occupation noise at or above the action level of 85 decibels, were not provided with baseline audiograms within 6 months of their first exposure:

(a) One Granulator/Shaker operator was exposed to continuous noise levels at 143.3% of the permissible 8-hour TWA. The equivalent dBA level of 143.3% is approximately 92.5 dBA. Sampling was performed for 526 minutes during one shift. The action level (AL) was adjusted to 84.3 dBA for the extended shift.

VENTURE METALS, LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.95(g)(5)(i) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1077524, CITATION NUMBER 1 ITEM NUMBER 4 GROUP B AND WAS AFFIRMED AS A FINAL ORDER ON JANUARY 25, 2016, WITH RESPECT TO A WORKPALCE LOCATED AT 1970 CROWN ROAD, FARMERS BRANCH, TX 75234.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	12/10/2018
Proposed Penalty:	\$14228.00

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: Venture Metals, LLC  
Inspection Site: 10848 Luna Road, Dallas, TX 75220

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

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

29 CFR 1910.95(i)(2)(ii)(A): The employer did not ensure that hearing protectors are worn by any employee who is exposed to an 8-hour time-weighted average of 85 decibels or greater and has not yet had a baseline audiogram established pursuant to 29 CFR 1910.95(g)(5)(ii):

(a) On or about May 3, 2018 and at times prior to, at least one employee working near the shaker/granulator was exposed to an 8-hour time-weighted average of 85 decibels or greater and who had not received a baseline audiogram was wearing earbuds (a small headphone used for listening to electronic devices) in place of hearing protection, exposing the employee to hearing loss.

VENTURE METALS, LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.95(i)(2)(ii) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1077524, CITATION NUMBER 1 ITEM NUMBER 5 AND WAS AFFIRMED AS A FINAL ORDER ON JANUARY 25, 2016, WITH RESPECT TO A WORKPALCE LOCATED AT 1970 CROWN ROAD, FARMERS BRANCH, TX 75234.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/10/2018  
\$14228.00

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:** Venture Metals, LLC  
**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

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

29 CFR 1910.95(i)(5): The employer did not ensure proper initial fitting and supervise the correct use of all hearing protectors:

On or about May 3, 2018 and at times prior thereto an employee working near the granulator/shaker was observed wearing ear plugs incorrectly; the entire length of the ear plugs were not inside the ear.

(a) One Granulator/Shaker operator was exposed to continuous noise levels at 143.3% of the permissible 8-hour TWA. The equivalent dBA level of 143.3% is approximately 92.5 dBA. Sampling was performed for 526 minutes during one shift. The action level (AL) was adjusted to 84.3 dBA for the extended shift.

VENTURE METALS, LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.95(i)(5) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1077524, CITATION NUMBER 1 ITEM NUMBER 6 AND WAS AFFRMEED AS A FINAL ORDER ON JANUARY 25, 2016, WITH RESPECT TO A WORKPALCE LOCATED AT 1970 CROWN ROAD, FARMERS BRANCH, TX 75234.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

12/10/2018

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: Venture Metals, LLC

Inspection Site: 10848 Luna Road, Dallas, TX 75220

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

29 CFR 1910.95(k)(1): The employer did not train each employee who is exposed to noise at or above an 8-hour time weighted average of 85 decibels in accordance with the requirements of this section. The employer shall institute a training program and ensure employee participation in the program.

On or about May 3, 2018 and at times prior thereto the employer did not institute a training program and did not train each employee who is exposed to noise at or above an 8-hour time-weighted average of 85 decibels in accordance with 29 CFR 1910.95, exposing employees to hazards associated with occupational noise:

(a) One Granulator/Shaker operator was exposed to continuous noise levels at 143.3% of the permissible 8-hour TWA. The equivalent dBA level of 143.3% is approximately 92.5 dBA. Sampling was performed for 526 minutes during one shift. The action level (AL) was adjusted to 84.3 dBA for the extended shift;

(b) One laborer working in the despoiling area was exposed to continuous noise levels at 73.88% of the permissible 8-hour TWA. The equivalent dBA level of 73.88% is approximately 87.8 dBA. Sampling was performed for 516 minutes during one shift. The action level (AL) was adjusted to 84.5 dBA for the extended shift.

VENTURE METALS, LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.95(k)(1) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1077524, CITATION NUMBER 1 ITEM NUMBER 7 AND WAS AFFIRMED AS A FINAL ORDER ON JANUARY 25, 2016, WITH RESPECT TO A WORKPALCE LOCATED AT 1970 CROWN ROAD, FARMERS BRANCH, TX 75234.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

12/10/2018

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: Venture Metals, LLC  
Inspection Site: 10848 Luna Road, Dallas, TX 75220

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Proposed Penalty: \$14228.00

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:** Venture Metals, LLC  
**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

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

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

29 CFR 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator, before the employee was fit tested or required to use the respirator in the workplace:

(a) On April 25, 2018 the employer did not provide medical evaluations for employees in the receiving area of the cable shop who are required to wear respirators, exposing employees to respiratory hazards including airborne copper and lead.

VENTURE METALS, LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.134(e)(1) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1077524, CITATION NUMBER 1 ITEM NUMBER 8 AND WAS AFFIRMED AS A FINAL ORDER ON JANUARY 25, 2016, WITH RESPECT TO A WORKPALCE LOCATED AT 1970 CROWN ROAD, FARMERS BRANCH, TX 75234.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	12/10/2018
Proposed Penalty:	\$14228.00

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:** Venture Metals, LLC  
**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

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

29 CFR 1910.134(f)(2): The employer did not ensure that an employee using a tight-fitting facepiece respirator is fit tested prior to initial use of the respirator, whenever a different respirator facepiece (size, style, model or make) is used, and at least annually thereafter:

(a) On or about April 25, 3028 and at times prior thereto the employer did not ensure that employees working in the cable shop, who are required to use half face respirators, received an initial fit tested prior to the initial use of the respirator;

(a) On or about April 25, 3028 and at times prior thereto the employer did not ensure that employees working in the cable shop, who are required to use half face respirators, received an annual fit test.

VENTURE METALS, LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.134(f)(2) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1077524, CITATION NUMBER 1 ITEM NUMBER 9 AND WAS AFFIRMED AS A FINAL ORDER ON JANUARY 25, 2016, WITH RESPECT TO A WORKPALCE LOCATED AT 1970 CROWN ROAD, FARMERS BRANCH, TX 75234.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 12/10/2018



**Citation and Notification of Penalty**

**Company Name:** Venture Metals, LLC  
**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

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

29 CFR 1910.134(h)(2)(i): Respirators were not stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals or were not packed or stored to prevent deformation of the facepiece and exhalation valve:

Employees used respirator contaminated with lead.

(a) One wipe sample taken on May 3, 2018 showed that the inside of a half-faced respirator stored in a plastic bag in the cable shop was contaminated with lead.

VENTURE METALS, LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.134(h)(2)(i) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1077524, CITATION NUMBER 1 ITEM NUMBER 10 AND WAS AFFIRMED AS A FINAL ORDER ON JANUARY 25, 2016, WITH RESPECT TO A WORKPALCE LOCATED AT 1970 CROWN ROAD, FARMERS BRANCH, TX 75234.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

12/10/2018

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:** Venture Metals, LLC  
**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

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

#### Citation 2 Item 6 a Type of Violation: **Repeat**

29 CFR 1910.1025(h)(1): All surfaces were not maintained as free as practicable of accumulations of lead:

On or about April 25, 2018 and at times prior thereto all surfaces were not maintained as free as practicable of accumulations of lead, exposing employees to lead:

- (a) The right side of the keyboard on the computer desk is contaminated with lead;
- (b) The filing cabinet near the coffee pot is contaminated with lead;
- (c) The small table between the computer desk and the filing cabinet where employees keep their drinks is contaminated with lead;
- (d) The left side of the keyboard on the computer desk is contaminated with lead;
- (e) The floor near the chop saw in the receiving area of the cable shop is contaminated with lead;
- (f) The floor near the 1st despooler in the cable shop is contaminated with lead;
- (g) The floor near the 2nd despooler in the cable shop is contaminated with lead.
- (h) The table near the blue door in the break room was contaminated with lead;
- (i) The table in front of the white microwave in the break room was contaminated with lead;
- (j) The wooden bench in the employee changing room was contaminated with lead;

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:** Venture Metals, LLC  
**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

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- (k) The soap holder in the employee show was contaminated with lead;
- (l) The handle of a locker in the employee locker room was contaminated with 5lead;
- (m) The workbench in the cable shop where the chop saw is used to cut leaded material is contaminated with lead;
- (n) Conference room table in upstairs conference room by in the production building was contaminated with lead.

VENTURE METALS, LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.1025(h)(1) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1077524, CITATION NUMBER 1 ITEM NUMBER 17 AND WAS AFFIRMED AS A FINAL ORDER ON JANUARY 25, 2016, WITH RESPECT TO A WORKPALCE LOCATED AT 1970 CROWN ROAD, FARMERS BRANCH, TX 75234.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	12/10/2018
Proposed Penalty:	\$14228.00

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:** Venture Metals, LLC  
**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

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Citation 2 Item 6 b Type of Violation: **Repeat**

29 CFR 1910.1025(h)(2)(ii): Shoveling, sweeping or brushing methods were used to remove lead accumulations where vacuuming or other equally effective methods were available and feasible:

(a) On or about April 25, 2018 and at times prior thereto employees in the cable shop dry sweep dust containing lead, exposing employees to airborne lead.

VENTURE METALS, LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.1025(h)(2)(ii) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1077524, CITATION NUMBER 1 ITEM NUMBER 18 AND WAS AFFIRMED AS A FINAL ORDER ON JANUARY 25, 2016, WITH RESPECT TO A WORKPALCE LOCATED AT 1970 CROWN ROAD, FARMERS BRANCH, TX 75234.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 12/10/2018

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: Venture Metals, LLC  
Inspection Site: 10848 Luna Road, Dallas, TX 75220

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

29 CFR 1910.95(l)(1): The employer did not make available to affected employees or their representatives copies of 29 CFR 1910.95 and did not post a copy in the workplace:

(a) On or about April 25, 2018 and at times prior thereto the employer did not make copies of 29 CFR 1910.95 available to employees working in the warehouse area.

VENTURE METALS, LLC WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.1025(l)(1) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 1077524, CITATION NUMBER 2 ITEM NUMBER 1 AND WAS AFFIRMED AS A FINAL ORDER ON JANUARY 25, 2016, WITH RESPECT TO A WORKPALCE LOCATED AT 1970 CROWN ROAD, FARMERS BRANCH, TX 75234.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	12/10/2018
Proposed Penalty:	\$2846.00

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:** Venture Metals, LLC  
**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

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

**Citation 4 Item 1 a Type of Violation: **Other-than-Serious****

29 CFR 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace; this evaluation shall include a reasonable estimate of employee exposures to respiratory hazard(s) and an identification of the contaminant's chemical state and physical form. Where the employer cannot identify or reasonably estimate the employee exposure, the employer shall consider the atmosphere to be IDLH:

- (a) On or about May 3, 2018 and at times prior thereto, the employer did not identify and evaluate the respiratory hazards for employees working on/near the granulator/shaker, exposing employees to hazards associated with inhalation of copper;
- (b) On or about May 3, 2018 and at times prior thereto, the employer did not identify and evaluate the respiratory hazards for employees working in the despooling area of the cable shop, exposing employees to hazards associated with inhalation of copper.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	12/10/2018
Proposed Penalty:	\$4268.00

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:** Venture Metals, LLC  
**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

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Citation 4 Item 1 b Type of Violation: **Other-than-Serious**

29 CFR 1910.134(g)(1)(i)(A): Respirators with tight-fitting facepieces were worn by employees who had facial hair that came between the sealing surface of the facepiece and the face or that interfered with valve function:

(a) On or about May 3, 2018 and at times prior thereto half-faced respirators were worn by cable shop employees who had facial hair that came between the sealing surface of the respirator and the face, exposing employees to respiratory hazards from lead.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

12/10/2018

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: Venture Metals, LLC  
Inspection Site: 10848 Luna Road, Dallas, TX 75220

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

Citation 4 Item 2 a Type of Violation: **Other-than-Serious**

29 CFR 1910.1025(g)(2)(vii)(A): The employer did not ensure that labels of bags or containers of contaminated protective clothing and equipment include the following information: DANGER: CLOTHING AND EQUIPMENT CONTAMINATED WITH LEAD. MAY DAMAGE FERTILITY OR THE UNBORN CHILD. CAUSES DAMAGE TO THE CENTRAL NERVOUS SYSTEM. DO NOT EAT, DRINK OR SMOKE WHEN HANDLING. DO NOT REMOVE DUST BY BLOWING OR SHAKING. DISPOSE OF LEAD CONTAMINATED WASH WATER IN ACCORDANCE WITH APPLICABLE LOCAL, STATE, OR FEDERAL REGULATIONS:

(a) On or about April 25, 2018 and at times prior thereto bags and containers where employees throw their used personal protective equipment (PPE) contaminated with lead such as gloves, white smocks, and disposable N-95 respirators were not labeled to alert employees of the contaminated PPE, exposing employees to lead.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	12/10/2018
Proposed Penalty:	\$4268.00

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:** Venture Metals, LLC  
**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

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Citation 4 Item 2 b Type of Violation: **Other-than-Serious**

29 CFR 1910.1027(m)(3)(ii): The warning labels for containers of contaminated protective clothing, equipment, waste, scrap, or debris shall include at least the following information: DANGER, CONTAINS CADMIUM, MAY CAUSE CANCER, CAUSES DAMAGE TO LUNGS AND KIDNEYS, AVOID CREATING DUST:

(a) On or about May 3, 2018 and at times prior thereto bags and containers where employees throw their personal protective equipment (PPE) contaminated with cadmium such as gloves were not labeled to alert employees of the contaminated PPE, exposing employees to cadmium.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

12/10/2018



Citation and Notification of Penalty

Company Name: Venture Metals, LLC  
Inspection Site: 10848 Luna Road, Dallas, TX 75220

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Citation 4 Item 2 c Type of Violation: **Other-than-Serious**

29 CFR 1910.1027(i)(2)(iii): The employer did not ensure that cadmium-contaminated protective clothing and equipment, when removed for laundering, cleaning, maintenance, or disposal, were placed and stored in sealed, impermeable bags or other closed, impermeable containers that are designed to prevent dispersion of cadmium dust:

(a) On or about April 25, 2018 and at times prior thereto cable shop employees were not provided with a sealed container to dispose of personal protective equipment (PPE) contaminated with cadmium, exposing employees to hazards associated with cadmium.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

12/10/2018



Citation and Notification of Penalty

**Company Name:** Venture Metals, LLC  
**Inspection Site:** 10848 Luna Road, Dallas, TX 75220

Citation 4 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1910.1027(k)(1): Surfaces were not maintained as free as practicable of accumulations of cadmium:

On or about April 25, 2018 surfaces throughout the facility were contaminated with cadmium:

- (a) The soap holder in the employee show was contaminated with cadmium;
- (b) The handle of a locker in the employee locker room was contaminated with cadmium.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/10/2018  
\$4268.00

A handwritten signature in black ink, appearing to read "Basil Singh". The signature is written in a cursive, flowing style.

**Basil Singh**  
Area Director

U.S. Department of Labor  
Occupational Safety and Health Administration  
1100 East Campbell Road, Suite 250  
Richardson, TX 75081



## INVOICE / DEBT COLLECTION NOTICE

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Company Name: Venture Metals, LLC  
Inspection Site: 10848 Luna Road, Dallas, TX 75220  
Issuance Date: 10/22/2018

Summary of Penalties for Inspection Number	1311130
Citation 1, Serious	\$44105.00
Citation 2, Repeat	\$85368.00
Citation 3, Repeat	\$2846.00
Citation 4, Other-than-Serious	\$12804.00
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$145123.00</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.



**Basil Singh**

Area Director



Date