

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
8344 East R.L. Thornton Freeway, Suite 420
Dallas, TX 75228
Phone: 214-320-2400 / Fax: 214-320-2598



Citation and Notification of Penalty

To:
Williams & Davis Boilers
PO BOX 539
Hutchins, TX 75141

Inspection Number: 432852
Inspection Date(s): 05/16/2012 - 10/24/2012
Issuance Date: 11/15/2012

Inspection Site:
2044 INTERSTATE HIGHWAY 45 SOUTH
Hutchins, TX 75141

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

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

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

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

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

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

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

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance.

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

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

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

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

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

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 11/15/2012. The conference will be held at the OSHA office located at 8344 East R.L.

Thornton Freeway, Suite 420, Dallas, TX 75228 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 432852

Company Name: Williams & Davis Boilers
Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141
Issuance Date: 11/15/2012

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 8344 E. R.L. Thornton Freeway, Suite 420, Dallas, TX 75228**

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: Williams & Davis Boilers
Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141

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

29 CFR 1910.132(c): All personal protective equipment was not of safe design and construction for the work performed:

The employer does not ensure that personal fall arrest equipment that is used by employees is of safe design and constructed for the work performed. This violation most recently occurred on May 18, 2012, in the main building; where at least one employee, who was improperly using personal fall arrest equipment when operating the sub-arc machine, was not protected from injury in the event of a fall of approximately 9-feet to the concrete floor below.

Among other methods, feasible and acceptable means to correct the hazard is to ensure that each employee uses personal fall arrest equipment in accordance with ANSI-ASSE Z359.1 and the manufacturer's requirements including but is not limited to the following: (1) Ensure anchorages used for the attachment of personal fall arrest equipment are capable of supporting at least 5,000 lbs. per employee. (2) Ensure that the lanyard attachment point on the full-body harness is located in the center of the wearer's back near shoulder level, or above the wearers head. (3) Ensure that anchorage points are located directly above the point where the fall would occur to prevent the employee from swinging and striking an object. (4) Provide sufficient clearance below the user to arrest a fall before the user strikes the ground or other obstruction. (5) Provide a training program to enable each employee to recognize the hazards of falling, and know the procedures to be followed in order to minimize the hazards.

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 employees use personal fall arrest equipment in accordance with OSHA's, and the manufacturer's requirements.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/20/2012
Proposed Penalty:	\$5390.00

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: Williams & Davis Boilers
Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141

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 1910.146(c)(1): The employer did not evaluate the workplace to determine if any spaces were permit-required confined spaces:

The employer does not evaluate the workplace to determine if any spaces are permit-required confined spaces. This violation was discovered on May 18, 2012, in the main building; where the employer did not evaluate boilers and de-aerators to determine if they were permit-required confined spaces before employees entered and welded inside.

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 spaces in the workplace are evaluated to determine if they are permit-required confined spaces prior to employees entering.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/30/2012
Proposed Penalty:	\$5390.00



Citation and Notification of Penalty

Company Name: Williams & Davis Boilers

Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141

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

29 CFR 1910.146(c)(4): When the employer decided that its employees would enter permit spaces, the employer did not develop and implement a written permit space program that complies with 29 CFR 1910.146:

The employer does not develop and implement a written permit space program for when employees weld inside of permit spaces. This violation was discovered on May 18, 2012, in the main building; where the employer decided that employees would weld inside of boilers and de-aerators, but did not develop and implement a written permit space program.

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 develop and implement a written permit space program that complies with 29 CFR 1910.146.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/30/2012



Citation and Notification of Penalty

Company Name: Williams & Davis Boilers
Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141

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

29 CFR 1910.252(b)(4)(iv): Where a welder must enter a confined space through a manhole or other small opening, means was not provided for quickly removing him in case of emergency. An attendant with a preplanned rescue procedure was not stationed outside to observe the welder at all times and capable of putting rescue operations into effect:

The employer does not ensure that when a welder must enter into a confined space through a small opening that the employee can be quickly retrieved from the space in the case of an emergency, and that an attendant with a preplanned rescue procedure, who is capable of implementing the rescue operation, is stationed outside to observe the welder at all times. This violation most recently occurred on May 18, 2012, in the main building; where the employer did not provide welders, who entered into the confined spaces of boilers and de-aerators through narrow openings, with emergency retrieval equipment, nor station attendants with preplanned rescue procedures outside of the boilers and de-aerators to observe the welders at all times.

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 when a welder must enter a confined space through a small opening that a means for quick retrieval is provided; and, that an attendant with a preplanned rescue procedure is stationed outside to observe the welder at all times, and is capable of putting rescue operations into effect.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 11/30/2012



Citation and Notification of Penalty

Company Name: Williams & Davis Boilers
Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141

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

29 CFR 1910.252(c)(4)(i): All welding and cutting operations carried on in confined spaces were not adequately ventilated to prevent the accumulation of toxic materials or possible oxygen deficiency:

The employer does not ensure that welding operations conducted in confined spaces are adequately ventilated to prevent the accumulation of toxic materials or possible oxygen deficiency. This violation most recently occurred on May 18, 2012, in the main building; where employees were welding inside of the confined spaces of boilers and de-aerators without adequate ventilation to prevent the accumulation of toxic materials or possible oxygen deficiency.

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 adequate ventilation is provided when employees weld on the inside of boilers and de-aerators to prevent the accumulation of toxic materials or possible oxygen deficiency.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 11/30/2012



Citation and Notification of Penalty

Company Name: Williams & Davis Boilers
Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141

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

29 CFR 1910.147(c)(1): The employer did not establish a program consisting of energy control procedures, employee training and periodic inspections to ensure that before any employee performs any servicing or maintenance on a machine or equipment where the unexpected energizing, startup or release of stored energy could occur and cause injury, the machine or equipment shall be isolated from the energy source and rendered inoperative:

The employer does not have a program consisting of energy control procedures, employee training and periodic inspections to protect employees, who service or maintain machinery or equipment, from unexpected energizing, startup or release of stored energy that could cause injury. This violation was discovered on May 18, 2012; where employees serviced and maintained overhead cranes, forklift trucks, a plasma cutting table, sub-arc welder, band saw, and plate bending roll machine without isolating the machines or equipment from the energy source and rendering them inoperative.

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 it has establish a program consisting of energy control procedures, employee training and periodic inspections to protect employees, who service or maintain machinery or equipment, from unexpected energizing, startup or release of stored energy that could cause injury.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/30/2012
Proposed Penalty:	\$5390.00



Citation and Notification of Penalty

Company Name: Williams & Davis Boilers

Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141

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

29 CFR 1910.178(p)(1): If at any time a powered industrial truck was found to be in need of repair, defective, or in any way unsafe, the truck was not taken out of service until it has been restored to safe operating condition:

The employer does not ensure that when a powered industrial truck is found to be in need of repair, defective, or in any way unsafe, the truck is taken out of service until it is restored to safe operating condition. This violation most recently occurred on May 18, 2012; where employees were operating a CAT GC40K forklift truck that had a broken left rear wheel assembly.

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 powered industrial trucks if found to be in need of repair, defective, or in any way unsafe, the truck is taken out of service until it has been restored to safe operating condition.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/20/2012

Proposed Penalty:

\$5390.00



Citation and Notification of Penalty

Company Name: Williams & Davis Boilers

Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141

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 1 a Type of Violation: **Willful**

29 CFR 1910.179(b)(6)(i): Minimum clearance of 3 inches overhead and 2 inches laterally was not provided and maintained between crane and obstructions in conformity with Crane Manufacturers Association of America, Inc, Specification No. 61, which is incorporated by reference as specified in Sec. 1910.6, (formerly the Electric Overhead Crane Institute, Inc).

The employer does not ensure that a minimum clearance of 3-inches overhead and 2 inches laterally is provided and maintained between cranes and obstructions. This violation was discovered on May 21, 2012, in the main building; where the south end of the Manning, Maxwell & Moore 10-ton overhead crane bridge girder, when traveling to the West end of the plant, strikes a roof brace.

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 a minimum clearance of 3 inches overhead and 2 inches laterally is provided and maintained between cranes and obstructions.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/20/2012
Proposed Penalty:	\$53900.00



Citation and Notification of Penalty

Company Name: Williams & Davis Boilers

Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141

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

29 CFR 1910.179(f)(6)(iii): On all floor, remote and pulpit-operated crane bridge drives, a brake of non-coasting mechanical drive was not provided:

The employer does not ensure that a brake of non-coasting mechanical drive is provided for floor operated crane bridge drives. This violation was discovered on May 21, 2012, in the main building; where employees operated a 10-ton overhead crane without bridge brakes.

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 overhead cranes are equipped with bridge brakes.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/20/2012



Citation and Notification of Penalty

Company Name: Williams & Davis Boilers
Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141

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

29 CFR 1910.22(a)(2): The floor of every workroom was not maintained in a clean and, so far as possible, a dry condition:

The employer does not ensure that the floor of every workroom is maintained in a clean and, so far as possible, a dry condition. This violation was discovered on May 18, 2012, in building two; where:

a) Two (2) broken / missing skylights allowed rain water to accumulate on the workroom floor and expose employees to slip and fall hazards.

b) After hydro-testing, the water from the boilers was emptied onto the floor and accumulated in the work area.

WILLIAMS & DAVIS BOILERS WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.22(a)(2), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314183534, CITATION NUMBER 01, ITEM NUMBER 03, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 8, 2012, WITH RESPECT TO A WORKPLACE LOCATED AT 2044 INTERSTATE HIGHWAY 45 SOUTH, HUTCHINS, TEXAS 75141.

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 the floor of every workroom is maintained in a clean and, so far as possible, a dry condition.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

11/20/2012
\$7700.00



Citation and Notification of Penalty

Company Name: Williams & Davis Boilers

Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141

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

29 CFR 1910.23(c)(1): Every open-sided floor or platform 4 feet or more above adjacent floor or ground level was not guarded by a standard railing (or the equivalent as specified in paragraph (e)(3) of this section) on all open sides except where there was entrance to a ramp, stairway, or fixed ladder:

The employer does not ensure that every open-sided floor or platform 4 feet or more above the adjacent floor or ground level is guarded by a standard railing or the equivalent. This violation most recently occurred on May 16, 2012, in the main building; where at least one employee was not protected from falling more than 4-feet to the concrete floor by a guardrail system or its equivalent while jacketing the top of a boiler.

WILLIAMS & DAVIS BOILERS WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.23(C)(1), WHICH IS CONTAINED IN OSHA INSPECTION NUMBER 314183534, CITATION NUMBER 02, ITEM NUMBER 01, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 8, 2012, WITH RESPECT TO A WORKPLACE LOCATED AT 2044 INTERSTATE HIGHWAY 45 SOUTH, HUTCHINS, TEXAS 75141; AND IN OSHA INSPECTION NUMBER 312126436, CITATION NUMBER 01, ITEM NUMBER 01, AND WAS AFFIRMED FINAL ORDER ON JULY 7, 2010, WITH RESPECT TO A WORKPLACE LOCATED AT 2044 INTERSTATE HIGHWAY 45 SOUTH, HUTCHINS, TEXAS 75141.

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 employees, who jacket boilers, are not exposed to fall hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/20/2012

Proposed Penalty:

\$26950.00

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: Williams & Davis Boilers

Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141

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

29 CFR 1910.178(l)(1)(ii): Prior to permitting an employee to operate a powered industrial truck, the employer did not ensure that each operator had successfully completed the training required by 29 CFR 1910.178(l):

Prior to permitting an employee to operate a powered industrial truck, the employer does not ensure that each operator has successfully completed the training required by 29 CFR 1910.178(l). This violation most recently occurred on May 18, 2012; where employees, who operated the CAT forklift trucks, did not complete training consisting of a combination of formal instruction, practical training, and an evaluation of the operators performance in the workplace.

WILLIAMS & DAVIS BOILERS WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.178(l)(1)(i), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314183534, CITATION NUMBER 01, ITEM NUMBER 02b, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 8, 2012, WITH RESPECT TO A WORKPLACE LOCATED AT 2044 INTERSTATE HIGHWAY 45 SOUTH, HUTCHINS, TEXAS 75141.

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 each powered industrial truck operator has successfully completed training consisting of a combination of formal instruction, practical training, and an evaluation of the operators performance in the workplace.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

11/30/2012
\$10780.00



Citation and Notification of Penalty

Company Name: Williams & Davis Boilers

Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141

Citation 3 Item 4 Type of Violation: **Repeat**

29 CFR 1910.179(l)(3)(iii)(d): Pendant control stations were not kept clean and function labels kept legible:

The employer does not kept the function labels on pendant control stations legible. This violation most recently occurred on May 21, 2012, in the main building; where employees operated the Manning, Maxwell & Moore 10-ton overhead crane with a pendant control station that did not have legible function labels.

WILLIAMS & DAVIS BOILERS WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.179(l)(3)(iii)(d), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314183534, CITATION NUMBER 01, ITEM NUMBER 04, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 8, 2012, WITH RESPECT TO A WORKPLACE LOCATED AT 2044 INTERSTATE HIGHWAY 45 SOUTH, HUTCHINS, TEXAS 75141.

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 function labels on pendant controls are kept legible.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/20/2012

Proposed Penalty:

\$10780.00

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

Stephen Boyd
Area Director

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
8344 East R.L. Thornton Freeway, Suite 420
Dallas, TX 75228
Phone: 214-320-2400 / Fax: 214-320-2598



INVOICE / DEBT COLLECTION NOTICE

Company Name: Williams & Davis Boilers
Inspection Site: 2044 INTERSTATE HIGHWAY 45 SOUTH, Hutchins, TX 75141
Issuance Date: 11/15/2012

Summary of Penalties for Inspection Number	432852
Citation 1, Serious	\$21560.00
Citation 2, Willful	\$53900.00
Citation 3, Repeat	\$56210.00
TOTAL PROPOSED PENALTIES	\$131670.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

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

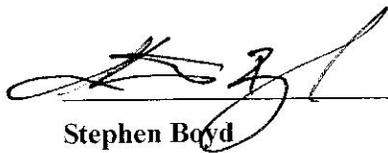
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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

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

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

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



Stephen Boyd
Area Director

November 15, 2014
Date