

U.S. Department of Labor
Occupational Safety and Health Administration
The Stegmaier Building, Suite 410
7 North Wilkes-Barre Boulevard
Wilkes-Barre, PA 18702-5241
Phone: (570)826-6538 FAX: (570)821-4170



Citation and Notification of Penalty

To:
WOOD MODE INCORPORATED

and its successors
One 2nd St.
Kreamer, PA 17833

Inspection Site:
One 2nd St.
Kreamer, PA 17833

Inspection Number: 314164039
Inspection Date(s): 05/31/2011 06/30/2011

Issuance Date: 11/29/2011

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. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

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 page 3 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 are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the OSHA office issuing the citation and identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (example: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations state that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, as required by 29 CFR 1903.19 to be sent to OSHA, and be posted at the location where the violation appeared and the corrective action took place.

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.

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, but not sooner than 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at www.osha.gov . If you have any dispute with the accuracy of the information, 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 11/29/2011. The conference will be held at the OSHA office located at The Stegmaier Building, Suite 410, 7 North Wilkes-Barre Boulevard, Wilkes-Barre, PA, 18702-5241 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

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

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

29 CFR 1910.36(g)(2): An exit access was not at least 28 inches (71.1 cm) wide at all points:

a) Wood Hog building area - The front main emergency exit path narrowed to 19 inches in the area near the exit door. A fixed post and a hand rail, 19 inches apart exposed employees to a hazard in the event of an emergency requiring a rapid evacuation, on or about 06/16/11.

**ABATEMENT OBSERVED DURING INSPECTION
NO CERTIFICATION REQUIRED**

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: \$ 3300.00

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

29 CFR 1910.37(b)(4): The direction of travel to the exit or exit discharge was not immediately apparent, signs were not posted along the exit access indicating the direction of travel to the nearest exit and exit discharge. The line-of-sight to an exit sign was not clearly visible at all times.

a) Building B south office stairwell area - Directional signs were not posted in the stairwell area to ensure that direction of travel to exits was apparent, on or about 05/31/11.

**ABATEMENT OBSERVED DURING INSPECTION
NO CERTIFICATION REQUIRED**

Date By Which Violation Must be Abated: Corrected During Inspection

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: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

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

29 CFR 1910.37(b)(5): Each doorway or passage along an exit access that could be mistaken for an exit was not marked "Not an Exit" or similar designation, or be identified by a sign indicating its actual use.

a) Building B south office stairwell area - Two doors leading to the roof area were not marked with signs reading "Not an Exit". Employees exiting in an emergency situation may use those doors leading them to the roof top area, on or about 05/31/11.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated: Corrected During Inspection

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

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

29 CFR 1910.132(d)(1): The employer did not assess the workplace to determine if hazards are present, or likely to be present, which necessitated the use of personal protective equipment (PPE).

a) Wood Mode Inc - A workplace hazard assessment was not performed throughout the facility to determine the need for personal protective equipment, on or about 06/30/11.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated: 12/23/2011
Proposed Penalty: \$ 6600.00



Citation and Notification of Penalty

Company Name: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

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

29 CFR 1910.136(a): The employer did not ensure that each affected employee used protective footwear when working in areas where there was a danger of foot injuries due to falling or rolling objects:

- a) Plant wide - Employees exposed to a foot injury were not wearing protective footwear, on or about 06/30/11.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

12/23/2011



Citation and Notification of Penalty

Company Name: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

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

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

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees were engaged in the activities covered by this section:

- a) C1-22 area / B1-321 area - Lockout procedures were not utilized when performing scheduled maintenance on the Holzman plywood saw, on or about 06/28/11.
- b) Silo auger area - Lockout procedures were not utilized when performing servicing activities such as clearing jams on the silo auger, on or about 06/30/11

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated: 12/23/2011
Proposed Penalty: \$ 7000.00

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

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed:

- a) Wood Mode Incorporated - An annual or periodic inspection of the lockout tag out procedures was not completed, on or about 06/15/11.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated: 12/23/2011

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: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

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

29 CFR 1910.176(b): Material stored in tiers was not stacked, blocked, interlocked or limited in height so that it was stable and secure against sliding and collapse:

- a) Lumber yard area - Lumber was stacked 14'11" high without blocking or interlocking the lumber to prevent it from falling, on or about 05/31/11.

**ABATEMENT OBSERVED DURING INSPECTION
NO CERTIFICATION REQUIRED**

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 5500.00



Citation and Notification of Penalty

Company Name: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

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

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

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazard(s) created by moving machine parts:

- a) Building B4 area trash compactor - Machine guarding was not in place to protect employees dumping trash from a crushing hazard when a second employee operated the trash compactor controls, on or about 06/15/11.
- b) Silo area auger - Adequate machine guarding was not in place to protect employees from the rotating auger. The auger was operated with the top cover removed, on or about 06/15/11.
- c) B1-321 Holzma Plywood Saw area - Adequate machine guarding was not in place to protect employees from moving machine components. The saw was operated while the door was opened, on or about 06/28/11.
- d) B1 Front frame area - Nip points, created where the clamp contacts the work piece, were not guarded on the Handy Manufacturing tool model 959-83, on or about 06/29/11.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated: 12/23/2011
Proposed Penalty: \$ 7000.00



Citation and Notification of Penalty

Company Name: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

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

29 CFR 1910.212(a)(2): Guards were not affixed to the machine:

a) Silo area auger - The top cover on the auger was not affixed to the auger housing. The cover was simply set over the opening, on or about 06/15/11.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated: 12/23/2011

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

29 CFR 1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

a) A2 Lath area - The safety device used to guard the point of operation was not installed on the Bostitch brad nailer, on or about 06/27/11.

b) A2 Specialty area - The safety device used to guard the point of operation was not installed on the Senco brad nailer, on or about 06/27/11.

**ABATEMENT OBSERVED DURING INSPECTION
NO CERTIFICATION REQUIRED**

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: \$ 7000.00

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: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.213(h)(1): On radial saw(s) the sides of the lower exposed portion of the blade were not guarded to the full diameter of the blade by a device that automatically adjusted itself to the thickness of the stock and remained in contact with the material being cut:

- a) Rough mill A1-29 area - The lower blade guard on the radial arm saw did not provide protection for the employee when cutting wood in that the guard did not adjust to wood thickness after the blade passed over the fence, on or about 06/16/11.
- b) A1-37 area - The lower blade guard on the radial arm saw did not provide protection for the employee when cutting wood in that the guard did not adjust to wood thickness after the blade passed over the fence, on or about 06/16/11.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated: 12/23/2011
Proposed Penalty: \$ 4400.00



Citation and Notification of Penalty

Company Name: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

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

Citation 1 Item 12a Type of Violation: **Serious**

29 CFR 1910.215(b)(9): The distance between the abrasive wheel periphery(s) and the adjustable tongue or the end of the safety guard peripheral member at the top exceeded one fourth inch:

- a) Knife sharpening shop area A1-144 - A tongue guard was not installed on the bench grinder, allowing a 2" gap between the abrasive wheel and the abrasive wheel guard, on or about 06/16/11.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated: 12/23/2011
Proposed Penalty: \$ 3300.00

Citation 1 Item 12b Type of Violation: **Serious**

29 CFR 1910.215(d)(1): Wheel(s) on grinding machine(s) were not sounded and inspected for damage before mounting:

- a) Knife sharpening shop area A1-144 - A ring test or inspection of the grinding wheel was not performed prior to installation on the bench grinder, on or about 06/16/11.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated: 12/23/2011

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: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.303(b)(7)(i): Unused openings in boxes, raceways, auxiliary gutters, cabinets, equipment cases, or housings were not effectively closed:

- a) Rough mill A1-130 area - Employees were exposed to four 1 inch openings located on the band-saw cabinet, on or about 06/16/11.
- b) Rough mill stairway area - Employees were exposed to a 1 1/2 inch opening located on the 480 volt disconnect, on or about 06/16/11.
- c) Door press area A1-221 - Employees were exposed to a 1 inch opening when operating the black-light, on or about 06/16/11.

**ABATEMENT OBSERVED DURING INSPECTION
NO CERTIFICATION REQUIRED**

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: \$ 4400.00



Citation and Notification of Penalty

Company Name: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

Citation 1 Item 16 Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and/or cables were used as a substitute for the fixed wiring of a structure:

- a) Stacker building /lumber grading area - A 110 volt extension cord was used as a means of permanent wiring to power a grading monitor, on or about 06/15/11.

**ABATEMENT OBSERVED DURING INSPECTION
NO CERTIFICATION REQUIRED**

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: \$ 3300.00

Citation 1 Item 17 Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(iii): Flexible cords were not connected to devices and fittings so that tension would not be transmitted to joints or terminal screws:

- a) Stacker building area - Three foot controls used to flip and sort wood were not provided with strain relief, on or about 06/15/11.
- b) Building A1-253 - Strain relief was not provided to the shaping sander control motor, on or about 06/15/11.

**ABATEMENT OBSERVED DURING INSPECTION
NO CERTIFICATION REQUIRED**

Date By Which Violation Must be Abated: Corrected During Inspection
Proposed Penalty: \$ 4400.00

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



Citation and Notification of Penalty

Company Name: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

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

29 CFR 1910.23(c)(1): Open-sided floors and/or platforms four feet or more above adjacent floor or ground level were not guarded with standard railings (or equivalent) and toeboards:

- a) Building B office roof area - Employees worked 19'4" above the ground at the edge of the roof without a standard railing being in place, on or about 05/31/11.

WOOD MODE WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD, 1910.23(C)(1), OR ITS EQUIVALENT STANDARD, WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314155730, CITATION NUMBER 01, ITEM NUMBER 02, AND WAS AFFIRMED AS A FINAL ORDER ON 09/15/2010 WITH RESPECT TO A WORKPLACE LOCATED IN KREAMER, PA.

**ABATEMENT OBSERVED DURING INSPECTION
NO CERTIFICATION REQUIRED**

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 38500.00



Citation and Notification of Penalty

Company Name: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

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

Citation 3 Item 1a Type of Violation: Other

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 is fit tested or required to use the respirator in the workplace.

a) B3 area - Medical evaluations were not performed on employees (Sprayers) required to wear respirators, on or about 06/29/11.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated: 12/23/2011
Proposed Penalty: \$ 0.00

Citation 3 Item 1b Type of Violation: Other

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) B3 area - Fit testing was not completed for employees (Sprayers) required to use respirators, on or about 06/29/11.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated: 12/23/2011

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: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

Citation 3 Item 1c Type of Violation: Other

29 CFR 1910.134(k) : The employer did not provide effective training to employees who are required to use respirators. The training was not comprehensive, understandable, and recur annually.

a) B3 area - Employees (Sprayers) required to wear respirators have not been trained, on or about 06/29/11.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

12/23/2011

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: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833

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

29 CFR 1910.1200(h)(2) : The employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees have not previously been trained about is introduced into their work area.

a) Cottage glaze area - Employees have not been effectively trained to understand hazards posed to them when working with various chemicals such as VDB Cot Glaze 3rd Step and Dark Heirloom Glaze in their area, on or about 06/29/11.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated: 12/23/2011
Proposed Penalty: \$ 0.00



Mark L. Stelmack
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
The Stegmaier Building, Suite 410
7 North Wilkes-Barre Boulevard
Wilkes-Barre, PA 18702-5241
Phone: (570)826-6538 FAX: (570)821-4170



INVOICE/ DEBT COLLECTION NOTICE

Company Name: WOOD MODE INCORPORATED
Inspection Site: One 2nd St., Kreamer, PA 17833
Issuance Date: 11/29/2011

Summary of Penalties for Inspection Number 314164039

Citation 1, Serious	= \$	83700.00
Citation 2, Repeat	= \$	38500.00
Citation 3, Other	= \$	0.00
TOTAL PROPOSED PENALTIES	= \$	122200.00

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 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.

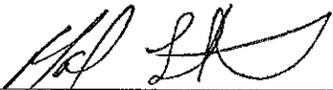
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts 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 five percent (5%). 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),

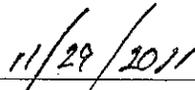
unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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 second and subsequent demand letters sent in an attempt to collect the unpaid debt. Costs will not be assessed for first demand letters and payment default letters.



Mark L. Stelmack
Area Director



Date

ABATEMENT CERTIFICATION/DOCUMENTATION

U.S. DEPARTMENT OF LABOR - OSHA
THE STEGMAIER BUILDING - SUITE 410
7 N. WILKES-BARRE BOULEVARD
WILKES-BARRE, PA 18702-5241
(570) 826-6538

FOR VIOLATIONS YOU DO NOT CONTEST, YOU MUST CERTIFY AND/OR DOCUMENT THAT YOU HAVE TAKEN CORRECTIVE ACTION ON THE CITED ITEMS WITHIN THE TIME FRAMES INDICATED IN THE CITATION. THIS FORM IS PROVIDED FOR YOUR CONVENIENCE IN FULFILLING THIS OBLIGATION. IF ADDITIONAL SPACE IS NEEDED, YOU MAY EITHER ATTACH A CONTINUATION SHEET OR SUBMIT A MORE DETAILED LETTER.

Inspection Number _____
Company Name _____
Company Address _____

CORRECTIVE ACTION HAS BEEN TAKEN TO ABATE THE ITEM(S) ON THE CITATION AS FOLLOWS:

<u>CITATION #</u>	<u>ITEM #</u>	<u>METHOD OF ABATEMENT *</u>	<u>DATE COMPLETED</u>

I CERTIFY THE ABOVE INFORMATION IS ACCURATE AND THAT EMPLOYEES AND THEIR REPRESENTATIVES HAVE BEEN INFORMED OF THE ABOVE ABATEMENT.

SIGNATURE _____ DATE _____

* For those items requiring only Certification a brief description of the method of abatement should be written. For those items requiring Certification and Documentation additional evidence of abatement (records of equipment repair or purchase, photos, videos or other written records) must be submitted.