U.S. Department of Labor
Occupational Safety and Health Administration
3300 Vickery Road
North Syracuse, NY 13212
Phone: 315-451-0808 Fax: 315-451-1351

Notification of Failure to Abate Alleged Violations

To:
Wordingham Machine Company, dba Wordingham Technologies
and its successors
Mr. Marc Hurlbut, Controller
580 Fishers Station Drive
Victor, NY 14564

Inspection Site:
580 Fishers Station Drive
Victor, NY 14564

Original Inspection Number: 870745
Original Inspection Date: 02/06/2013 - 02/06/2013

Inspection Number: 910158
Inspection Date(s): 06/05/2013 - 07/30/2013
Issuance Date: 12/03/2013

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

After the original inspection, a Citation(s) was issued to you in accordance with the provisions of the Occupational Safety and Health Act of 1970 (the Act), notifying you of certain violations of the Act and the dates by which they were to be abated. Based upon re-inspection, it is alleged that you have failed to abate the violation(s) listed below within the time prescribed, and the following additional penalties are proposed. The additional penalty is computed by multiplying a daily penalty times the number of days the violation(s) remained unabated. You are to notify the Area Director in writing of the date and nature of the corrective action taken. If you do not abate the violation(s), further penalties may be proposed and other enforcement action to compel abatement may be taken under section 11(b) of the Act.

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 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 (examples: 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 states the 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 certificate 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, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

You are further notified that you must pay the ADDITIONAL PENALTY unless you inform the Area Director in writing that you intend to contest the Notification or the Additional Penalty within 15 working days (excluding weekends and Federal holidays) from your receipt of this notification. If you do not contest within 15 working days after receipt, the Notification and the additional penalties will become the final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency. Issuance of this Notification 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 the Notification is affirmed by the Review Commission.

Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance.You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "**OSHA**" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

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

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of $50,000 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.

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.

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

NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with the OSHA to discuss the Notification of Failure to Abate Alleged Violations issued on 12/03/2013. The conference will be held by telephone or at the OSHA office located at 3300 Vickery Road, North Syracuse, NY 13212 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Original Inspection Number: 870745

Company Name: Wordingham Machine Company, dba Wordingham Technologies
Inspection Site: 580 Fishers Station Drive, Victor, NY 14564
Issuance Date: 12/03/2013

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, 3300 Vickery Road, North Syracuse, NY 13212**

Citation Number ____1____ and Item Number __3__ 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.

NAME OF COMPANY OFFICIAL **DATE**

TITLE

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than $10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review.

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

Notification of Failure to Abate Alleged Violation

Original Inspection: 870745
Original Inspection Dates: 02/06/2013 - 02/06/2013
Inspection Number: 910158
Inspection Date(s): 06/05/2013 - 07/30/2013
Issuance Date: 12/03/2013

Company Name: Wordingham Machine Company, dba Wordingham Technologies
Inspection Site: 580 Fishers Station Drive, Victor, NY 14564

Citation 1 Item 2

29 CFR 1910.157(g)(2): The educational program to familiarize employees with the general principles of fire extinguisher use and the hazards involved with incipient stage fire-fighting was not provided to all employees upon initial employment, and at least annually thereafter:

a) Wordingham Machine Company, on or about 6/5/2013: The employer did not provide initial and annual fire extinguisher training to employees.

Additional Penalty: $ 21000.00

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

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Citation 1 Item 3

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 activities covered by this section

a) Throughout the facility, on or about 6/5/2013: The employer did not have documented energy control procedures to utilize for the control of potentially hazardous energy for employees who perform servicing and/or maintenance on various machinery or equipment such as but not limited to: CNC Milling Machine; CNC Band saws; and Turning Centers.

Abatement documentation must be submitted for this item.

Additional Penalty: $ 28000.00

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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

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

a) Prototype Room, on or about 6/5/2013: Jet single spindle drill press was not provided with a guard over the rotating chuck.

b) Prototype Room, on or about 6/5/2013: Hardinge Lathe was not provided with a guard over the rotating chuck.

c) Production Room, on or about 6/5/2013: Bridgeport Mill was not provided with a guard over the rotating chuck.

d) Production Room, on or about 6/5/2013: Orbit single spindle drill press was not provided with a guard over the rotating chuck.

e) Bar Feeding Area, on or about 6/5/2013: Bridgeport mill was not provided with a chuck guard.

f) Turning Department, NL Area, on or about 6/5/2013: Clausing Lathe was not provided with a chuck guard.

Additional Penalty: $ 28000.00

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Citation 1 Item 4 b

29 CFR 1910.219(d)(1): Pulley(s) with part(s) seven feet or less from the floor or work platform were not guarded in accordance with the requirements specified in 29 CFR 1910.219(m) and (o):

a) Shipping and Receiving Area, on or about 6/5/2013: Belt sander had an unguarded belt and pulley drive that exposed employees to in-running nip points.

Additional Penalty: $ 0.00

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Citation 1 Item 4 c

29 CFR 1910.219(e)(3)(i): Vertical or inclined belt(s) were not enclosed by guard(s) conforming to the requirements specified at 29 CFR 1910.219(m) and (o):

a) Shipping and Receiving Area, on or about 6/5/2013: Wilton belt sander had an unguarded belt drive.

Additional Penalty: $ 0.00

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Citation 1 Item 5

29 CFR 1910.242(b): Effective chip guarding and personal protective equipment was not used when compressed air was used for cleaning purposes:

a) Production Room, on or about 6/5/2013: Two compressed air lines used for cleaning purposes were measured at greater than 100 psi.

Additional Penalty: $ 21000.00

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Citation 1 Item 6

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

a) Bar Feeding Area, on or about 6/5/2013: A pendant cord with a double duplex receptacle box attached was used to provide power to equipment. The metal box is listed for permanent mounting only.

b) Bar Feeding Area, on or about 6/5/2013: Two pendant cords with a duplex receptacle box attached were used to provide power to equipment. These metal boxes are listed for permanent mounting only.

Additional Penalty: $ 28000.00

Christopher Adams, CIH CSP
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
3300 Vickery Road
North Syracuse, NY 13212
Phone: 315-451-0808 Fax: 315-451-1351

INVOICE / DEBT COLLECTION NOTICE

Company Name: **Wordingham Machine Company, dba Wordingham Technologies**
Inspection Site: **580 Fishers Station Drive, Victor, NY 14564**
Issuance Date: **12/03/2013**

Summary of Additional Penalties for Inspection Number	**870745**
Followup Inspection Number	**910158**
TOTAL ADDITIONAL PROPOSED PENALTIES	**$ 126000.00**

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. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "**OSHA**" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

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

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 accessed 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 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 to 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 accessed occurring 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 accessed for demand letters sent in an attempt to collect the unpaid debt.

Christopher Adams, CIH CSP
Area Director

12/3/2013
Date