

U.S. Department of Labor
Occupational Safety and Health Administration
450 Mall Boulevard
Suite J
Savannah, GA 31406
Phone: 912-652-4393 Fax: 912-652-4329



Citation and Notification of Penalty

To:
Dupont Yard, Inc.
and its successors
45 Linnie St
Homerville, GA 31634

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014

Inspection Site:
277 Landmark Rd
Homerville, GA 31634

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 either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

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

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

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

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

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

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

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

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

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 02/18/2014. The conference will be held by telephone or at the OSHA office located at 450 Mall Boulevard, Suite J, Savannah, GA 31406 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 931983

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634
Issuance Date: 02/18/2014

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, 450 Mall Boulevard, Suite J, Savannah, GA 31406**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Date

Typed or Printed Name

Title

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

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

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

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

a) Saw Mill on or about August 19, 2013, there were accumulations of fine wood dust greater than 1/8 inch in depth from vertical and horizontal ledges, saw motors, electrical equipment and on the floor around the saw, which exposed employees to fire and deflagration hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

03/04/2014
\$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: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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 1910.141(a)(3)(i): Places of employment were not kept clean to the extent that the nature of the work allowed:

- a) Male Restroom at the Saw Mill on or about August 19, 2013, employees were exposed to unsanitary conditions in the male restroom from the unclean toilets and floor.
- b) Male Restroom across the road from the Saw Mill - on or about August 20, 2013, employees were exposed to unsanitary conditions in the male restroom from the unclean toilets and floor.

ABATEMENT CERTIFICATION IS REQUIRED

| | |
|-----------------------------------------|------------|
| Date By Which Violation Must be Abated: | 03/04/2014 |
| Proposed Penalty: | \$2310.00 |

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.141(d)(2)(ii): Lavatories were not provided with hot and cold, or tepid running water:

a) Male Restroom at the Saw Mill on or about August 19, 2013, the restroom did not have hot and cold, or tepid running water available for employees to wash hands, exposing employees to unsanitary conditions.

ABATEMENT CERTIFICATION IS REQUIRED

Date By Which Violation Must be Abated:

03/04/2014

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: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.141(d)(2)(iii): Lavatories were not provided with hand soap or similar cleansing agent:

- a) Male Restroom at the Saw Mill on or about August 19, 2013, the restroom did not have soap for washing hands, exposing employees to unsanitary conditions.
- b) Male Restrooms (porta-johns) at the Post Mill on or about August 19, 2013, the restrooms did not have soap for washing hands, exposing employees to unsanitary conditions.
- c) Male Restroom across the road from the Saw Mill - on or about August 20, 2013, the restroom did not have soap for washing hands, exposing employees to unsanitary conditions.

ABATEMENT CERTIFICATION IS REQUIRED

Date By Which Violation Must be Abated:

03/04/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

- 29 CFR 1910.141(d)(2)(iv): Lavatories were not provided with individual hand towels or sections thereof, of cloth or paper, warm air blowers or clean individual sections of continuous cloth toweling:
- a) Male Restroom at the Saw Mill on or about August 19, 2013, the restroom did not have hand towels to dry hands, exposing employees to unsanitary conditions.
 - b) Male Restrooms (porta johns) at the Post Mill on or about August 19, 2013, the restrooms did not have hand towels to dry hands, exposing employees to unsanitary conditions.
 - c) Male Restroom across the road from the Saw Mill - on or about August 20, 2013, the restroom did not have hand towels to dry hands, exposing employees to unsanitary conditions.

ABATEMENT CERTIFICATION IS REQUIRED

Date By Which Violation Must be Abated:

03/04/2014

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.147(c)(5)(i): Locks, tags, chains, wedges, key blocks, adapter pins, self-locking fasteners, or other hardware were not provided by the employer for isolating, securing or blocking of machines or equipment from energy sources:

a) Throughout the facility - on or about August 19, 2013 and at time prior to, locks were not provided for employees to use for locking out machines and equipment, exposing employees to amputation hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

| | |
|-----------------------------------------|------------|
| Date By Which Violation Must be Abated: | 03/04/2014 |
| 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: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.147(c)(7)(i): The employer did not provide adequate training to ensure that employees acquired the knowledge and skills required for the safe application, usage and removal of energy control devices:

a) Throughout the facility - on or about August 19, 2013 and at time prior to, training was not provided for employees to ensure they understood the purpose and function of the lockout program and that they acquired the knowledge and skills required for safe application, usage and removal of energy controls, exposing employees to amputation hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

| | |
|-----------------------------------------|------------|
| Date By Which Violation Must be Abated: | 03/04/2014 |
| Proposed Penalty: | \$5390.00 |



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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 5 a Type of Violation: **Serious**

29 CFR 1910.177(c)(1): The employer did not provide a program to train all employees who service rim wheels in the hazards involved and the safety procedures to follow while servicing rim wheels:

a) Maintenance Shop on or about August 19, 2013, the employer did not develop and implement a training program for Maintenance employees who serviced single-piece rim wheels.

ABATEMENT CERETIFICATION IS REQUIRED

| | |
|-----------------------------------------|------------|
| Date By Which Violation Must be Abated: | 03/18/2014 |
| Proposed Penalty: | \$3850.00 |

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.177(c)(2): The employer did not assure that each employee demonstrated his ability to safely service rim wheels by effective performance of all tasks listed in 29 CFR 1910.177(c)(2)(i) through (viii):

a) Maintenance Shop on or about August 19, 2013, the employer did not assess the employees' ability to service rim wheels safely.

ABATEMENT CERETIFICATION IS REQUIRED

Date By Which Violation Must be Abated:

03/18/2014

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: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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 6 a Type of Violation: **Serious**

29 CFR 1910.177(d)(2): The employer did not provide a restraining device or a barrier to be used when inflating tires on single piece rim wheels which are not bolted onto the vehicles:

a) Maintenance Shop on or about August 19, 2013, the employer did not provide a restraining device for inflating single piece rim wheels, exposing employees to struck-by hazards.

ABATEMENT CERETIFICATION IS REQUIRED

| | |
|-----------------------------------------|------------|
| Date By Which Violation Must be Abated: | 03/18/2014 |
| Proposed Penalty: | \$3850.00 |

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.177(d)(4)(i): The employer did not furnish an air line assembly which included a clip-on chuck for inflating tires on rim wheels:

a) Maintenance Shop on or about August 19, 2013, employees who inflated single-piece rim wheels were not provided with a clip-on chuck, resulting in a struck-by hazard.

ABATEMENT CERETIFICATION IS REQUIRED

Date By Which Violation Must be Abated:

03/18/2014

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

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.177(d)(5): Current charts or rim manuals containing instructions for the type of wheels being serviced shall be available in the service area:

- a) Maintenance Shop on or about August 19, 2013, the employer did not provide rim charts and manuals in the service area for employees who serviced single piece rim wheels on heavy equipment.

ABATEMENT CERETIFICATION IS REQUIRED

Date By Which Violation Must be Abated:

03/18/2014

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: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.177(g): The employer did not establish a safe operating procedure for servicing single piece rim wheels which contained, at a minimum, the elements listed in 29 CFR 1910.177(g)(1) through (12):

- a) Maintenance Shop on or about August 19, 2013, the employer did not have a safe operating procedure for employees who serviced single piece rim wheels, in that employee inflated the tires outside of a restraining device and stood in front of the tires that they were inflating.

ABATEMENT CERTIFICATION IS REQUIRED

| | |
|------------------------------------------------|-------------------|
| Date By Which Violation Must be Abated: | 03/18/2014 |
| Proposed Penalty: | \$3850.00 |



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.178(l)(1)(ii): The employer did not ensure that each operator had successfully completed the training required by paragraph (l), except as permitted by paragraph (l)(5), prior to permitting an employee to operate a powered industrial truck:

- a) Throughout Facility - on or about August 19, 2013, all employees who operated powered industrial trucks (PITs) had not been trained and evaluated by the employer, exposing employees to potential struck-by and crushed-by hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

| | |
|-----------------------------------------|------------|
| Date By Which Violation Must be Abated: | 03/18/2014 |
| Proposed Penalty: | \$5390.00 |



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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 9 a Type of Violation: **Serious**

29 CFR 1910.178(p)(1): Powered industrial truck(s) found to be in need of repair, defective, or in any way unsafe had not been taken out of service until restored to safe operating condition(s):

a) Throughout the sawmill and yard around the sawmill, on or about August 19, 2013 and at times prior to, employees were exposed to a hazard of being struck by the Taylor #202 powered industrial truck which had a cracked windshield.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

| | |
|-----------------------------------------|------------|
| Date By Which Violation Must be Abated: | 03/18/2014 |
| Proposed Penalty: | \$5390.00 |

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

Citation 1 Item 9 b Type of Violation: **Serious**

29 CFR 1910.265(c)(30)(ii): Vehicle(s) were not equipped with audible warning signal(s):
a) Throughout the sawmill and yard around the sawmill, on or about August 19, 2013 and at times prior to, employees were exposed to a hazard of being struck by the Taylor #202 powered industrial truck which did not have a functional horn or back-up alarm.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

Date By Which Violation Must be Abated:

03/04/2014

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: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

Citation 1 Item 9 c Type of Violation: **Serious**

29 CFR 1910.265(c)(30)(iii): Lights. All vehicles operated in the dark or in poorly lighted areas were not equipped with head and tail lights:

a) Throughout the sawmill and yard around the sawmill, on or about August 19, 2013 and at times prior to, employees were exposed to a hazard of being struck by powered industrial trucks without functional lights:

- 1) The Taylor forklift #202 did not have functioning head lights for use during night operations.
- 2) The Case forklift 586G #210 which had its left headlight knocked out.
- 3) The Case forklift 586G #210 had a non-functional right tail light.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

Date By Which Violation Must be Abated:

03/04/2014

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.212(a)(5): Fan blade guard(s) were not provided where the periphery of the blades was less than seven feet from the floor or working level:

a) Saw Mill, at the stacker on or about August 19, 2013 and at times prior to, an unguarded floor model fan was in use, exposing employees to struck-by hazards.

ABATEMENT CERTIFICATION IS REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

02/25/2014
\$3850.00

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: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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 11 a Type of Violation: **Serious**

29 CFR 1910.215(a)(2): Abrasive wheel(s) used on grinding machinery were not provided with safety guard(s) which covered the spindle end, nut, flange projections:

a) Post Mill, on the maintenance table on or about August 19, 2013, the spindle end, nut and flange on the thin-line bench grinder were not guarded, exposing employees to struck by hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

| | |
|-----------------------------------------|------------|
| Date By Which Violation Must be Abated: | 02/25/2014 |
| Proposed Penalty: | \$5390.00 |

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.215(a)(4): Grinding machinery was not used with work rest(s) to support offhand grinding work:

a) Post Mill, on the maintenance table on or about August 19, 2013, there was no work rest installed on the thin-line bench grinder, exposing employees to struck-by hazards.

ABATEMENT CERTIFICATION AND DOCUMENTAION ARE REQUIRED

Date By Which Violation Must be Abated:

02/25/2014

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: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.215(b)(9): Guard for abrasive wheel machine where the operator stands in front of the machine was not constructed so that the peripheral protecting member could be adjusted to the constantly decreasing diameter of the wheel:

a) Post Mill, on the maintenance table on or about August 19, 2013, there was no tongue guard installed on the thin-line bench grinder, exposing employees to struck-by hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

Date By Which Violation Must be Abated:

02/25/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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 12 a Type of Violation: **Serious**

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) Saw Mill on or about August 19, 2013, the drive pulley for the motor that runs the chipper conveyor was not guarded, exposing employees to caught-in and struck by hazards.
- b) Maintenance Shop on or about August 19, 2013, the drive pulley for the motor that runs the air compressor was not guarded, exposing employees to caught-in and struck by hazards.
- c) Post Mill on or about August 19, 2013, the drive pulley for the motor that runs the belt conveyor to the chipper was not guarded, exposing employees to caught-in and struck by hazards.
- d) Post Mill on or about August 19, 2013, the drive pulley for the motor that runs the #5 Morbark peeler was not guarded, exposing employees to caught-in and struck by hazards.
- e) Post Mill on or about August 19, 2013, the drive pulley for the motor that runs the conveyor belt to the #8 Morbark peeler was not guarded, exposing employees to caught-in and struck by hazards.
- f) Post Mill on or about August 19, 2013, the drive pulley to the motor that runs the drive chains on the conveyor belt to the chipper was not guarded, exposing employees to caught-in and struck by hazards.
- g) Post Mill on or about August 19, 2013, the drive pulley for the motor that runs the conveyor belt to the #4 trim saw was not guarded, exposing employees to caught-in and struck by hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

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

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

Date By Which Violation Must be Abated: 03/18/2014
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: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

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) Saw Mill on or about August 19, 2013, the vertical and inclined v-belts that run onto the pulleys for the motor that runs the chipper conveyor was not guarded, exposing employees to a nip point hazard.
- b) Maintenance Shop on or about August 19, 2013, the vertical and inclined v-belts that run onto the pulleys for the motor that runs the air compressor were not guarded, exposing employees to a nip point hazard.
- c) Post Mill on or about August 19, 2013, the vertical and inclined v-belts that run onto the pulleys for the motor that runs the belt conveyor to the chipper were not guarded, exposing employees to a nip point hazard.
- d) Post Mill on or about August 19, 2013, the vertical and inclined v-belts that run onto the pulleys for the motor that runs the #5 Morbark peeler were not guarded, exposing employees to a nip point hazard.
- e) Post Mill on or about August 19, 2013, the vertical and inclined v-belts that run onto the pulleys for the motor that runs the conveyor belt to the #8 Morbark peeler were not guarded, exposing employees to a nip point hazard.
- f) Post Mill on or about August 19, 2013, the vertical and inclined v-belts that run onto the pulleys to the motor that runs the drive chains on the conveyor belt to the chipper were not guarded, exposing employees to a nip point hazard.
- g) Post Mill on or about August 19, 2013, the vertical and inclined v-belts that run onto the pulleys for the motor that runs the conveyor belt to the #4 trim saw were not guarded, exposing employees to a nip point hazard.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

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

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

Date By Which Violation Must be Abated:

03/18/2014

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

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

Citation 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.243(c)(1): Abrasive wheel(s) were used on portable grinder(s) which were not provided with safety guard(s) meeting the requirements specified in 29 CFR 1910.243(c)(1) through (c)(4):

a) Post Mill, on the maintenance table on or about August 19, 2013, the employer allowed employees to use the Fortney portable angle grinder without a guard, exposing employees to struck-by hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

03/18/2014
\$5390.00

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

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.254(d)(9)(iii): Cables with damaged insulation or exposed bare conductors were not replace:

a) Maintenance shop - on or about and at times prior to August 19, 2013, employees were stick welding equipment with a damaged welding lead, exposing employees to electrical hazards.

ABATEMENT CERTIFICATION IS NOT REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$3080.00

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

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.265(c)(21)(ii)(b): Hog feed chutes were not provided with suitable and approved baffles which would minimize material from being thrown from the mill:

a) Sawmill - on or about August 19, 2013, the mouth of the chipper did not have baffles, exposing employees to struck-by hazards.

ABATEMENT CERTIFICATION IS REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

03/18/2014
\$3850.00

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: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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 16 a Type of Violation: **Serious**

29 CFR 1910.303(b)(7)(iv): There were damaged parts that may adversely affect safe operation or mechanical strength of the equipment, such as parts that are broken, bent, cut, or deteriorated by corrosion, chemical action or overheating:

- a) Post Mill, on or about August 19, 2013, the flexible electrical cords that are used to power the peelers had damaged outer jackets, exposing employees to electrical shock hazard.
- b) Saw Mill, at the stacker on or about August 19, 2013, the flexible electrical extension cord used to run the floor model fan had damaged outer jackets in several areas, exposing employees to electrical shock hazard.
- c) Saw Mill on or about August 19, 2013, the power cord use to run the small wall mounted fan had a damaged outer jacket, exposing employees to electrical shock hazard.
- d) Maintenance Shop on or about August 19, 2013, the flexible electrical extension cord use to runs the portable angler grinder had a damaged outer jacket, exposing employees to electrical shock hazard.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

Date By Which Violation Must be Abated: 04/01/2014
Proposed Penalty: \$5390.00

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.305(g)(2)(ii): Flexible cords were not used in continuous lengths without splice or tap:

a) Saw Mill, at the stacker - on or about August 19, 2013, the power cords used to run a small portable fan were improperly spliced in several locations, exposing employees to an electrical shock hazard.

ABATEMENT CERTIFICATION IS REQUIRED

Date By Which Violation Must be Abated:

03/11/2014

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: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables were not connected to devices and fittings so that strain relief was provided that would prevent pull from being directly transmitted to joints or terminal screws:

- a) Post Mill on or about August 19, 2013, the outer jacket on the power cord connected to the control panel box that runs the Morbark peeler #3 was withdrawn, exposing the inner conductors and terminals to strain.
- b) Post Mill on or about August 19, 2013, the outer jacket on the 110-volt power cord connected to the control panel box that runs the Morbark peeler #6 was withdrawn, exposing the inner conductors and terminals to strain.
- c) Post Mill on or about August 19, 2013, the outer jacket on the end of the 480-volts electrical power cord connected to the junction box that runs the Morbark peeler #6 was withdrawn, exposing the inner conductors and terminals to strain.
- d) Post Mill on or about August 19, 2013, the outer jacket on the 110-volt power cord connected to the control panel box that runs the Morbark peeler #5 was withdrawn, exposing the inner conductors and terminals to strain.
- e) Post Mill on or about August 19, 2013, the outer jacket on the 110-volt power cord connected to the control panel box that runs the Morbark peeler #7 was withdrawn, exposing the inner conductors and terminals to strain.
- f) Post Mill on or about August 19, 2013, the outer jacket on the 110-volt power cord connected to the control panel box that runs the Morbark peeler #8 was withdrawn, exposing the inner conductors and terminals to strain.
- g) Post Mill on or about August 19, 2013, the outer jacket on the end of the 480-volts electrical power cord connected to the junction box that runs the #4 trim saw was withdrawn, exposing the inner conductors and terminals to strain.

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

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

ABATEMENT CERTIFICATION IS NOT REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4620.00

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: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

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)(LOCATION)(IDENTIFY SPECIFIC OPERATIONS AND/OR CONDITIONS)(IDENTIFY MACHINERY OR EQUIPMENT)(THIS INCLUDES ENFORCEMENT OF PROCEDURES)

a) Throughout the facility on or about August 19, 2013 and at times prior too, the employer did not develop, document and utilize specific energy control procedures for equipment such as the head saw, trim saw, conveyer systems, the chipper, the peelers, and powered industrial trucks, exposing employees to crush-by and caught-in hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

| | |
|-----------------------------------------|------------|
| Date By Which Violation Must be Abated: | 04/01/2014 |
| Proposed Penalty: | \$61600.00 |



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.219(f)(3): Sprocket wheels and chains which were seven (7) feet or less above floors or platforms were not enclosed:

- a) Post Mill - #1 Morbark Peeler on or about and at times prior to August 19, 2013, the rotating chains and sprocket wheels was not guarded , exposing employees to caught-in, crushing, and amputation hazards.
- b) Post Mill, #2 Morbark Peeler - on or about and at times prior to August 19, 2013, the rotating chains and sprocket wheels was not guarded, exposing employees to caught-in, crushing, and amputation hazards.
- c) Post Mill, #3 Morbark Peeler - on or about and at times prior to August 19, 2013, the rotating chains and sprocket wheels was not guarded, exposing employees to caught-in, crushing, and amputation hazards.
- d) Post Mill, #4 Morbark Peeler - on or about and at times prior to August 19, 2013, the rotating chains and sprocket wheels was not guarded, exposing employees to caught-in, crushing, and amputation hazards.
- e) Post Mill, #5 Morbark Peeler - on or about and at times prior to August 19, 2013, the rotating chains and sprocket wheels was not guarded, exposing employees to caught-in, crushing, and amputation hazards.
- f) Post Mill, #6 Morbark Peeler - on or about and at times prior to August 19, 2013, the rotating chains and sprocket wheels was not guarded, exposing employees to caught-in, crushing, and amputation hazards.
- g) Post Mill, #7 Morbark Peeler - on or about and at times prior to August 19, 2013, the rotating chains and sprocket wheels was not guarded, exposing employees to caught-in, crushing, and amputation hazards.

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

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

Inspection Number: 931983
Inspection Date(s): 08/19/2013 - 11/26/2013
Issuance Date: 02/18/2014



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

h) Post Mill, #8 Morbark Peeler - on or about and at times prior to August 19, 2013, the rotating chains and sprocket wheels was not guarded, exposing employees to caught-in, crushing, and amputation hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED.

| | |
|-----------------------------------------|------------|
| Date By Which Violation Must be Abated: | 02/25/2014 |
| Proposed Penalty: | \$61600.00 |

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: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.305(b)(2)(i): Pull boxes, junction boxes, and fittings were not provided with covers approved for the purpose:

- a) Saw Mill on or about August 19, 2013, the front cover was missing from the 480-volts electrical junction box, exposing employees to electrical hazards.
- b) Maintenance Shop on or about August 19, 2013, the front cover was missing from the 480-volts electrical junction box, exposing employees to electrical hazards.
- c) Maintenance Shop on or about August 19, 2013, the front cover was missing from the 480-volts electrical junction box on top of the compressor, exposing employees to electrical hazards.
- d) Post Mill, #2 Morbark Peeler on or about August 19, 2013, the front cover was missing from the 480-volts electrical junction box, exposing employees to electrical hazards.
- e) Post Mill, #5 Morbark Peeler on or about August 19, 2013, the front cover was partially off from the 480-volts electrical junction box, exposing employees to electrical hazards.
- f) Post Mill, #8 Morbark Peeler on or about August 19, 2013, the front cover was missing from the 480-volts electrical junction box, exposing employees to electrical hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE NOT REQUIRED

| | |
|------------------------------------------------|-------------------|
| Date By Which Violation Must be Abated: | 03/04/2014 |
| Proposed Penalty: | \$48400.00 |

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: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.22(a)(2): Floor(s) of workroom(s) were not maintained in a clean and, so far as possible, a dry condition:

- a) Saw Mill on or about August 19, 2013, wood chips and debris, such as wood blocks, trash and electrical cords were not cleaned frequently enough or removed to prevent slip, trip and fall hazards.
- b) Post Mill on or about August 19, 2013, wood chips and debris, such as wood blocks, trash and electrical cords were not cleaned frequently enough or removed to prevent slip, trip and fall hazards.
- c) Maintenance Shop on or about August 19, 2013, trashes, cardboard boxes and electrical cords were not cleaned frequently enough or removed to prevent slip, trip and fall hazards.
- d) Post Mill on or about August 19, 2013, the employers housekeeping practices did not include removing accumulations of fine wood combustible dust greater than 1/8 inch in depth from vertical and horizontal ledges, saw motors, electrical equipment and on the floor around the saw, which exposed employees to fire, combustion, and deflagration hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

Dupont Yard, Inc., was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.22(a)(1), which was contained in OSHA inspection number 314089798, citation number 1, item 001 and was affirmed as final order January 5, 2011, with respect to a workplace located at 103 Linnie St., Homerville, Georgia.

Date By Which Violation Must be Abated:
Proposed Penalty:

03/04/2014
\$10780.00



Citation and Notification of Penalty

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634

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

29 CFR 1910.305(b)(1)(ii): Unused openings in boxes, cabinets, or fittings were not effectively closed:

- a) Sawmill on or about August 19, 2013, numerous 480-volt control panel boxes had openings on the front cover from missing on/off switches, exposing employees to electrical shock hazards.
- b) Post Mill on or about August 19, 2013, the 110-volt control panel box that ran the #6 post peeler had three openings on the front cover from missing switches, exposing employees to electrical shock hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION ARE REQUIRED

Dupont Yard, Inc., was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.305(b)(1)(ii), which was contained in OSHA inspection number 310987425, citation number 1, item 015 and was affirmed as Final Order on March 18, 2008, with respect to a workplace located at 103 Landmark Rd., Homerville, Georgia; and in OSHA inspection number 314089798, citation number 2, item 002 and was affirmed as Final Order on January 5, 2011, with respect to a workplace located at 103 Linnie St., Homerville, Georgia.

Date By Which Violation Must be Abated: 03/04/2014
Proposed Penalty: \$19250.00

Robert E. Vazzi
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
450 Mall Boulevard
Suite J
Savannah, GA 31406
Phone: 912-652-4393 Fax: 912-652-4329



INVOICE / DEBT COLLECTION NOTICE

Company Name: Dupont Yard, Inc.
Inspection Site: 277 Landmark Rd, Homerville, GA 31634
Issuance Date: 02/18/2014

| | |
|---------------------------------------------------|--------------------|
| Summary of Penalties for Inspection Number | 931983 |
| Citation 1, Serious | \$77770.00 |
| Citation 2, Willful | \$171600.00 |
| Citation 3, Repeat | \$30030.00 |
| TOTAL PROPOSED PENALTIES | \$279400.00 |

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 <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 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.

Robert E. Vazzi

Area Director

Date