

U.S. Department of Labor
Occupational Safety and Health Administration
500 ROUTE 17 SOUTH
SECOND FLOOR
HASBROUCK HEIGHTS, NJ 07604-3121
Phone: (201)288-1700 FAX: (201)288-7315



Citation and Notification of Penalty

To:
Earth Friendly Products
and its successors
380 Chestnut St.
Norwood, NJ 07648

Inspection Number: 314681693
Inspection Date(s): 12/28/2011-05/31/2012
Issuance Date: 06/20/2012

Inspection Site:
380 Chestnut St.
Norwood, NJ 07648

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

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

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

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

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be

submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the page 5 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 (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 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, 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.

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.

ABATEMENT CERTIFICATION

LISA LEVY, Area Director
U.S. Department of Labor - OSHA
500 ROUTE 17 SOUTH
SECOND FLOOR
HASBROUCK HEIGHTS, NJ 07604-3121
Phone: (201)288-1700

Earth Friendly Products
380 Chestnut St.
Norwood, NJ 07648

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

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

Signature

Typed or Printed Name



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 06/20/2012. The conference will be held at the OSHA office located at 500 ROUTE 17 SOUTH, SECOND FLOOR, HASBROUCK HEIGHTS, NJ, 07604-3121 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

29 CFR 1910.106(e)(2)(ii)(b)(2): More than 120 gallons of Class IB, IC, II or III flammable or combustible liquids in containers were located outside of inside storage room(s) or storage cabinet(s):

- a) Batching and Storage Area: Approximately 285 gallons of Class I flammable liquids and 445 gallons of Class II combustible liquids and 405 gallons of Class IIIA combustible liquids were stored outside of an inside storage room or storage cabinet, inside the building, on or about December 28, 2011.

Date By Which Violation Must be Abated:	07/23/2012
Proposed Penalty:	\$ 7000.00



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

29 CFR 1910.106(e)(2)(iv)(d): Flammable or combustible liquids were not drawn from or transferred into vessels, containers, or portable tanks within a building only through a closed piping system, from safety cans, by means of a device drawing through the top, or from a container or portable tanks by gravity through an approved self-closing valve:

- a) Mezzanine: Employees transferred Class I flammable liquids such as, but not limited to, Ethyl Alcohol and Class II combustible liquids such as 99-100% Acetic Acid from plastic containers such as buckets into batching tanks, from December 28, 2011 to February 9, 2012.
- b) Batching and Storage Area: Employees dispensed Class I flammable liquids such as, but not limited to, Ethyl Alcohol and Class II combustible liquids such as, but not limited to, 99-100% Acetic Acid from metal 55 gallon drums into plastic containers or buckets that were not safety cans, from December 28, 2011 to February 9, 2012.
- c) Batching and Storage Area: Employees dispensed Class I flammable liquids such as, but not limited to, Ethyl Alcohol and Class II combustible liquids such as, but not limited to, 99-100% Acetic Acid from 55 gallon drums through plastic spigots into plastic containers or that were not self-closing valves, from December 28, 2011 to February 9, 2012.

Date By Which Violation Must be Abated:	07/23/2012
Proposed Penalty:	\$ 5000.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

29 CFR 1910.106(e)(3)(iv)(a): Where flammable or combustible liquids were used or handled (except in closed containers), emergency drainage systems were not provided to direct flammable or combustible liquid leakage and fire protection water to a safe location:

- a) Batching and Storage Area: Employees dispensed Class I flammable liquids such as, but not limited to Isopropyl Alcohol, Ethyl Alcohol, and Class II Combustible Liquids such as, but not limited to Acetic Acid 99-100%, d-Limonene and IIIA combustible liquids such as but not limited to Butyl Cellosolve but there were no adequate means of safe drainage of leakage or spills, on or about March 21, 2012.

Date By Which Violation Must be Abated:	07/23/2012
Proposed Penalty:	\$ 5000.00

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

29 CFR 1910.106(e)(6)(ii): Class I flammable liquid(s) were dispensed into containers without electrically interconnecting the nozzle and the container:

- a) Batching and Storage Area: Employees dispensed Class I flammable liquids without bonding and grounding the dispensing nozzle and accepting container. Equipment that was not bonded and grounded includes the Sandpiper Pump used to transfer flammable liquids including, but not limited to, Ethanol from the 55 gallon drum to the Batch Tanks #4, #5 and #6, from December 28, 2011 to February 9, 2012.

Date By Which Violation Must be Abated:	07/23/2012
Proposed Penalty:	\$ 5000.00



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

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

29 CFR 1910.132(a): Protective equipment was not used when necessary whenever hazards capable of causing injury and impairment were encountered:

- a) Batching Area: Employees dispensed corrosive liquids such as, but not limited to, 99-100% Acetic Acid, Sodium Hydroxide Solution, Neolone M-10, Phenoxetol, and Versene 100. Employees were not provided and did not use protection such as chemical splash resistant aprons, on or about February 9, 2012.

Date By Which Violation Must be Abated: 07/23/2012
Proposed Penalty: \$ 5000.00

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

29CFR 1910.132(f)(1) The employer did not provide training to each employee who is required by this section to use personal protective equipment:

- a) Batching Area: Employees dispensed corrosive liquids such as but not limited to 99-100% Acetic Acid, Sodium Hydroxide Solution, Neolone M-10, Phenoxetol, and Versene 100. Employees were not informed that face and eye protection such as chemical splash goggles and face shields must be worn, on or about February 9, 2012.

Date By Which Violation Must be Abated: 07/23/2012

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

- a) Batching Area: Employees dispensed corrosive liquids such as but not limited to 99-100% Acetic Acid, Sodium Hydroxide Solution, Neolone M-10, Phenoxetol, and Versene 100. Appropriate face and eye protection such as chemical splash goggles and face shields were not worn, on or about February 9, 2012.

Date By Which Violation Must be Abated: 07/23/2012

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

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

29 CFR 1910.134 (c)(1): The employer had neither implemented nor maintained a Respiratory Protection Program that met the requirements of items i) through viii) of this Subpart:

- a) Batching Area: Employees were required to wear half mask elastomeric respirators when dispensing 99-100% Acetic Acid, but a written Respiratory Protection Program was not implemented, from December 28, 2011 to March 20, 2012.
- b) Batching Area: Employees that entered Batch and holding tank to do repairs or assist in repairs were required to wear a half mask elastomeric respirator, but a written Respiratory Protection Program was not implemented, from December 28, 2011 to March 7, 2012.

Date By Which Violation Must be Abated: 07/23/2012
Proposed Penalty: \$ 4000.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

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

- a) Batching Area: Employees were required to wear half mask elastomeric respirators when dispensing 99-100% Acetic Acid, but training regarding respirator use was not conducted, on or about March 20, 2012.
- b) Batching Area: Employees that entered Batch and holding tanks to do repairs or assist in repairs were required to wear half mask elastomeric respirators, but respirator training was not conducted, on or about March 7, 2012.

Date By Which Violation Must be Abated: 07/23/2012

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

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

- a) Batching Area: Employees that dispensed and mixed chemicals including but not limited to, 99-100% Acetic Acid, are required to wear tight-fitting elastomeric respirators, but a medical evaluation was not obtained for each employee on or about March 20, 2012.
- b) Batching Area: Employees that entered batch and holding tanks to do repairs or assist in repairs were required to wear a half mask elastomeric respirators, but medical evaluations were not obtained for each employee, on or about March 7, 2012.

Date By Which Violation Must be Abated: 07/23/2012
Proposed Penalty: \$ 4000.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use:

- a) Mezzanine: Employees dispensed corrosive liquids including but not limited to 99-100% Acetic Acid, Sodium Hydroxide Solution, Neolone M-10, Phenoxetol, Versene 100, BJS-I Vitech, and Tergitol NP-9 Surfactant but were not provided with an eyewash, on or about March 20, 2012
- b) Batching and Storage Area: Employees dispensed corrosive liquids including but not limited to 99-100% Acetic Acid, Sodium Hydroxide Solution, Neolone M-10, Phenoxetol, Versene 100, BJS-I Vitech, and Tergitol NP-9 Surfactant but were not provided with an eyewash and safety shower, on or about March 20, 2012.
- c) Lab Area: Employees dispensed corrosive liquids including but not limited to 99-100% Acetic Acid, Sodium Hydroxide Solution, Neolone M-10, Phenoxetol, Versene 100, BJS-I Vitech, and Tergitol NP-9 Surfactant but were not provided with an eyewash, on or about March 20, 2012.

Date By Which Violation Must be Abated:	07/23/2012
Proposed Penalty:	\$ 5000.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

29 CFR 1910.157(g)(1): An educational program was not provided for all employees to familiarize them with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting:

- a) **Batching and Storage Area:** Employees were expected to use fire extinguishers in the event of a fire but were not provided the necessary fire extinguisher training, on or about March 21, 2012.

ABATEMENT NOTE: This alleged violation may be corrected by implementing a Fire Safety Policy; as outlined in 29 CFR 1910.38(a) and (b) which includes the evacuation requirements of 29 CFR 1910.157(b).

Date By Which Violation Must be Abated:	07/23/2012
Proposed Penalty:	\$ 5000.00

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

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

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

- a) **Batching and Storage Areas:** A written hazard communication program was not developed for employees that work with hazardous chemicals, including but not limited to 99-100% Acetic Acid, Sodium Hydroxide Solution, Neolone M-10, Phenoxetol, Versene 100, BJS-I Vitech, Tergitol NP-9 Surfactant, Isopropyl Alcohol, Ethyl Alcohol, and Methyl Alcohol, on or about December 28, 2011.

Date By Which Violation Must be Abated:	07/23/2012
Proposed Penalty:	\$ 5000.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

29 CFR 1910.1200(h)(1): Employees were not provided with effective information and training as specified in 29 CFR 1910.1200(h)(2) and (3) on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard was introduced into their work area:

- a) **Batching and Storage Area:** Effective information and hazard communication training was not provided to employees who work with hazardous chemicals such as but not limited to 99-100% Acetic Acid, Sodium Hydroxide Solution, Neolone M-10, Phenoxetol, Versene 100, BJS-I Vitech, Tergitol NP-9 Surfactant, Isopropyl Alcohol, and Ethyl Alcohol, on or about December 28, 2011.

Date By Which Violation Must be Abated: 07/23/2012



LISA LEVY
Area Director

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

*pages 15 and 16 are blank
due to a formatting error*

U.S. Department of Labor
Occupational Safety and Health Administration
500 ROUTE 17 SOUTH
SECOND FLOOR
HASBROUCK HEIGHTS, NJ 07604-3121
Phone: (201)288-1700 FAX: (201)288-7315
OSHA Website Address: <http://www.osha.gov>



INVOICE/ DEBT COLLECTION NOTICE

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648
Issuance Date: 06/20/2012

Summary of Penalties for Inspection Number 314681693

Citation 1, Serious	= \$ 50000.00
TOTAL PROPOSED PENALTIES	= \$ 50000.00

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.

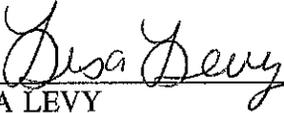
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts 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 4%. 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.



LISA LEVY
Area Director



Date

U.S. Department of Labor
Occupational Safety and Health Administration
500 ROUTE 17 SOUTH
SECOND FLOOR
HASBROUCK HEIGHTS, NJ 07604-3121
Phone: (201)288-1700 FAX: (201)288-7315



Citation and Notification of Penalty

To:
Earth Friendly Products
and its successors
380 Chestnut St.
Norwood, NJ 07648

Inspection Number: 314681628
Inspection Date(s): 12/21/2011-05/31/2012
Issuance Date: 06/20/2012

Inspection Site:
380 Chestnut St.
Norwood, NJ 07648

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

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

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

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

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be

submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the page 5 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 (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 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, 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.

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.

ABATEMENT CERTIFICATION

LISA LEVY, Area Director
U.S. Department of Labor - OSHA
500 ROUTE 17 SOUTH
SECOND FLOOR
HASBROUCK HEIGHTS, NJ 07604-3121
Phone: (201)288-1700

Earth Friendly Products
380 Chestnut St.
Norwood, NJ 07648

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

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

Signature

Typed or Printed Name



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 06/20/2012. The conference will be held at the OSHA office located at 500 ROUTE 17 SOUTH, SECOND FLOOR, HASBROUCK HEIGHTS, NJ, 07604-3121 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

29 CFR 1910.146(c)(2): The employer did not inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces:

- a) Mixing Area: Employer did not attached signs onto tanks, including but not limited to #1 through #6, in the mixing area, on or about 03/07/2012.

Date By Which Violation Must be Abated:	07/10/2012
Proposed Penalty:	\$ 7000.00

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 2a Type of Violation: **Serious**

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

- a) Mixing Area: Employees entered mixing tanks, including but not limited to #1/#5/#6, to perform blade adjustment work and other maintenance, without the employer developing and implementing a written permit space entry program, on or about 03/07/2012.

Date By Which Violation Must be Abated:	07/10/2012
Proposed Penalty:	\$ 7000.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

29 CFR 1910.146(d)(5)(i): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not evaluate permit space conditions when entry operations were conducted by testing conditions in the permit space to determine if acceptable entry conditions existed before entry was authorized to begin:

- a) Mixing Area: Employer did not evaluate the atmospheric conditions nor energy control in the mixing tanks, including but not limited to #1/#5/#6, before having employees enter to perform blade adjustment work and other maintenance work inside the tanks, on or about 03/07/2012.

Date By Which Violation Must be Abated: 07/10/2012

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

29 CFR 1910.146(k)(3): To facilitate non-entry rescue, retrieval systems or methods were not used whenever an authorized entrant entered a permit space:

- a) Mixing Area: Retrieval systems were not used nor in place when employees entered the mixing tanks, including but not limited to #1/#5/#6, to perform blade adjustment work and other maintenance work inside the tanks, on or about 03/07/2012.

Date By Which Violation Must be Abated: 07/10/2012

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

- a) **Mixing area:** Employee was performing maintenance work on electric motor on, including but not limited to tank #1, without the employer establishing and implementing an energy control program, on or about 03/12/2012.

Date By Which Violation Must be Abated:	07/10/2012
Proposed Penalty:	\$ 7000.00

Citation 1 Item 3b 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 activities covered by this section:

- a) **Mixing area:** Employee was performing maintenance work on electric motor on, including but not limited to tank #1, without the employer developing, documenting and implementing procedures for a energy control program, on or about 03/12/2012.

Date By Which Violation Must be Abated:	07/10/2012
---	------------

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

29 CFR 1910.147(c)(5)(i): Locks or other hardware were not provided by the employer for isolating, securing, or blocking of machines or equipment from energy sources:

- a) Mixing area: Employer did not provide hardware to isolate energy when employee was performing maintenance work, including but not limited to, electric motor on tank #1, on or about 03/12/2012.

Date By Which Violation Must be Abated: 07/10/2012

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

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

- a) Mixing area: Employer did not provide training on Lockout/Tagout for employee that was performing maintenance work, including but not limited to electric motor on tank #1, on or about 03/12/2012.

ABATEMENT NOTE: TRAINING SHALL INCLUDE ALL ELEMENTS FROM A TO C, DEFINED IN THIS STANDARD.

Date By Which Violation Must be Abated: 07/10/2012

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

29CFR 1910.176(b) The employer did not ensure that storage of material did not create a hazard.

- a) Mixing area: Containers stored in the batching mixing mezzanine area were not prevented from falling and striking employees working at the lower level, on or about 12/21/2011.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 5000.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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 1910.178(a)(4): Modifications or additions which affect capacity and safe operation of powered industrial truck were performed by the employer without the manufacturer's prior written approval:

- a) Warehouse: Employer did not get prior written approval from manufacturer before making additions to the powered industrial truck by adding a Workmaster man basket, on or about 03/21/2012.
- b) Production area: Employer did not get prior written approval from manufacturer before making additions to the powered industrial truck by adding a Morspeed attachment, on or about 03/21/2012.

Date By Which Violation Must be Abated:	07/10/2012
Proposed Penalty:	\$ 7000.00

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

29 CFR 1910.178(a)(5): The forklift truck was equipped with front-end attachments other than factory installed attachments. The user did not request that the truck be marked to identify the attachments and show the approximate weight of the truck and attachment combination at maximum elevation with load.

- a) Warehouse: Toyota forklifts that were used with Workmaster man platform and Morspeed drum handler, were not marked to identify attachments and related load/elevation, on or about 03/21/2012.

Date By Which Violation Must be Abated:	07/10/2012
---	------------

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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 6a Type of Violation: **Serious**

29 CFR 1910.178(l)(1)(i): Operators were not trained in the safe operation of powered industrial trucks:

- a) Warehouse and production area: Employees were operating power industrial trucks without being trained in the safe operation, on or about 12/21/2011.

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

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

29 CFR 1910.178(l)(4)(iii): Power Industrial truck operators were not evaluated at least once every three years:

- a) Warehouse and production area: Employees were operating power industrial trucks without being evaluated at least every three years, on or about 12/28/2011.

Date By Which Violation Must be Abated:	Corrected During Inspection
---	-----------------------------

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

29 CFR 1910.178(n)(4): Industrial truck driver(s) were not required to travel with the load trailing whenever the load obstructed forward view:

- a) Warehouse and production area: Employee operating a powered industrial truck with view obstructed by a two pallet high load was driving forward, on or about 12/21/2011.

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

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 8a 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) Maintenance shop: Employees were using bench grinder that did not have protection on the left spindle, on or about 03/16/2012.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 4000.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

Citation 1 Item 8b 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) Maintenance area: Employees were using bench grinder that did not have an adjustable tongue on the right side, on or about 03/16/2012.

Date By Which Violation Must be Abated: Corrected During Inspection

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

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) Production area: Employees were using a junction box designed to be wall mounted, connected to flexible cord to power equipment at line #3, on or about 12/21/2011.
- b) Production area: Employees were using a junction box designed to be wall mounted, connected to flexible cord to power equipment at line #1, on or about 12/21/2011.
- c) Production area: Employees were using a junction box designed to be wall mounted, connected to flexible cord to power equipment at line #3 (wet location), on or about 03/21/2012.

Date By Which Violation Must be Abated: 07/10/2012
Proposed Penalty: \$ 5000.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

29 CFR 1910.303(f)(2): Each service, feeder and branch circuit, at its disconnecting means or overcurrent device, was not legibly marked to indicate its purpose, nor located and arranged so the purpose was evident:

- a) Production area: Electric breakers on electric panel by production area were not marked to indicate its purposes, on or about 12/21/2011.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 5000.00

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

29 CFR 1910.304(f)(1)(iv): Overcurrent devices were not readily accessible to each employee or authorized building management personnel:

- a) Warehouse: Electric panel was blocked by stored materials in storage area next to production, on or about 12/21/2011.
- b) Warehouse: Electric panel was blocked by stored materials in storage area next to office, on or about 12/28/2011.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 4000.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648

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

29 CFR 1910.304(g)(5): The path to ground from circuits, equipment, and enclosures was not permanent and continuous:

- a) Mixing area: Employees were using fan with removed ground pin, on or about 12/28/2011.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 4000.00

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

29 CFR 1910.305(b)(2)(i): Each outlet box in completed installations did not have a cover, faceplate, or fixture canopy:

- a) Mixing area: Employees were using outlet box with unsecured cover and exposed wires, on or about 12/28/2011.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 5000.00

A handwritten signature in cursive script, appearing to read "Lisa Levy".

LISA LEVY
Area Director

See pages 1 through 5 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
500 ROUTE 17 SOUTH
SECOND FLOOR
HASBROUCK HEIGHTS, NJ 07604-3121
Phone: (201)288-1700 FAX: (201)288-7315
OSHA Website Address: <http://www.osha.gov>



INVOICE/ DEBT COLLECTION NOTICE

Company Name: Earth Friendly Products
Inspection Site: 380 Chestnut St., Norwood, NJ 07648
Issuance Date: 06/20/2012

Summary of Penalties for Inspection Number 314681628

Citation 1, Serious	= \$	74000.00
TOTAL PROPOSED PENALTIES	= \$	74000.00

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.

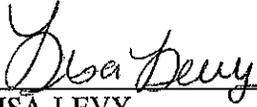
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts 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 4%. 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.



LISA LEVY
Area Director



Date