

U.S. Department of Labor
Occupational Safety and Health Administration
2183 Northlake Parkway
Building 7, Suite 110
Tucker, GA 30084
Phone: 770-493-6644 Fax: 770-493-7725



Citation and Notification of Penalty

To:
EROSION TECH, LLC
and its successors
105 Plant Camelia Rd.
105 Camelia Plant Rd.
Juliette, GA 31046

Inspection Number: 1000186
Inspection Date(s): 10/09/2014 - 10/10/2014
Issuance Date: 04/07/2015

Inspection Site:
105 Plant Camelia Rd.
105 Camelia Plant Rd.
Juliette, GA 31046

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 \$25,000 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 _____ on 04/07/2015. The conference will be held by telephone or at the OSHA office located at 2183 Northlake Parkway, Building 7, Suite 110, Tucker, GA 30084 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1000186

Company Name: EROSION TECH, LLC

Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

Issuance Date: 04/07/2015

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, 2183 Northlake Parkway, Building 7, Suite 110, Tucker, GA 30084**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC

Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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

29 CFR 1910.23(c)(3): Regardless of height, open-sided floors, walkways, platforms, or runways above or adjacent to dangerous equipment, pickling or galvanizing tanks, degreasing units, and similar hazards were not guarded with a standard railing and toe board.

On or about October 9, 2014, employees were exposed to fall hazards of approximately 5-10 feet when they climbed onto equipment such as, but not limited to the following to perform maintenance and to cut threads:

- a. 16-1 machine
- b. 16-2 machine
- c. 8-foot machine

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:

05/01/2015

Proposed Penalty:

\$3500.00

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

Inspection Number: 1000186
Inspection Date(s): 10/09/2014 - 10/10/2014
Issuance Date: 04/07/2015



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC
Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

On or about October 9, 2014, employees were exposed to smoke and fire hazards when one of the doors with an exit sign above it was blocked with plastic pipe.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Quick Fix Applied
\$3570.00

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: 1000186
Inspection Date(s): 10/09/2014 - 10/10/2014
Issuance Date: 04/07/2015



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC
Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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 3 a Type of Violation: **Serious**

29 CFR 1910.37(b)(4): Signs were not posted along the exit access indicating the direction of travel to the nearest exit and exit discharge when the direction of travel to the exit or exit discharge was not immediately apparent:

On or about October 9, 2014, employees were exposed to smoke and fire hazards when none of the exits could be seen from the entrance to the production area.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

05/01/2015
\$4200.00

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: EROSION TECH, LLC

Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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

29 CFR 1910.37(b)(6): Each exit sign was not illuminated to a surface value of at least five foot-candles (54 lux) by a reliable light source and be distinctive in color:

On or about October 9, 2014, employees were exposed to smoke and fire hazards when none of the exit signs in the production area were lit.

- a. Exit near 8-foot machine
- b. Exit next to propane storage
- c. Exit closest to wattle production area

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/01/2015



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC
Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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

29 CFR 1910.110(f)(2)(ii): LP gas container(s) stored inside were located near or in area(s) normally used or intended for the safe exit of employees:

On or about October 9, 2014, employees in the production area were exposed to smoke and fire hazards when propane used as fuel for forklifts was stored next to an emergency exit.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/01/2015
Proposed Penalty:	\$4900.00



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC

Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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

On or about October 9, 2014, employees were exposed to struck-by and entrapment hazards when the employer had not evaluated equipment such as, but not limited to, the following, to determine if they were permit required confined spaces:

- a. Large bag house
- b. Small bag house (not working)
- c. Bale buster on 16-2
- d. Bale buster on 16-1
- e. Bale buster on 8-foot machine
- f. Sweeper access panel on 16-2
- g. Sweeper access panel on 16-1
- h. Sweeper access panel on 8-foot machine

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:

05/22/2015

Proposed Penalty:

\$3500.00



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC

Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

Citation 1 Item 5 b 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: NOTE: A sign reading DANGER-PERMIT-REQUIRED CONFINED SPACE, DO NOT ENTER or using other similar language would satisfy the requirement for a sign.

On or about October 9, 2014, employees were exposed to struck-by hazards when the employer had not informed employees that equipment such as, but not limited to, the following was a confined space:

- a. Large bag house
- b. Small bag house (not working)
- c. Bale buster on 16-2
- d. Bale buster on 16-1
- e. Bale buster on 8-foot machine
- f. Sweeper access panel on 16-2
- g. Sweeper access panel on 16-1
- h. Sweeper access panel on 8-foot machine

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:

05/22/2015



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC

Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

Citation 1 Item 5 c 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:

On or about October 9, 2014, employees were exposed to struck-by hazards in that employees enter confined spaces and there was no confined space program for the following:

- a. Large bag house - Employees enter bag house to change bags.
- b. Small bag house - Employees enter bag house to change bags.
- c. Bale buster on 16-2 - Employees enter for cleaning purposes.
- d. Bale buster on 16-1 - Employees enter for cleaning purposes.
- e. Bale buster on 8-foot machine - Employees enter for cleaning purposes.
- f. Sweeper access panel on 16-2 - Employees enter through an access panel for cleaning purposes.
- g. Sweeper access panel on 16-1 - Employees enter through an access panel for cleaning purposes.
- h. Sweeper access panel on 8-foot machine - Employees enter through an access panel for cleaning purposes.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:

05/22/2015



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC
Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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

29 CFR 1910.147(c)(1): The employer did not establish a program consisting of an energy control procedure, 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, startup or release of stored energy could occur and cause injury, the machine or equipment shall be isolated from the energy source and rendered inoperative:

On or about October 9, 2014, employees were exposed to struck-by, caught-in, and electrical hazards when they were performing maintenance or correcting defective product on the 16-1, 16-2, and 9-foot machines and the plant facilities.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 05/01/2015
Proposed Penalty: \$4900.00

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

Inspection Number: 1000186
Inspection Date(s): 10/09/2014 - 10/10/2014
Issuance Date: 04/07/2015



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC
Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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

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

On or about October 9, 2014, employees walking and working in the warehouse area were exposed to struck-by hazards when the coconut fibers stored in the warehouse area had fallen.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Quick Fix Applied
\$2100.00

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: 1000186
Inspection Date(s): 10/09/2014 - 10/10/2014
Issuance Date: 04/07/2015



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC
Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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

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

On or about October 9, 2014, employees were exposed to fall hazards when they were using an older model boom lift mounted on a forklift to access production equipment for maintenance and repairs. The forklift manufacturer had not provided approval for manlift use on the forklifts. The lift did not have an anchor point and had no instructions for anchoring the lift to the forklift.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated: 05/01/2015
Proposed Penalty: \$3500.00

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: 1000186
Inspection Date(s): 10/09/2014 - 10/10/2014
Issuance Date: 04/07/2015



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC
Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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(l)(1)(i): The employer did not ensure that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (l):

On or about October 9, 2014, employees were exposed to struck-by hazards when new employees were not evaluated, certified, trained to drive forklifts at the site. Forklifts were used to move hay bales, move mats and wattles, and to load trucks at the facility.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:	05/01/2015
Proposed Penalty:	\$4200.00

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: 1000186
Inspection Date(s): 10/09/2014 - 10/10/2014
Issuance Date: 04/07/2015



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC
Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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

29 CFR 1910.178(l)(4)(iii): An evaluation of each powered industrial truck operator's performance was not being conducted at least once every three years:

On or about October 9, 2014, employees were exposed to struck-by hazards when employees were not re-tested or re-certified every three years.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:

05/01/2015

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: EROSION TECH, LLC

Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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 10 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):

On or about October 9, 2014, employees were exposed to struck-by hazards when the forklifts in use on first and second shifts were not taken out of service when deficiencies such as, but not limited to, leaking transmission and broken horns were found.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:

05/01/2015

Proposed Penalty:

\$4200.00

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

Inspection Number: 1000186
Inspection Date(s): 10/09/2014 - 10/10/2014
Issuance Date: 04/07/2015



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC
Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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

29 CFR 1910.178(q)(7): Powered industrial truck(s) which were used on a round-the-clock basis were not examined for defects after each shift:

On or about October 9, 2014, employees were exposed to struck-by hazards when the forklifts in use on first and second shifts were not inspected every day on first and second shifts.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated: **05/01/2015**

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: EROSION TECH, LLC
Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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

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

On or about October 9, 2014, employees were exposed to amputation, crush, and struck-by hazards when the following equipment was not guarded:

- a. Exit of the 16-1 machine has no guard to prevent employee access to the mat as it is rolled up
- b. Exit of the 16-2 machine has no guard to prevent employee access to the mat as it is rolled up
- c. Exit of the 8-foot machine has no guard to prevent employee access to the mat as it is rolled up
- d. Sides of the 8-foot machine have no guard to prevent employee access as the product is processed
- e. Homemade bale buster has no guards to prevent employee access to the rotating bale busting bars

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/22/2015
Proposed Penalty:	\$4900.00

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: EROSION TECH, LLC

Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

Citation 1 Item 12 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):

On or about October 9, 2014, employees were exposed to amputation, crush, and struck-by hazards when the following equipment was not guarded:

- a. Fan belt drive in the wattle area (2x)

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:

05/22/2015

Proposed Penalty:

\$3500.00

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

Inspection Number: 1000186
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Issuance Date: 04/07/2015



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC
Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

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

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

On or about October 9, 2014, employees were exposed to amputation, crush, and struck-by hazards when the following equipment was not guarded:

- a. Chain drive on the yellow hopper near the 8-foot machine was missing a guard.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Quick Fix Applied
\$2975.00

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

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Company Name: EROSION TECH, LLC
Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.29(b)(3): Each recordable injury or illnesses was not entered on the OSHA 300 log and/or incident report (OSHA Form 300A or equivalent) within seven (7) calendar days of receiving information that a recordable injury or illness has occurred:

On or about October 9, 2014, the employer does not record injuries or illnesses on the OSHA log until the end of each calendar year.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:
Proposed Penalty:

05/01/2015
\$700.00

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: 1000186
Inspection Date(s): 10/09/2014 - 10/10/2014
Issuance Date: 04/07/2015



Citation and Notification of Penalty

Company Name: EROSION TECH, LLC

Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046

Citation 2 Item 2 Type of Violation: **Other-than-Serious**

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

On or about October 9, 2014, employees were exposed to slip hazards when employees were not required to use slip resistant shoes when working on floors that were dusty and/or wet during the movement of hay throughout the facility.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET).

Date By Which Violation Must be Abated:

05/01/2015

Proposed Penalty:

\$0.00

William C. Fulcher
Area Director

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
2183 Northlake Parkway
Building 7, Suite 110
Tucker, GA 30084
Phone: 770-493-6644 Fax: 770-493-7725



INVOICE / DEBT COLLECTION NOTICE

Company Name: EROSION TECH, LLC
Inspection Site: 105 Plant Camelia Rd., 105 Camelia Plant Rd., Juliette, GA 31046
Issuance Date: 04/07/2015

Summary of Penalties for Inspection Number	1000186
Citation 1, Serious	\$49945.00
Citation 2, Other-than-Serious	\$700.00
TOTAL PROPOSED PENALTIES	\$50645.00

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 \$25,000 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.

William C. Fulcher

Area Director

Date