

U.S. Department of Labor
Occupational Safety and Health Administration
1320 W Commerce Dr.
Suite 800
Peoria, IL 61615
Phone: 309-589-7033 Fax: 309-589-7326



Citation and Notification of Penalty

To:
Hagerty Brothers Company
and its successors
1506 Detweiller Dr.
Peoria, IL 61615

Inspection Number: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014

Inspection Site:
1506 Detweiller Dr.
Peoria, IL 61615

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

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

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

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

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

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

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

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

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

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

Notification of Corrective Action – For each violation which you do not contest, you must provide ***abatement certification*** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that ***abatement documentation*** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 12/22/2014. The conference will be held by telephone or at the OSHA office located at 1320 W Commerce Dr., Suite 800, Peoria, IL 61615 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 982048

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615
Issuance Date: 12/22/2014

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 1320 W Commerce Dr., Suite 800, Peoria, IL 61615**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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

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

Inspection Number: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
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Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.178(n)(6): Industrial truck drivers were not required to look in the direction of, and keep a clear view of the path of travel:

The forklift operator in the brass grinding area drove the fork truck through a suspended tarp separating the grinding area from the loading dock and used the forklift to brush the tarp out of the path of travel without having a clear view of the path of travel.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/20/2015
Proposed Penalty:	\$2000.00

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: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

Citation 1 Item 2 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:

- a) An employee used a Porter Cable drill press to grind brass parts and the drill press did not have guarding to protect the operator from flying chips and rotating parts.
- b) An employee used a Dewalt saw to grind and cut brass parts and a suitable guard was not in place to protect the operator from contact with the unused portion of the blade.
- c) An employee used a cut off blade (on a red colored stand) powered by a Baldor Reliance motor to grind and cut brass parts and guarding did not protect the operator from contact with the unused portion of the blade.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$2000.00



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.212(a)(2): Guard(s) on machine(s) were not affixed to the machine or secured elsewhere when attachment to the machine was not possible:

- a) Employees in the north side of the grinding area of the Hagerty warehouse used a large abrasive grinding wheel on the left side of the dual wheel grinder with a putty knife wedged under the guard to hold the guard in place and the guard for the abrasive wheel was not secured.
- b) Employees in the north side of the grinding area of the Hagerty warehouse used a large abrasive grinding wheel on the right side of the dual wheel grinder with a screw driver wedged under the guard to hold the guard in place and the guard for the abrasive wheel was not secured.
- c) Employees in the south side of the grinding area of the Hagerty warehouse used a large abrasive grinding wheel on the left side of the dual wheel grinder with a screw driver wedged under the guard to hold the guard in place and the guard for the abrasive wheel was not secured.
- d) Employees in the south side of the grinding area of the Hagerty warehouse used a large abrasive grinding wheel on the right side of the dual wheel grinder with a screw driver wedged under the guard to hold the guard in place and the guard for the abrasive wheel were not secured.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/15/2015
Proposed Penalty: \$2000.00

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

Inspection Number: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.212(a)(5): Fan blade guards, where the periphery of the blades was less than seven feet above the floor or working level, had openings larger than one half inch:

Employees used a large box fan situated on the floor and central to the grinding area to circulate air in the area and the mesh screen cover had a hole in it at the ground level of the enclosure measuring 9-inches wide and 4-inches high.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$2000.00

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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Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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 1910.215(a)(4): Work rest(s) on grinding machinery were not adjusted closely to the wheel with a maximum opening of one eighth inch.

- a) Employees in the brass grinding area used a double-wheeled Baldor stationary grinder and the work rest for the wheel on the right side was positioned away from the wheel exposing 2-inches between the work rest and the abrasive wheel.
- b) Employees in the brass grinding area used a double-wheeled Baldor stationary grinder and the work rest for the wheel on the left side was positioned away from the wheel exposing 7/16-inch between the work rest and the abrasive wheel.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$1600.00

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

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

- a) Employees in the brass grinding area used a double-wheeled Baldor stationary grinder that did not have a tongue guard on the wheel on the right side which exposed a 3/4-inch opening between the peripheral protecting member and the abrasive wheel.
- b) Employees in the brass grinding area used a large double-wheeled grinder and the wheel on the left side had a 2-inch opening and the wheel on the right side had a 2.5-inch opening respectively between the peripheral protecting members and the abrasive wheels.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/15/2015

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.243(a)(2)(i): Constant pressure switch(es) or control(s) which would shut off the power when pressure is released were not provided:

On August 28, 2014, an employee used a Dewalt saw in the southeast side of the grinding area with wire and duct tape secured to the constant pressure switch and the cut off blade remained rotating in the "on" position as long as the saw was plugged into an electrical power source.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$2800.00

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: 982048
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Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.303(b)(1): Electrical equipment was not free from recognized hazards that were likely to cause death or serious physical harm to employees:

Employees were exposed to electrical shock and burn hazards in the brass grinding area from the following:

- a) A router in a red barrel that had a flexible cord with damage to the outer insulation of the cord and the inner wire insulation missing whereby exposing a bare conductor.
- b) A yellow flexible cord for the large box fan with the outer insulation pulled from the plug end of the flexible cord and exposing the inner wiring.
- c) A router inside a red barrel which was controlled by an electrical switch and the switch box cover was hanging in place by means of damaged metallic duct tape and was not mechanically secured to the electrical box by the two retaining screws.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$2400.00

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: 982048
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Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

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

Employees in the grinding area were exposed to electrical shock hazard and the path to ground was ineffective and missing from the yellow flexible cord used to power a box fan.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$1600.00

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: 982048
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Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

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

- a) In the center of the grinding area, employees were exposed to electrical shock hazard from a flexible cord that had splices held together with wire nuts and black tape.
- b) In the south side of the grinding area, employees were exposed to electrical shock hazard from a damaged flexible cord used to power a portable Dewalt saw, number 2010 39-XF, which had two splices held together with wire nuts and black tape.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

01/15/2015
\$2400.00

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: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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 1910.334(a)(2)(i): Portable cord and plug connected equipment and flexible cord sets (extension cords) were not visually inspected before use on any shift for external defects (such as loose parts, deformed and missing pins, or damage to outer jacket or insulation) and for evidence of possible internal damage (such as pinched or crushed outer jacket):

- a) In the staging area of the grinding area, employees were exposed to electrical shock hazard from a flexible cord used power to a large box fan that was not visually inspected and the outer insulation of the flexible cord was damaged at the plug end.
- b) In the south side of the grinding area, employees were exposed to electrical shock hazard from a flexible cord used to power a router situated in a red barrel that was not visually inspected and the outer insulation of the flexible cord was damaged and a wire was bare.
- c) In the south side of the grinding area, employees were exposed to electrical shock hazard from a flexible cord used to power a portable Dewalt saw, number 2010 39-XF, that was not visually inspected and the outer insulation of the flexible cord was damaged and spliced back together with wire nuts and duct tape in two sections.
- d) In the south side of the grinding area, employees were exposed to electrical shock hazard from a flexible cord used to power a portable Dewalt saw, number 2010 39-XF, that was not visually inspected and the plug end of the flexible cord was damaged.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/15/2015
Proposed Penalty: \$2400.00



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.334(a)(2)(ii): There was a defect or evidence of damage that could have exposed an employee to injury and the defective or damaged item was not removed from service:

- a) An employee used a Dewalt cut saw, 2010 39-XF, and the flexible cord with two electrical splices exposed employees to electrical shock and burn hazards and the equipment was not removed from service until it was repaired.
- b) Employees used a router in a red barrel with a flexible cord that had the outer and inner insulation damaged exposing the conductor and the equipment was not removed from service.
- c) The large box fan in the central part of the grinding area had an electrical splice exposing the employees to electrical shock and burn hazard and the equipment was not removed from service.

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/15/2015



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

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

29 CFR 1910.1000(a)(2): Employee(s) were exposed to an airborne concentration of copper dust and total dust listed in Table Z-1 in in excess of the eight-hour time-weighted average concentration for that substance in the table:

- a) On July 2, 2014, employee one was grinding brass parts in the grinding area and was exposed to copper dust at an eight-hour time-weighted average level of 1.94 mg/m³, approximately 1.94 times the limit of 1.0 mg/m³. This limit has been established to prevent metal fume fever and other illnesses. The exposure is derived from one sample collected over a 434 minute period. Zero exposure is assumed for the remaining 46-minutes.
- b) On July 2, 2014, employee two was grinding brass parts in the brass grinding area was exposed to copper dust at an eight-hour time-weighted average level of 12.99 mg/m³, approximately 12.99 times the limit of 1.0 mg/m³. This limit has been established to prevent metal fume fever and other illnesses. The exposure is derived from one sample collected over a 432 minute period. Zero exposure is assumed for the remaining 48-minutes.
- c) On July 2, 2014, employee three in the brass grinding area was exposed to copper dust at an eight-hour time-weighted average level of 5.03 mg/m³, approximately 5.03 times the limit of 1.0 mg/m³. These limits have been established to prevent metal fume fever and other illnesses. The exposure is derived from one sample collected over a 401 minute period. Zero exposure is assumed for the remaining 79-minutes.
- d) On July 2, 2014, employee two was grinding brass in the grinding area and was exposed to total dust (particulates not otherwise specified) at an eight-hour time-weighted average of 26.07 mg/m³, approximately 1.74 times the limit of 15.0 mg/m³. This limit has been established to prevent respiratory issues and other illnesses. The exposure is derived from one sample collected over a 432 minute period. Zero exposure is assumed for the remaining 48-minutes.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/15/2015
Proposed Penalty: \$2800.00

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: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.1000(e): Feasible administrative or engineering controls were not determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000(a) through (d):

Employees engaged in grinding brass parts were exposed to copper fumes and total dust (particulates not otherwise specified) in excess of the permissible exposure limits and feasible administrative and/or engineering controls were not implemented.

General methods of control applicable in these circumstances include, but are not limited to, the following:

- a) Increase ventilation in the brass grinding area, including a high efficiency filtration unit with a reliable back-up filter and controls to monitor the concentration of contaminants in the return air and to bypass the recirculation system automatically if it fails.
- b) Include dust collection, wet dust suppression, and airborne dust capture into the manufacturing process.
- c) Test and balance the ventilation system to ensure optimal exhaust performance.
- d) Include a maintenance and inspection program for the ventilation system to ensure the ductwork is properly sealed, secured to the equipment it is designed to exhaust, and holes are detected and corrected prior to operating the unit.
- e) Consider confinement of the grinding operations to isolate grinding stations with dedicated high efficiency capture systems.
- f) Eliminate broom sweeping in the area and use a high efficiency vacuum to capture the settled particles.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/15/2015

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: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

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

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead at concentrations greater than fifty micrograms per cubic meter of air averaged over an eight-hour period:

Employees grinding brass pieces were exposed to air contaminants over the 8-hour time weighted average.

- a) On July 2, 2014, employee one in the brass grinding area was exposed to lead (inorganic) at 0.066 mg/m³, approximately 1.32 times the limit of 0.05 mg/m³. These limits have been established to prevent damage to blood-forming, nervous, urinary, and reproductive systems. Employee one was grinding on brass parts which were indicated on the Hagerty Brothers spreadsheet as "no lead." The exposure is derived from one sample collected over a 434 minute period. Zero exposure is assumed for the remaining 46-minutes.
- b) On July 2, 2014, employee two in the brass grinding area was exposed to lead (inorganic) at 0.010 mg/m³, approximately 2.00 times the limit of 0.05 mg/m³. These limits have been established to prevent damage to blood-forming, nervous, urinary, and reproductive systems. The employee two was grinding on brass parts which were indicated on the Hagerty Brothers spreadsheet as "leaded" and "no lead." The exposure is derived from one sample collected over a 432 minute period. Zero exposure is assumed for the remaining 48-minutes.
- c) On July 2, 2014, employee three in the brass grinding area was exposed to lead (inorganic) at 0.092 mg/m³, approximately 1.84 times the limit of 0.05 mg/m³. These limits have been established to prevent damage to blood-forming, nervous, urinary, and reproductive systems. Employee three was grinding on brass parts which were indicated on the Hagerty Brothers spreadsheet as "no lead." The exposure is derived from one sample collected over a 401 minute period. Zero exposure is assumed for the remaining 79-minutes.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$2800.00

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: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.1025(e)(1)(i): For any employees exposed to lead above the permissible exposure limit for more than 30 days per year where engineering and work practice controls (including administrative controls) were feasible but did not reduce the employees' exposure to or below the permissible exposure limit the employer did not use engineering and/or work practice controls to reduce exposures to the lowest feasible level:

Employees engaged in grinding brass parts were exposed to lead in excess of the permissible exposure limits and feasible administrative and/or engineering controls were not implemented.

General methods of control applicable in these circumstances include, but are not limited to, the following:

- a) Increase ventilation in the brass grinding area, including a high efficiency filtration unit with a reliable back-up filter and controls to monitor the concentration of contaminants in the return air and to bypass the recirculation system automatically if it fails.
- b) Include dust collection, wet dust suppression, and airborne dust capture into the manufacturing process.
- c) Test and balance the ventilation system to ensure optimal exhaust performance.
- d) Include a maintenance and inspection program for the ventilation system to ensure the ductwork is properly sealed, secured to the equipment it is designed to exhaust, and holes are detected and corrected prior to operating the unit.
- e) Consider confinement of the grinding operations to isolate grinding stations with dedicated high efficiency capture systems.
- f) Eliminate broom sweeping in the area and use a high efficiency vacuum to capture the settled particles.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/15/2015

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: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.1025(e)(3)(ii): Written compliance programs for lead did not include the required sections.

On July 2, 2014, at Hagerty Brothers Peoria, in the grinding area of the Hagerty Brothers warehouse, employees were exposed to lead above the OSHA permissible exposure limit and the employer did not develop a written compliance program that included:

- a) A description of each operation in which lead is emitted, the machinery used, the material processed, the controls in place, the operating procedures and maintenance practices;
- b) The specific means that will be used to achieve compliance including engineering plans and studies used to determine methods selected for controlling exposure;
- c) A report of the technology considered in meeting the permissible exposure limit;
- d) Air monitoring data which documents the sources of lead emissions;
- e) A detailed schedule for the implementation of the program including documentation of purchase orders for equipment or construction contracts;
- f) A work practice program to control the exposure to lead; and
- g) Other relevant information.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$2800.00

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

Inspection Number: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.1025(e)(4)(i): When ventilation is used to control exposure, measurements which demonstrate the effectiveness of the system in controlling exposure, such as capture velocity, duct velocity, or static pressure shall be made at least every 3 months. Measurements of the system's effectiveness in controlling exposure shall be made within 5 days of any change in production, process, or control which might result in a change in employee exposure to lead.

In the grinding area, a Donaldson Torit cyclone bag filter collection system with bag filtration was used to collect grinding dust and measurements were not taken to ensure the effectiveness of the collection system when it was installed, after the collection filter bags were emptied, after the ductwork was modified to include the abrasive grinder on the north side of the grinding area, and at least every three months.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$2800.00

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.1025(e)(4)(ii): Air from an exhaust ventilation system used to control exposure to lead was recirculated into the workplace and the system did not have a high efficiency filter with a reliable backup filter:

A Donaldson Torit cyclone dust collection system with bag filtration was used to control exposures to brass particulate known to contain lead and a high efficiency filtration system with backup filter was not used. On August 28, 2014, there was a hole in one of the bag filters for the dust collection system which expelled captured exhaust air back into the workspace without the benefit of filtration.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$2800.00

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: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.1025(f)(2)(i): The employer did not implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m) for each employee required by 29 CFR 1910.1025 to use a respirator:

On July 2, 2014 and August 28, 2014, employees grinding brass parts wore Bullard powered air purifying respirators (PAPRs) equipped with hood and particulate filter and on July 2, 2014 an employee was grinding brass parts with a 3M brand N-95 respirator. The employer did not:

- a) establish and implement a written respiratory protection program with worksite-specific procedures;
- b) establish written procedures for selecting respirators for use in the grinding area;
- c) provide medical evaluations of employees required to use respirators;
- e) develop fit testing procedures for tight-fitting respirators;
- f) provide fit testing for tight fitting respirators;
- g) develop written procedures for proper use of respirators;
- h) establish inspection procedures to inspect each respirator before each use and during cleaning to ensure respirator function and the condition of the respirator's parts;
- i) ensure respirators that fail inspection are removed from service, discarded, or repaired by persons trained to perform these operations;
- j) implement procedures and schedules for cleaning, disinfecting, storing, inspecting, repairing, discarding, or otherwise maintaining the respirators;



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

- k) implement procedures for cleaning respirators issued to more than one employee;
- l) implement procedures for storing respirators to protect them from contamination by the dusts generated during brass grinding;
- m) train employees in the respiratory hazards to which they were potentially exposed prior to wearing a respirator and when the hazards change;
- n) provide annual training on the employer specific respiratory program;
- o) train employees in the proper use of respirators including donning/doffing, limitations for use, and maintenance requirements; nor
- p) develop and implement procedures for evaluating the effectiveness of the respiratory program.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$2800.00



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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 17 a Type of Violation: **Serious**

29 CFR 1910.1025(g)(2)(iii): Protective clothing and equipment against lead were not repaired or replaced as needed to maintain their effectiveness:

- a) On July 2, 2014, an employee grinding on the abrasive wheel on the north side of the grinding area wore a Bullard powered air purifying respirator with an air hose leading from the powered air unit to the hood and the air hose was repaired with a metallic duct tape.
- b) On July 2, 2014, three employees wore Tyvek suits to grind brass parts and the front of their suits were punctured and torn allowing brass particulate to settle onto their cloths and on their skin under the suit.
- c) On August 28, 2014, an employee grinding on the abrasive wheel on the north side of the grinding area wore a Bullard powered air purifying respirator with an air hose leading from the powered air unit to the hood and the air hose was repaired with duct tape.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/15/2015
Proposed Penalty: \$2800.00

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

Inspection Number: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.1025(g)(2)(v): Contaminated protective clothing to be cleaned, laundered, or disposed of, was not placed in a closed container to prevent dispersion of lead outside the container:

Employees were exposed to lead above the OSHA permissible exposure limit and Tyvek suits, nitrile gloves, and disposable respirators, were placed in 55 gallon trash bins situated in front of the employee desks and the bins did not have lids to prevent the spread of lead contamination.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/15/2015

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.1025(g)(2)(vii)(B): The employer did not ensure that labels of bags or containers of contaminated equipment prior to June 1, 2015, included the following information on bags or containers of contaminated protective clothing and equipment in lieu of the labeling requirements in paragraphs (g)(2)(vii)(A) of this section:

CAUTION: CLOTHING CONTAMINATED WITH LEAD. DO NOT REMOVE DUST BY BLOWING OR SHAKING. DISPOSE OF LEAD CONTAMINATED WASH WATER IN ACCORDANCE WITH APPLICABLE LOCAL, STATE, OR FEDERAL REGULATIONS.

Two 55-gallon trash bins were not marked with the cautionary warning about lead contamination to prevent the spread of lead contamination.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/15/2015

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

Inspection Number: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.1025(g)(2)(viii): Lead was removed from protective clothing and equipment by blowing, shaking or other means which dispersed lead into the air:

Employees in the grinding area removed the particulate filters from the Bullard powered air purifying respirators (PAPRs) and attempted to clear the filters of excess debris by knocking and shaking the filter media and did not prevent the spread of lead contamination and maintain the integrity of the filter media.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/15/2015
Proposed Penalty: \$2800.00

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

Inspection Number: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

Citation 1 Item 19 Type of Violation: **Serious**

29 CFR 1910.1025(h)(1): All surfaces were not maintained as free as practicable of accumulations of lead:

Four employee desks, refrigerator, and microwave in the dressing space of the grinding area in the southeast corner of the warehouse were not cleaned and maintained as free as practicable of accumulations of lead to prevent the spread of lead contamination.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$2800.00

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

Citation 1 Item 20 Type of Violation: **Serious**

29 CFR 1910.1025(h)(2)(ii): Shoveling, sweeping or brushing methods were used to remove lead accumulations where vacuuming or other equally effective methods were available and feasible:

Employees were exposed to lead above the OSHA permissible exposure limit in the brass grinding area and employees conducted dry sweeping of the brass grinds from the floor at the end of the workday and used a shovel to place the material in an open top 55-gallon container.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$2800.00

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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 21 a Type of Violation: **Serious**

29 CFR 1910.1025(i)(2)(i): Clean change rooms were not provided for employees exposed to lead in excess of the permissible exposure limit (PEL), without regard to the use of respirators:

Employees grinding brass parts were exposed to lead in excess of the OSHA PEL donned and doffed Tyvek suits, work gloves, nitrile gloves, work shoes, and respirators in the brass grinding area and clean change rooms were not provided.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/15/2015
Proposed Penalty: \$2800.00

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

Citation 1 Item 21 b Type of Violation: **Serious**

29 CFR 1910.1025(g)(2)(iv): Protective clothing against lead was not removed at the completion of the work shift in change rooms provided for that purpose as prescribed in 29 CFR 1910.1025(i)(2):

Employees were exposed to lead above the OSHA permissible exposure limit and employees did not remove protective coveralls or work boots at the completion of the shift in change rooms to prevent the spread of lead contamination.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/15/2015

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

Citation 1 Item 22 Type of Violation: **Serious**

29 CFR 1910.1025(i)(4)(i): Lunchroom facilities were not provided for employee(s) exposed to lead in excess of the permissible exposure limit (PEL), without regard to the use of respirators:

Employees working in the grinding area with brass containing lead and a lunchroom facility was not provided for employees exposed to lead in excess of the permissible exposure limit (PEL).

ABATEMENT CERTIFICATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$2400.00

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

Citation 1 Item 23 b Type of Violation: **Serious**

29 CFR 1910.1025(j)(3)(i)(B): Medical examinations and consultations for lead were not performed prior to assignment for each employee being assigned for the first time to an area in which airborne concentrations of lead are at or above the action level:

Employees working in the brass grinding area were exposed to airborne lead above the OSHA PEL and were not provided medical exams and consultations for lead prior to assignment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/15/2015

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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 24 a Type of Violation: **Serious**

29 CFR 1910.1025(l)(1)(i): Employee(s) working in an area where there is potential exposure to airborne lead at any level were not informed of the content of Appendices A and B of 29 CFR 1910.1025:

Employees in the grinding area at the southeast corner of the Hagerty Brothers warehouse grind on brass parts containing lead and were not informed of the content of Appendices A and B of the regulation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/15/2015
Proposed Penalty: \$2800.00

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: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

Citation 1 Item 24 b Type of Violation: **Serious**

29 CFR 1910.1025(l)(1)(iv): A training program was not repeated at least annually for each employee subject to lead exposure at or above the action level, or for whom the possibility of skin or eye irritation existed:

Employees were exposed to lead above the OSHA permissible exposure limit and were not provided annual training on all of the elements of the standard, including:

- a) The content of this standard and its appendices;
- b) The specific nature of the operations which could result in exposure to lead above the action level;
- c) The purpose, proper selection, fitting, use, and limitations of respirators;
- d) The purpose and a description of the medical surveillance program, and the medical removal protection program including information concerning the adverse health effects associated with excessive exposure to lead (with particular attention to the adverse reproductive effects on both males and females);
- e) The engineering controls and work practices associated with the employee's job assignment;
- f) The contents of any compliance plan in effect; and
- g) Instructions to employees that chelating agents should not routinely be used to remove lead from their bodies and should not be used at all except under the direction of a licensed physician;

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/15/2015

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

Inspection Number: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

Citation 1 Item 24 c Type of Violation: **Serious**

29 CFR 1910.1025(l)(2)(i): A copy of 29 CFR 1910.1025 and its appendices was not made readily available to all employees who had a potential exposure to airborne lead at any level:

Employees working in the grinding area were exposed to lead above the OSHA permissible exposure limit and a copy of the lead standard was not made readily available to all employees who had potential exposures.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/15/2015

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

Citation 1 Item 25 Type of Violation: **Serious**

29 CFR 1910.1025(m)(1)(i): The employer did not comply with all the requirements of the Hazard Communication Standard for lead:

Employees were exposed to lead when grinding brass parts and the employer did not develop a written Hazard Communication Program which included:

- a) hazard classifications of lead including reproductive/developmental toxicity; central nervous system effects; kidney effects; blood effects; and acute toxicity;
- b) ensure the employees have access to labels for containers containing lead and lead contaminants;
- c) ensure the employees have access to safety data sheets for lead; and
- d) train employees on the hazards of lead as part of the employer Hazard Communication Program.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/15/2015
Proposed Penalty: \$2800.00

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

Citation 1 Item 26 Type of Violation: **Serious**

29 CFR 1910.1025(m)(2)(i): 29 CFR 1910.1025(m)(2)(i): Warning signs bearing the legend: WARNING, LEAD WORK AREA, POISON, NO SMOKING OR EATING, were not posted in each work area where the permissible exposure limit (PEL) was exceeded:

The brass parts grinding areas were not posted with warning signs to designate lead work areas where the OSHA PEL was exceeded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$2800.00

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.1025(d)(2): An initial determination was not made to determine if any employee may be exposed to lead at or above the action level:

At Hagerty Brothers Peoria, employees were exposed to lead above the OSHA permissible exposure limit and the employer did not initially conduct personal air monitoring to determine if employees working with brass parts containing lead in the grinding area of the warehouse may be exposed to lead over the action level.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$22000.00

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.1025(i)(1): The employer did not ensure that food or beverage was not present, or consumed; tobacco products were not present, or used and cosmetics were not applied in areas where employees were exposed to lead in excess of the permissible exposure limit:

Employees in the grinding area of the Hagerty Brothers warehouse were exposed to lead above the OSHA permissible exposure limit and beverages were consumed and food and tobacco products were present in the grinding area at the employee desks, refrigerator, and microwave.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 01/15/2015
Proposed Penalty: \$28000.00

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

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

29 CFR 1910.1025(i)(3)(ii): Shower facilities, in accordance with 29 CFR 1910.141(d)(3), were not provided for employee(s) exposed to lead in excess of the permissible exposure limit (PEL), without regard to the use of respirators:

Employees in the brass grinding area were grinding brass and were exposed to lead in excess of the OSHA pel and a shower facility was not provided.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/15/2015
Proposed Penalty:	\$28000.00

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: 982048
Inspection Date(s): 06/24/2014 - 09/15/2014
Issuance Date: 12/22/2014



Citation and Notification of Penalty

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615

Citation 2 Item 4 Type of Violation: **Willful**

29 CFR 1910.1025(j)(2)(i): Required biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin (ZPP) levels were not provided to each employee covered under 29 CFR 1910.1025 (j)(1)(i):

Employees grinding brass parts containing lead in the grinding area of the Hagerty Brothers Peoria warehouse were not provided blood sampling and analysis for lead and zinc protoporphyrin (ZPP) levels.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

01/15/2015
\$28000.00

A handwritten signature in black ink that reads "Tom Bielema".

Thomas Bielema
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1320 W Commerce Dr.
Suite 800
Peoria, IL 61615
Phone: 309-589-7033 Fax: 309-589-7326



INVOICE / DEBT COLLECTION NOTICE

Company Name: Hagerty Brothers Company
Inspection Site: 1506 Detweiller Dr., Peoria, IL 61615
Issuance Date: 12/22/2014

Summary of Penalties for Inspection Number	982048
Citation 1, Serious	\$65600.00
Citation 2, Willful	\$106000.00
TOTAL PROPOSED PENALTIES	\$171600.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed

account, the bank will attempt to make the transfer up to 2 times.

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

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Thomas Bielema

Area Director



Date