

U.S. Department of Labor
Occupational Safety and Health Administration
1030 St. Georges Ave.
Suite 205
Avenel, NJ 07001
Phone: (732)750-3270 FAX: [732]750-4737
OSHA Website Address: <http://www.osha.gov>



Citation and Notification of Penalty

To: Mr. Manuel Caballero, Saf. & Env. Group Mgr. PA
Vertis Communications
and its successors
4371 County Line Road
Chalfont, PA 18914

Inspection Number: 315639617
Inspection Date(s): 08/01/2011 - 08/05/2011
Issuance Date: 01/30/2012

Inspection Site:
28 Engelhard Drive
Monroe Township, NJ 08831

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

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

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

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

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

If you decide to request an informal conference, please complete, remove and post the page 3 Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. ~~Be sure to bring to the conference any and all supporting documentation of existing conditions~~ as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

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

Penalty Payment - Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance.

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

Notification of Corrective Action - For violations which you do not contest, you should notify the U.S. Department of Labor Area Office promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation. Please inform the Area Office in writing of the abatement steps you have taken and of their dates, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc.

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.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 01/30/2012. The conference will be held at the OSHA office located at 1030 St. Georges Ave., Suite 205, Avenel, NJ, 07001 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: Vertis Communications
Inspection Site: 28 Engelhard Drive, Monroe Township, NJ 08831

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

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section:

a/ Vertis/Monroe Twp. NJ Site - Plant/Production Areas: - Lockout and/or other approved procedures were not developed and utilized to prevent accidental contact with moving parts of machines during trouble-shooting, maintenance and service operations. Machinery/equipment include but not limited to - production folding, bindery and printing machines - 480 volts 3 phase - operating at 208 volts.

Observed on/or about 08/05/11.

Date By Which Violation Must be Abated: 03/19/2012
Proposed Penalty: \$ 7000.00

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

29 CFR 1910.147(c)(6)(i): The employer did not conduct an annual or more frequent inspection of the energy control procedure to ensure that the procedure and requirements of this standard were followed:

a/ Vertis/Monroe Twp. NJ Site - Plant Areas: Employees who are required to perform maintenance/service on machinery/equipment were not provided with an annual inspection of the energy control procedures to ensure employees were following the procedure/requirements. Machines/equipment include but not limited to - production folding, bindery and printing machines - 480 volts 3 phase.

Observed on/or about 08/05/11.

Date By Which Violation Must be Abated: 02/27/2012
Proposed Penalty: \$ 7000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Vertis Communications
Inspection Site: 28 Engelhard Drive, Monroe Township, NJ 08831

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

29 CFR 1910.147(c)(7)(iv): The employer had not certified that employee training had been accomplished and kept up to date:

a/ Vertis/Monroe Twp. NJ Site - Plant/Production Areas: Training records to show that employees who are required to perform maintenance/service on machinery/equipment were trained, were not available for review.

Observed on/or about 08/05/11.

Date By Which Violation Must be Abated: 02/27/2012
Proposed Penalty: \$ 7000.00



Citation and Notification of Penalty

Company Name: Vertis Communications
Inspection Site: 28 Engelhard Drive, Monroe Township, NJ 08831

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

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazard(s) created by exposed moving part(s) of machines:

a/ Vertis/Monroe Twp. NJ Site - Production/Press Room #1 (Print/Coating Area):

1/ "WFM Stackers" -- Limit switches designed to prevent the stacker machines from operating when the covers are in the open position were by-passed. The limit switch key was placed in the machine, allowing the machine to operate with the cover open.

2/ "WFM Stacker" E-Stop Control - When the limit switch is by-passed on the stackers, the E-stop control is rendered inoperable in that, when the E-Stop button is pressed, it will not stop the operation while the stacker cover is open.

Machines include but not limited to:

Seven "Xeikon" Printers; Six "WFM Stackers" and "Kompac EZ Koat 20" Coater Attachments

Four(4) "Xeikon 8000" used with "WFM Stacker"
Produce 260 pages per minute
One(1) "Xeikon 6000" used with "WFM Stacker"
Produce 160 pages per minute
Two(2) "Xeikon 5000" used with "WFM Stacker"
Produce 130 pages per minute

WFM1 s/n 117850/0042
WFM2 s/n 117850/0106
WFM3 s/n 117850/0040
WFM4 s/n 117850/0103
WFM5 s/n 117850/0075
WFM6 s/n 117850/0041

Observed on/or about 08/5/2011.

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Vertis Communications
Inspection Site: 28 Engelhard Drive, Monroe Township, NJ 08831

Date By Which Violation Must be Abated:	03/19/2012
Proposed Penalty:	\$ 5500.00

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

29 CFR 1910.335(a)(1)(i): Employees working in areas where there were potential electrical hazards were not provided with, and/or did not use, electrical protective equipment that was appropriate for the specific parts of the body to be protected and for the work to be performed:

a/ Vertis/Monroe Twp. NJ Site - Plant Areas: Electrical gloves rated ANSI 00 or 01 (minimum 500 volts) were not provided to all maintenance employees/helpers who test live electrical equipment/machinery rated up to 480 volts - 3 phase.

The employer did not purchase and/or ensure that electrical gloves purchased by the employee was rated for the job to be performed.

Observed on/or about 08/05/11.

REFERENCE:

NFPA 70E Article 130 Working on or Near Live Parts
NFPA 70E Article 130 Personal and Other Protective Equipment - Electrical Flash/Arc.
29 CFR 1910.331 through 1910.335.

Date By Which Violation Must be Abated:	02/10/2012
Proposed Penalty:	\$ 5500.00



Citation and Notification of Penalty

Company Name: Vertis Communications
Inspection Site: 28 Engelhard Drive, Monroe Township, NJ 08831

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

29 CFR 1910.335(a)(2)(i): When working near exposed energized conductors or circuit parts, each employee did not use insulated tools or handling equipment when the tools or handling equipment might have made contact with such conductors or parts:

a/ Vertis/Monroe Twp. NJ Site - Plant Areas: Insulated tool(s) and/or fuse pulling equipment were not provided where fuses are required to be pulled during electrical maintenance operations.

The employer did not purchase and/or ensure that insulated tool(s) and/or fuse pulling equipment were provided to prevent accidental contact with live electrical parts during electrical maintenance operations.

Observed on/or about 08/05/11.

REFERENCE:

- NFPA 70E Article 100 General Requirements for Electric Safety-related Work Practices.
- NFPA 70E Article 120 Establishing an Electrically Safe Work Condition.
- NFPA 70E Article 130 Working on or Near Live Parts
- NFPA 70E Article 130 Personal and Other Protective Equipment - Electrical Flash/Arc.
- 29 CFR 1910.331 through 1910.335.

Date By Which Violation Must be Abated:	02/10/2012
Proposed Penalty:	\$ 5500.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Vertis Communications
Inspection Site: 28 Engelhard Drive, Monroe Township, NJ 08831

Citation 2 Item 1 Type of Violation: Repeat

29 CFR 1910.147(c)(4)(ii): The energy control procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, including, but not limited to Items A-D of this section:

a/ Vertis/Monroe Twp. NJ Site - Plant/Production: The energy control procedures provided by the corporate office were not made specific to the machinery/equipment at the site. Specific steps required to be followed to ensure that the machinery/equipment were adequately de-energized during maintenance/service operations were not provided. Machinery include but not limited to - production machines for folding, bindery, printing, etc. rated 480 volts 3 phase and operating at 208 volts.

1 - Vertis Communications was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard, 1910.147(c)(4)(ii), which was contained in OSHA Inspection Number 315513002, Citation 1, Item Number 1, and was affirmed as a final order on July 14, 2011, with respect to a workplace located at 245 Benton Drive, East Longmeadow, MA. 01028-2209.

Observed on/or about 08/5/2011.

Date By Which Violation Must be Abated: 03/19/2012
Proposed Penalty: \$ 35000.00



Citation and Notification of Penalty

Company Name: Vertis Communications
Inspection Site: 28 Engelhard Drive, Monroe Township, NJ 08831

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

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazard(s) created by exposed moving part(s) of machines:

a/ Vertis/Monroe Twp. NJ Site - Production Area: Machines with rotating parts that were located at the edge of the machines were not guarded to prevent accidental contact during operation of the machines and product monitoring.

Machines include, but not limited to:

Press Room #1 and UV Room
1/ Two "Perf-Folders"

Bindery/Folding Room
2/"MBO-1 Folder" Machine

1 - Vertis Communications, Inc. was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard, 1910.212(a)(1), which was contained in OSHA Inspection Number 315084947, Citation 1, Item Number 3, and was affirmed as a final order on June 22, 2011, with respect to a workplace located at 14720 W. 99th St., Lenexa, KS 66215.

Observed on/or about 08/5/2011.

Date By Which Violation Must be Abated:	03/19/2012
Proposed Penalty:	\$ 35000.00

Patricia Jones
Area Director

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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INVOICE/
DEBT COLLECTION NOTICE

Company Name: Vertis Communications
Inspection Site: 28 Engelhard Drive, Monroe Township, NJ 08831
Issuance Date: 01/30/2012

Summary of Penalties for Inspection Number 315639617

Citation 1, Serious	= \$	37500.00
Citation 2, Repeat	= \$	70000.00
TOTAL PROPOSED PENALTIES	= \$	107500.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to:
"DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

OSHA does not agree to any restrictions or conditions put on any check or money order for less than 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.**

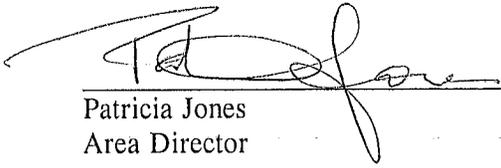
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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

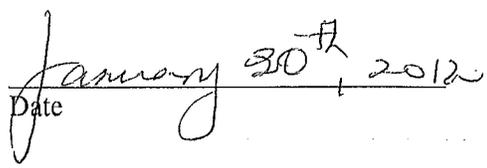
file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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.



Patricia Jones
Area Director


Date