

U.S. Department of Labor
Occupational Safety and Health Administration
PEORIA AREA OFFICE
1320 W. Commerce Drive, Suite 800
PEORIA, IL 61615
Phone: (309)589-7033 FAX: (309)589-7326



Citation and Notification of Penalty

To:
All-Feed Processing and Packaging, Inc.
and its successors
PO Box 171
Alpha, IL 61413

Inspection Number: 314850454
Inspection Date(s): 04/07/2011-
Issuance Date: 11/02/2011

Inspection Site:
717 W. Division St.
Galva, IL 61434-1636

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

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

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

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

Notification of Corrective Action - For each violation which you do not contest, you are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the OSHA office issuing the citation and identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

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

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

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

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, but not sooner than 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at WWW.OSHA.GOV. If you have any dispute concerning 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 11/02/2011. The conference will be held at the OSHA office located at PEORIA AREA OFFICE, 1320 W. Commerce Drive, Suite 800, PEORIA, IL, 61615 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: the employer does not furnish employment and a place of employment which are free from recognized hazards that are causing or likely to cause death or serious physical harm, including severe burns, to employees in that employees are exposed to dust explosion, deflagration, and other fire hazards because of the improper design and maintenance of dust collection systems:

Employees in M1 are exposed to fire and explosion hazards while processing Class II, combustible dusts, and the following deficiencies are observed:

Starch and potato base are processed and the employer does not ensure the dust collector is equipped with explosion prevention by containment, suppression, inerting, or explosion venting.

NFPA Standard 61 - 2006, Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities:

Section 10.4.2: "Dust collectors and filters used for grinders or hammermills shall be located outside of buildings and shall be protected in accordance with Section 6.3"

Among other methods, feasible abatement methods to correct this hazard is to comply with the guidelines of NFPA Standard 61 - 2006, Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities, including, but not limited to:

- a) Equip the dust collector with containment, suppression, inerting, or explosion venting;
- b) Discontinue the processing of combustible materials

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

ALL FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 5(a)(1) UNDER INSPECTION NUMBER 312886237, CITATION 01, ITEM 001, ISSUED ON OCTOBER 5, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON OCTOBER 22, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking, detailing appropriate engineering controls that have been implemented to eliminate fire and explosion hazards, to ensure compliance.

*****Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d)*****

Date By Which Violation Must be Abated:	12/05/2011
Proposed Penalty:	\$ 53900.00

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

Citation 1 Item 2 Type of Violation: Willful

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: the employer does not furnish employment and a place of employment which are free from recognized hazards that are causing or likely to cause death or serious physical harm, including severe burns, to employees in that employees are exposed to dust explosion, deflagration, and other fire hazards because of the improper design and maintenance of dust collection systems:

Employees in M2 are exposed to fire and explosion hazards while processing Class II, combustible dusts, and the following deficiencies are observed:

- a) Potato base is processed and the employer does not ensure the dust collector is equipped with explosion prevention by containment, suppression, inerting, or explosion venting
- b) Pet Fibe Cellulose fiber is processed and the employer does not ensure the dust collector is equipped with an explosion prevention system and isolation devices

NFPA Standard 654 - 2006, Standard for the Prevention of Fires and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids:

Section 7.13.1.3.1: "Air-material separators shall be protected in accordance with 7.1.2"

Section 7.13.1.5: "Isolation devices shall be provided for air-material separators in accordance with 7.1.4"

Among other methods, feasible abatement methods to correct this hazard is to comply with the guidelines of NFPA Standard 654 - 2006, Standard for the Prevention of Fires and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids, including, but not limited to:

- a) Equip the dust collector with deflagration venting, containment, suppression, inerting, or a flame-arresting device;
- b) Discontinue the processing of combustible materials

NFPA Standard 61 - 2006, Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities:

Section 10.4.2: "Dust collectors and filters used for grinders or hammermills shall be located outside of buildings and shall be protected in accordance with Section 6.3"

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

Among other methods, feasible abatement methods to correct this hazard is to comply with the guidelines of NFPA Standard 61 - 2006, Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities, including, but not limited to:

- a) Equip the dust collector with containment, suppression, inerting, or explosion venting;
- b) Discontinue the processing of combustible materials

ALL FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 5(a)(1) UNDER INSPECTION NUMBER 312886237, CITATION 01, ITEM 001, ISSUED ON OCTOBER 5, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON OCTOBER 22, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking, detailing appropriate engineering controls that have been implemented to eliminate fire and explosion hazards, to ensure compliance.

*****Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d)*****

Date By Which Violation Must be Abated:	12/05/2011
Proposed Penalty:	\$ 53900.00

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: the employer does not furnish employment and a place of employment which are free from recognized hazards that are causing or likely to cause death or serious physical harm, including severe burns, to employees in that employees are exposed to dust explosion, deflagration, and other fire hazards because of the improper design and maintenance of dust collection systems:

Employees in M3 are exposed to fire and explosion hazards while processing Class II, combustible dusts, and the following deficiencies are observed:

- a) Potato base is processed and the employer does not ensure the dust collector is equipped with explosion prevention by containment, suppression, inerting, or explosion venting
- b) Pea Protein is processed and the employer does not ensure the dust collector is equipped with an explosion prevention system and isolation devices

NFPA Standard 654 - 2006, Standard for the Prevention of Fires and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids:

Section 7.13.1.3.1: "Air-material separators shall be protected in accordance with 7.1.2"

Section 7.13.1.5: "Isolation devices shall be provided for air-material separators in accordance with 7.1.4"

Among other methods, feasible abatement methods to correct this hazard is to comply with the guidelines of NFPA Standard 654 - 2006, Standard for the Prevention of Fires and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids, including, but not limited to:

- a) Equip the dust collector with deflagration venting, containment, suppression, inerting, or a flame-arresting device;
- b) Discontinue the processing of combustible materials

NFPA Standard 61 - 2006, Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities:

Section 10.4.2: "Dust collectors and filters used for grinders or hammermills shall be located outside of buildings and shall be protected in accordance with Section 6.3"

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

Among other methods, feasible abatement methods to correct this hazard is to comply with the guidelines of NFPA Standard 61 - 2006, Standard for the Prevention of Fires and Dust Explosions in Agricultural and Food Processing Facilities, including, but not limited to:

- a) Equip the dust collector with containment, suppression, inerting, or explosion venting;
- b) Discontinue the processing of combustible materials

ALL FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 5(a)(1) UNDER INSPECTION NUMBER 312886237, CITATION 01, ITEM 001, ISSUED ON OCTOBER 5, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON OCTOBER 22, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking, detailing appropriate engineering controls that have been implemented to eliminate fire and explosion hazards, to ensure compliance.

*****Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d)*****

Date By Which Violation Must be Abated:	12/05/2011
Proposed Penalty:	\$ 53900.00

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

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

29 CFR 1910.95(c)(1): The employer shall administer a continuing, effective hearing conservation program, as described in 29 CFR 1910.95(c) through (o) of this section, whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 dBA:

The employer has not established and maintained a continuing, effective hearing conservation program when the following employees' exposure to noise exceeds an 8-hour time-weighted average of 85 dBA:

- a) Employee #1 is exposed to continuous noise levels at 95.5% of the allowable time-weighted average sound level (80 dBA), while performing work activities in M2. The equivalent dBA level of the 95.5% is approximately 89.6 dBA. The exposure level is derived from a sample collected over a 467 minute sampling period with zero exposure assumed for the unsampled period of time (13 minutes).
- b) Employee #2 is exposed to continuous noise levels at 179.5% of the allowable time-weighted average sound level (80 dBA), while performing work activities in M1. The equivalent dBA level of the 179.5% is approximately 94.2 dBA. The exposure level is derived from a sample collected over a 423 minute sampling period with zero exposure assumed for the unsampled period of time (57 minutes).
- c) Employee #3 is exposed to continuous noise levels at 107.1% of the allowable time-weighted average sound level (80 dBA), while performing work activities in M3. The equivalent dBA level of the 107.1% is approximately 90.0 dBA. The exposure level is derived from a sample collected over a 467 minute sampling period with zero exposure assumed for the unsampled period of time (13 minutes).
- d) Employee #4 is exposed to continuous noise levels at 130.8% of the allowable time-weighted average sound level (80 dBA), while performing work activities in M2. The equivalent dBA level of the 130.8% is approximately 91.9 dBA. The exposure level is derived from a sample collected over a 473 minute sampling period with zero exposure assumed for the unsampled period of time (8 minutes).

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

ALL FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.95(c)(1), UNDER INSPECTION NUMBER 310801790, CITATION 01, ITEM 008, ISSUED ON JANUARY 13, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 3, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a copy of the site-specific hearing conservation program detailing the procedures used to ensure compliance, training of employees, and a progressive disciplinary program.

*****Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d)*****

Date By Which Violation Must be Abated:	12/05/2011
Proposed Penalty:	\$ 53900.00

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

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

29 CFR 1910.134(a)(2): Respirators shall be mandated by the employer when equipment is necessary to protect the health of the employee and the employer shall be responsible for the establishment and maintenance of a respiratory protection program, which shall include the requirements of paragraph (c):

The following employee is exposed to Total Dust (particulates not otherwise regulated) in excess of the Permissible Exposure Limit, while performing routine work activities in M2, and the employee is not wearing, nor required to wear respiratory protection and is not provided with a respiratory protection program:

Employee #1 is exposed to an eight-hour time-weighted average level of 17.512 mg/cubic meters, approximately 1.16 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust. The exposure level is derived from a sample collected over a 467 minute sampling period with zero exposure assumed for the unsampled period of time (13 minutes).

*Zero exposure, product changes, concentration of exposure, and duration of exposure may impact amount of exposure.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including mandating the use of respiratory protection, a copy of the site-specific respiratory protection program detailing the procedures used to ensure compliance, training of employees, and a progressive disciplinary program.

ALL FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.134(a)(2) UNDER INSPECTION NUMBER 310801790, CITATION 02, ITEM 003, GROUP C, ISSUED ON JANUARY 13, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 3, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

*****Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d)*****

Date By Which Violation Must be Abated:	11/21/2011
Proposed Penalty:	\$ 53900.00

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

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

29 CFR 1910.134(a)(2): Respirators shall be mandated by the employer when equipment is necessary to protect the health of the employee and the employer shall be responsible for the establishment and maintenance of a respiratory protection program, which shall include the requirements of paragraph (c):

The following employee is exposed to Total Dust (particulates not otherwise regulated) in excess of the Permissible Exposure Limit, while performing routine work activities in M1, and the employee is not wearing, nor required to wear respiratory protection and is not provided with a respiratory protection program:

Employee #2 is exposed to an eight-hour time-weighted average level of 22.083 mg/cubic meters, approximately 1.47 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust. The exposure level is derived from a sample collected over a 283 minute sampling period with zero exposure assumed for the unsampled period of time (197 minutes).

*Zero exposure, product changes, concentration of exposure, and duration of exposure may impact amount of exposure.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including mandating the use of respiratory protection, a copy of the site-specific respiratory protection program detailing the procedures used to ensure compliance, training of employees, and a progressive disciplinary program.

ALL FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.134(a)(2) UNDER INSPECTION NUMBER 310801790, CITATION 02, ITEM 003, GROUP C, ISSUED ON JANUARY 13, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 3, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

*****Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d)*****

Date By Which Violation Must be Abated:	11/21/2011
Proposed Penalty:	\$ 53900.00

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

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

29 CFR 1910.134(a)(2): Respirators shall be mandated by the employer when equipment is necessary to protect the health of the employee and the employer shall be responsible for the establishment and maintenance of a respiratory protection program, which shall include the requirements of paragraph (c):

The following employee is exposed to Total Dust (particulates not otherwise regulated) in excess of the Permissible Exposure Limit, while performing routine work activities in M3, and the employee is not wearing, nor required to wear respiratory protection and is not provided with a respiratory protection program:

Employee #3 is exposed to an eight-hour time-weighted average level of 26.268 mg/cubic meters, approximately 1.75 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust. The exposure level is derived from a sample collected over a 467 minute sampling period with zero exposure assumed for the unsampled period of time (13 minutes).

*Zero exposure, product changes, concentration of exposure, and duration of exposure may impact amount of exposure.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including mandating the use of respiratory protection, a copy of the site-specific respiratory protection program detailing the procedures used to ensure compliance, training of employees, and a progressive disciplinary program.

ALL FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.134(a)(2) UNDER INSPECTION NUMBER 310801790, CITATION 02, ITEM 003, GROUP C, ISSUED ON JANUARY 13, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 3, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

*****Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d)*****

Date By Which Violation Must be Abated:	11/21/2011
Proposed Penalty:	\$ 53900.00

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

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

29 CFR 1910.134(a)(2): Respirators shall be mandated by the employer when equipment is necessary to protect the health of the employee and the employer shall be responsible for the establishment and maintenance of a respiratory protection program, which shall include the requirements of paragraph (c):

The following employee is exposed to Total Dust (particulates not otherwise regulated) in excess of the Permissible Exposure Limit, while performing routine work activities in M2, and the employee is not wearing, nor required to wear respiratory protection and is not provided with a respiratory protection program:

Employee #4 is exposed to an eight-hour time-weighted average level of 17.737 mg/cubic meters, approximately 1.18 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust. The exposure level is derived from a sample collected over a 473 minute sampling period with zero exposure assumed for the unsampled period of time (7 minutes).

*Zero exposure, product changes, concentration of exposure, and duration of exposure may impact amount of exposure.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including mandating the use of respiratory protection, a copy of the site-specific respiratory protection program detailing the procedures used to ensure compliance, training of employees, and a progressive disciplinary program.

ALL FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.134(a)(2) UNDER INSPECTION NUMBER 310801790, CITATION 02, ITEM 003, GROUP C, ISSUED ON JANUARY 13, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 3, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

*****Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d)*****

Date By Which Violation Must be Abated:	11/21/2011
Proposed Penalty:	\$ 53900.00

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

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

29 CFR 1910.134(a)(2): Respirators shall be mandated by the employer when equipment is necessary to protect the health of the employee and the employer shall be responsible for the establishment and maintenance of a respiratory protection program, which shall include the requirements of paragraph (c):

The following employee is exposed to Total Dust (particulates not otherwise regulated) in excess of the Permissible Exposure Limit, while performing routine work activities in M3, and the employee is not wearing, nor required to wear respiratory protection and is not provided with a respiratory protection program:

Employee #5 is exposed to to an eight-hour time-weighted average level of 17.1875 mg/cubic meters, approximately 1.1 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust. The exposure level is derived from a sampled collected over a 150 minute sampling period with zero exposure assumed for the unsampled period of time (330 minutes).

*Zero exposure, product changes, concentration of exposure, and duration of exposure may impact amount of exposure.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including mandating the use of respiratory protection, a copy of the site-specific respiratory protection program detailing the procedures used to ensure compliance, training of employees, and a progressive disciplinary program.

ALL FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.134(a)(2) UNDER INSPECTION NUMBER 310801790, CITATION 02, ITEM 003, GROUP C, ISSUED ON JANUARY 13, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 3, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

*****Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d)*****

Date By Which Violation Must be Abated:	11/21/2011
Proposed Penalty:	\$ 53900.00

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

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

29 CFR 1910.134(a)(2): Respirators shall be mandated by the employer when equipment is necessary to protect the health of the employee and the employer shall be responsible for the establishment and maintenance of a respiratory protection program, which shall include the requirements of paragraph (c):

The following employee is exposed to Total Dust (particulates not otherwise regulated) in excess of the Permissible Exposure Limit, while performing routine work activities in the Transfer Pits, and the employee is not wearing, nor required to wear respiratory protection and is not provided with a respiratory protection program:

Employee #6 is exposed to an eight-hour time-weighted average level of 25.1 mg/cubic meters, approximately 1.67 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust. The exposure level is derived from a sample collected over a 251 minute sampling period with zero exposure assumed for the unsampled period of time (229 minutes).

*Zero exposure, product changes, concentration of exposure, and duration of exposure may impact amount of exposure.



Citation and Notification of Penalty

Company Name: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including mandating the use of respiratory protection, a copy of the site-specific respiratory protection program detailing the procedures used to ensure compliance, training of employees, and a progressive disciplinary program.

ALL FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.134(a)(2) UNDER INSPECTION NUMBER 310801790, CITATION 02, ITEM 003, GROUP C, ISSUED ON JANUARY 13, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 3, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

*****Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d)*****

Date By Which Violation Must be Abated:	11/21/2011
Proposed Penalty:	\$ 53900.00

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

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

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

29 CFR 1910.1000(a)(2): Employees are exposed to an airborne concentration of Total Dust, listed in Table Z-1, in excess of the Permissible Exposure Limit:

The employer is not protecting the following employees from exposures to Total Dust (particulates not otherwise regulated) at concentrations in excess of the Permissible Exposure Limit while performing routine work activities:

- a) Employee #1 is exposed to an eight-hour time-weighted average level of 17.512 mg/cubic meters, approximately 1.16 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust, while working in M2. The exposure level is derived from a sample collected over a 467 minute sampling period with zero exposure assumed for the unsampled period of time (13 minutes).
- b) Employee #2 is exposed to an eight-hour time-weighted average level of 20.635 mg/cubic meters, approximately 1.37 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust, while working in M1. The exposure level is derived from a sample collected over a 283 minute sampling period with zero exposure assumed for the unsampled period of time (197 minutes).
- c) Employee #3 is exposed to an eight-hour time-weighted average level of 26.268 mg/cubic meters, approximately 1.75 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust, while working in M3. The exposure level is derived from a sample collected over a 467 minute sampling period with zero exposure assumed for the unsampled period of time (13 minutes).
- d) Employee #4 is exposed to an eight-hour time-weighted average level of 17.737 mg/cubic meters, approximately 1.18 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust, while working in M2. The exposure level is derived from a sample collected over a 473 minute sampling period with zero exposure assumed for the unsampled period of time (7 minutes).

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

e) Employee #5 is exposed to an eight-hour time-weighted average level of 17.1875 mg/cubic meters approximately 1.1 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust, while working in M3. The exposure level is derived from a sample collected over a 150 minute sampling period with zero exposure assumed for the unsampled period of time (330 minutes).

f) Employee #6 is exposed to an eight-hour time-weighted average level of 25.1 mg/cubic meters approximately 1.67 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust, while working in the Transfer Pits. The exposure level is derived from a sample collected over a 251 minute sampling period with zero exposure assumed for the unsampled period of time (229 minutes).

ALL FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.1000(a)(2) UNDER INSPECTION NUMBER 310801790, CITATION 02, ITEM 003, GROUP A, ISSUED ON JANUARY 13, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 2, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a site-specific program detailing the procedures to reduce exposure, training of employees, controls implemented, and a progressive disciplinary program.

*****Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d)*****

Date By Which Violation Must be Abated:	12/05/2011
Proposed Penalty:	\$ 53900.00

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

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

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

Adequate engineering controls are not implemented to prevent the following employees from exposures to Total Dust (particulates not otherwise regulated) at concentrations in excess of the Permissible Exposure Limit while performing routine work activities:

- a) Employee #1 is exposed to an eight-hour time-weighted average level of 17.512 mg/cubic meters, approximately 1.16 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust, while working in M2. The exposure level is derived from a sample collected over a 467 minute sampling period with zero exposure assumed for the unsampled period of time (13 minutes).
- b) Employee #2 is exposed to an eight-hour time-weighted average level of 20.635 mg/cubic meters, approximately 1.37 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust, while working in M1. The exposure level is derived from a sample collected over a 283 minute sampling period with zero exposure assumed for the unsampled period of time (197 minutes).
- c) Employee #4 is exposed to an eight-hour time-weighted average level of 17.737 mg/cubic meters, approximately 1.18 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust, while working in M2. The exposure level is derived from a sample collected over a 473 minute sampling period with zero exposure assumed for the unsampled period of time (7 minutes).

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

d) Employee #6 is exposed to an eight-hour time-weighted average level of 25.1 mg/cubic meters approximately 1.67 times the Permissible Exposure Limit of 15.0 mg/cubic meters for Total Dust, while working in the Transfer Pits. The exposure level is derived from a sample collected over a 251 minute sampling period with zero exposure assumed for the unsampled period of time (229 minutes).

ALL FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.1000(e) UNDER INSPECTION NUMBER 310801790, CITATION 02, ITEM 003, GROUP B, ISSUED ON JANUARY 13, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 2, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking, detailing the procedures used to reduce employees' exposure through adequate engineering controls, to ensure compliance.

*****Abatement documentation is required for this item in accordance with the requirements of 29 CFR 1903.19(d)*****

Date By Which Violation Must be Abated: 12/05/2011

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: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-6636

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


29 CFR 1910.145(c)(3): Safety instruction signs shall be used where there is a need for general instructions and suggestions relative to safety measures:

Employees in M3 are exposed to fire and explosion hazards while processing pea protein and potato base and the employer does not ensure safety instruction signs are posted clearly marking the areas where combustible dust is processed.

ALL FEED PROCESSING AND PACKAGING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.145(c)(3), UNDER INSPECTION NUMBER 312886237, CITATION 01, ITEM 004, ISSUED ON OCTOBER 5, 2009, AND WAS AFFIRMED AS A FINAL ORDER ON OCTOBER 22, 2009, WITH RESPECT TO THE WORKSITE LOCATED AT 717 W. DIVISION STREET, GALVA, ILLINOIS.

Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure safety instruction signs are posted and remain posted to clearly mark the areas where combustible dust is being processed, to ensure compliance.

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


Thomas P. Bielema
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
PEORIA AREA OFFICE
1320 W. Commerce Drive, Suite 800
PEORIA, IL 61615
Phone: (309)589-7033 FAX: (309)589-7326



INVOICE/ DEBT COLLECTION NOTICE

Company Name: All-Feed Processing and Packaging, Inc.
Inspection Site: 717 W. Division St., Galva, IL 61434-1636
Issuance Date: 11/02/2011

Summary of Penalties for Inspection Number 314850454

Citation 1, Willful	= \$ 592900.00
Citation 2, Repeat	= \$ 7000.00
TOTAL PROPOSED PENALTIES	= \$ 599900.00

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 or endorsements put on any check or money order as if the restrictions or conditions do not exist.

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.



Thomas P. Bielema
Area Director

02-Nov-2011
Date