

U.S. Department of Labor

Occupational Safety and Health Administration
10810 Executive Center Drive
Danville Bldg. 2, Suite 206
Little Rock, AR 72211
Phone: 501-224-1841 Fax: 501-224-2697



Citation and Notification of Penalty

To:

Austin Powder Company
and its successors
7LC10 Blandy Rd
POB 3500
East Camden, AR 71701

Inspection Site:

7LC10 Blandy Rd
Camden, AR 71701

Inspection Number: 957166

Inspection Date(s): 02/03/2014 - 03/27/2014

Issuance Date: 07/30/2014

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 07/30/2014. The conference will be held by telephone or at the OSHA office located at 10810 Executive Center Drive, Danville Bldg. 2, Suite 206, Little Rock, AR 72211 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 957166

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701
Issuance Date: 07/30/2014

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, 10810 Executive Center Drive, Danville Bldg. 2, Suite 206, Little Rock, AR 72211**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(c)(1): The employer did not develop a written plan of action regarding the implementation of the employee participation required by 29 CFR 1910.119.

The employer does not ensure that a written plan of action regarding the implementation of the employee participation is developed.

The violation occurred on or about February 3, 2014 and at times prior thereto in the Austin Powder Manufacturing facility where the employer failed to develop a written plan of action regarding the implementation of a process safety program and the involvement of employees in that plan. This condition exposed employees to inhalation, fire, and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within (10) calendar days of the abatement date the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that a written plan of action regarding the implementation of the employee participation is developed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$3300.00



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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 2 a Type of Violation: **Serious**

29 CFR 1910.119(d)(2)(i)(D): Process safety information pertaining to the technology of the process did not include the safe upper and lower limits for such items as temperatures, pressures, flows or compositions:

The employer does not ensure process safety information pertaining to the technology of the process includes the safe upper and lower limits such as temperatures, pressures, flows or composition.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to include the safe upper and lower limits of the process in the process safety information for the PETN Drying and Booster Manufacturing processes. Safe upper and lower limits of the process include but are not limited to:

- a. PETN Dryer Temperature
- b. PETN Dryer Airflow
- c. PETN Moisture Content
- d. Kettle Mixture Temperature
- e. Scrubber Air Flow
- f. Scrubber Liquid/Water Flow
- g. Scrubber Filter Inlet Pressure
- h. Scrubber Media/Demister Pressure Differential

This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure process safety information pertaining to the technology of the process includes the safe upper and lower limits such as temperatures, pressures, flows or composition.

U.S. Department of Labor
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Inspection Number: 957166
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Issuance Date: 07/30/2014



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$7000.00

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: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(f)(1)(ii): The employer's written operating procedures did not address the following requirements for the operating limits: (A) Consequences of deviation
(B) Steps required correcting or avoiding deviation

The employer does not ensure the written operating procedures addressed the requirements for operating limits consequence of deviation and steps for correcting and avoiding deviation.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to ensure the written operating procedures addressed the requirements for operating limits consequence of deviation and steps for correcting or avoiding deviation. Operating limits include but not limited to:

- a. PETN Dryer Temperature
- b. PETN Dryer Airflow
- c. PETN Moisture Content
- d. Kettle Mixture Temperature
- e. Kettle Steam Pressure
- f. Scrubber Air Flow
- g. Scrubber Liquid/Water Flow
- h. Scrubber Filter Inlet Pressure
- i. Scrubber Media/Demister Pressure Differential

This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the written operating procedures addressed the requirements for operating limits consequence of deviation and steps for correcting and avoiding deviation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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: 957166
Inspection Date(s): 02/03/2014 - 03/27/2014
Issuance Date: 07/30/2014



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

Date By Which Violation Must be Abated:

08/21/2014

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: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(d)(2)(i)(E): Process safety information pertaining to the technology of the process did not include an evaluation of the consequence of deviations, including those affecting the safety and health of employees.

The employer does not ensure process safety information pertaining to the technology of the process includes an evaluation of the consequence of deviations including those affecting the safety and health of employees.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to document the process safety information pertaining to the evaluation of the safety and health effects from deviations of the PETN Drying and Booster Manufacturing processes. Consequences of deviation of process technologies and include but are not limited to:

- a. PETN Dryer Temperature
- b. PETN Dryer Airflow
- c. PETN Moisture Content
- d. Kettle Mixture Temperature
- e. Kettle Steam Pressure
- f. Scrubber Air Flow
- g. Scrubber Liquid/Water Flow
- h. Scrubber Filter Inlet Pressure
- i. Scrubber Media/Demister Pressure Differential

This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure process safety information pertaining to the technology of the process includes an evaluation of the consequence of deviations including those affecting the safety and health of employees.

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: 957166
Inspection Date(s): 02/03/2014 - 03/27/2014
Issuance Date: 07/30/2014



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$7000.00

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: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(d)(3)(i)(B): Process safety information pertaining to the equipment in the process did not include the piping and instrument diagrams (P&ID'S):

The employer does not ensure that process safety information pertaining to the equipment in the process includes piping and instrument diagrams.

The violation occurred on or about February 3, 2014 and at times prior thereto in the Austin Powder Manufacturing facility where the employer failed to develop piping and instrument diagrams for the explosive manufacturing processes in the facility. Processes include but are not limited to:

- a. The booster production area (building #5)
- b. The drying system (building #8)
- c. The scrubber system (across building #5)

This condition exposed employees to inhalation, fire, and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within (10) calendar days of the abatement date the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that process safety information pertaining to the equipment in the process includes piping and instrument diagrams.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$5500.00



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

1910.119(d)(3)(i)(C): Process safety information pertaining to the equipment in the process did not include the electrical classification

The employer does not ensure that process safety information pertaining to the equipment in the process includes electrical classification.

The violation occurred on or about February 3, 2014 and at times prior thereto in the Austin Powder Manufacturing facility where the employer failed to ensure that electrical classification was developed and documented for the PETN balloon filling, PETN drying, and booster manufacturing areas of the facility. This condition exposed employees to inhalation, fire, and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within (10) calendar days of the abatement date the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that process safety information pertaining to the equipment in the process includes electrical classification.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$7000.00

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

Inspection Number: 957166
Inspection Date(s): 02/03/2014 - 03/27/2014
Issuance Date: 07/30/2014



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

1910.119(d)(3)(i)(D): Process safety information pertaining to the equipment in the process did not include relief system design and design basis.

The employer does not ensure that process safety information pertaining to the equipment in the process includes relief system design and design basis.

The violation occurred on or about February 3, 2014 and at times prior thereto in the Austin Powder Manufacturing facility where the employer failed to ensure the relief system design and design basis was documented for the steam lines to kettles and the boiler. This condition exposed employees to inhalation, fire, and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within (10) calendar days of the abatement date the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that process safety information pertaining to the equipment in the process includes relief system design and design basis.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$7000.00

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: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

1910.119(d)(3)(i)(E): Process safety information pertaining to the equipment in the process did not include ventilation system design.

The employer does not ensure that process safety information pertaining to the equipment in the process includes ventilation system design.

The violation occurred on or about February 3, 2014 and at times prior thereto in the Austin Powder Manufacturing facility where the employer failed to ensure the ventilation system design and design basis was documented for the booster manufacturing area. This condition exposed employees to inhalation, fire, and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within (10) calendar days of the abatement date the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that process safety information pertaining to the equipment in the process includes ventilation system design.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$3300.00



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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 8 a Type of Violation: **Serious**

1910.119(d)(3)(i)(F): Process safety information pertaining to the equipment in the process did not include design codes and standards employed.

The employer does not ensure that process safety information pertaining to the equipment in the process includes design codes and standards employed.

The violation occurred on or about February 3, 2014 and at times prior thereto in the Austin Powder Manufacturing facility where the employer failed to document the design codes and standards used in the design, construction, and maintenance of the explosive manufacturing processes in the facility. Design codes and standards include but are not limited to NFPA 495 (Explosive Materials Code), NEC (National Electrical code), UMC (Uniform Mechanical Code) and ANSI. This condition exposed employees to inhalation, fire, and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within (10) calendar days of the abatement date the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure process safety information pertaining to the equipment in the process includes design codes and standards employed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$3300.00



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

1910.119(d)(3)(ii): The employer did not document that equipment complies with recognized and generally accepted good engineering practices (RAGAGEP).

The employer does not ensure that equipment in the process complies with recognized and generally accepted good engineering practices.

The violation occurred on or about February 3, 2014 and at times prior thereto in the Austin Powder Manufacturing facility where the employer failed to document that equipment in the process complies with recognized and generally accepted good engineering practices for process equipment in the facility such as but not limited to NFPA 495 (Explosive Materials Code), NEC (National Electrical code), UMC (Uniform Mechanical Code) and ANSI (American National Standards Institute). Equipment includes but is not limited to:

- a. Ventilation System in the Booster Manufacturing Process
- b. Heater Motors in the Booster Manufacturing Area
- c. Fan Motors in the Booster Manufacturing Area
- d. Electrical Equipment in the PETN Drying, PETN Balloon Filling, and Booster Manufacturing Areas

This condition exposed employees to inhalation, fire, and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within (10) calendar days of the abatement date the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure equipment in the process complies with recognized and generally accepted good engineering practices.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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: 957166
Inspection Date(s): 02/03/2014 - 03/27/2014
Issuance Date: 07/30/2014



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

Date By Which Violation Must be Abated:

08/21/2014

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: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

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

1910.119(d)(3)(i)(H): Process safety information pertaining to the equipment in the process did not include safety systems (e.g. interlocks, detection or suppression system).

The employer does not ensure that process safety information pertaining to the equipment in the process includes safety systems.

The violation occurred on or about February 3, 2014 and at times prior thereto in the Austin Powder Manufacturing facility where the employer failed to document the process safety information for equipment safety systems and interlocks in the process. Safety systems include but are not limited to:

- a. Emergency stop buttons for mixing kettles
- b. Scrubber High Pressure Differential cut-off
- c. Scrubber Low Water flow cut-off

This condition exposed employees to inhalation, fire, and explosion hazards.

Pursuant to 29 C.F.R. 1903.19, within (10) calendar days of the abatement date the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that process safety information pertaining to the equipment in the process includes safety systems

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/21/2014

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: 957166
Inspection Date(s): 02/03/2014 - 03/27/2014
Issuance Date: 07/30/2014



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

Proposed Penalty:

\$7000.00

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: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(f)(1)(iv): The employer's written operating procedures did not address requirements for the safety systems and their functions.

The employer does not ensure the written operating procedures addresses requirements for safety systems and their functions.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to ensure the written operating procedures addressed the safety systems and their functions for the balloon filling, PETN drying, and booster manufacturing processes. Safety systems include but not limited to:

- a. Booster Manufacturing Kettle Emergency Stop (E-Stop)
- b. Emergency Sirens/Notifications.

This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the written operating procedures addresses requirements for safety systems and their functions.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/21/2014



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(e)(1): The employer did not perform a hazard evaluation of the processes covered by this standard.

The employer does not ensure that a hazard evaluation of the explosive manufacturing process was performed.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to ensure that a hazard evaluation of the explosive manufacturing process was performed. This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure that a hazard evaluation of the explosive manufacturing process was performed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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 1910.119(f)(1)(i)(A): The employer's written operating procedures covering the steps for each operating phase did not address initial startup.

The employer does not ensure that the written operating procedures covering the steps of each operating phase addressed initial startup.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to ensure that the written operating procedures for the booster manufacturing and PETN powder/drying processes addressed initial startup. This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure that the written operating procedures covering the steps of each operating phase addressed initial startup.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(f)(1)(i)(G): The employer's written operating procedures covering the steps for each operating phase did not address startup following a turnaround, or after an emergency shutdown. The employer does not ensure the written operating procedures covering the steps of each operating phase addressed startup after an emergency shutdown.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to ensure the written operating procedures covering the steps of each operating phase for the booster manufacturing and PETN powder/drying process addressed startup after an emergency shutdown. This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the written operating procedures covering the steps of each operating phase addressed startup following a turnaround or after an emergency shutdown.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/21/2014



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(f)(1)(i)(D): The employer's written operating procedures covering the steps for each operating phase did not address emergency shutdown including the conditions under which emergency shutdown is required, and the assignment of shutdown responsibility to qualified operators to ensure that emergency shutdown in a safe and timely manner:

The employer does not ensure that written operating procedures covering the steps of each operating phase addressed emergency shutdown.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to ensure that written operating procedures covering the steps of each operating phase for the balloon filling, booster manufacturing, and PETN powder/dryer processes addressed emergency shutdown including the conditions under which an emergency shutdown is required and assignment of shutdown responsibility to a qualified operator. This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure that written operating procedures covering the steps of each operating phase addressed emergency shutdown.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(f)(1)(i)(F): The employer's written operating procedures covering the steps for each operating phase did not address normal shutdown.

The employer does not ensure the written operating procedures covering the steps of each operating phase addressed normal shutdown.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to ensure the written operating procedures covering the steps of each operating phase for the booster manufacturing and PETN powder/drying processes addressed normal shutdown. This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the written operating procedures covering the steps of each operating phased addressed normal shutdown.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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 14 a Type of Violation: **Serious**

29 CFR 1910.119(f)(1)(iii)(B): The employer's written operating procedures covering safety and health considerations did not address the precautions necessary to prevent exposure, including engineering controls, administrative controls, and person protective equipment.

The employer does not ensure the written operating procedures covering safety and health considerations addressed engineering and administrative controls to prevent exposure.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to ensure the written operating procedures covering safety and health considerations addressed the administrative and engineering controls for the booster manufacturing process. Identified controls include but not limited to:

- a. Ventilation System Airflow
- b. Scrubber water/liquid flow
- c. Kettle mixture temperature limitations/controls
- d. Scrubber filter pressure drop.

This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the written operating procedures covering safety and health considerations addressed engineering and administrative controls to prevent exposure.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/21/2014
\$7000.00

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: 957166
Inspection Date(s): 02/03/2014 - 03/27/2014
Issuance Date: 07/30/2014



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(f)(1)(iii)(C): The employer's written operating procedures covering safety and health considerations did not address the control measures to be taken if physical contact or airborne exposure occurs.

The employer does not ensure the written operating procedures covering safety and health considerations addressed the control measures to be taken if physical contact or airborne exposure occurs.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to ensure the written operating procedures covering safety and health considerations for the booster manufacturing, PETN powder/drying, and balloon filling process addressed the control measures to be taken if physical contact or inhalation of explosive dusts or fumes were to occur. This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the written operating procedures covering safety and health considerations addressed the control measures to be taken if physical contact or airborne exposure occurs.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/21/2014



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(f)(1)(iii)(D): The employer's written operating procedures covering safety and health considerations did not address the quality control for raw materials and control of hazardous chemical inventory levels.

The employer does not ensure the written operating procedures covering safety and health considerations addressed the control of hazardous chemical inventory levels.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to ensure the written operating procedures covering safety and health considerations for the booster manufacturing, PETN powder/drying, balloon filling processes as well as finished product storage areas addressed the control of explosive inventories in each facility. This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the written operating procedures covering safety and health considerations addressed the control of hazardous chemical inventory levels.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(f)(3): The employer did not certify annually that the operating procedures are current and accurate.

The employer does not ensure the annual certification that the written operating procedures were current and accurate.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to certify annually that the written operating procedures were current and accurate for the balloon filling, PETN drying, booster manufacturing, and explosives storage areas. This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure the annual certification that the written operating procedures were current and accurate.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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 1910.119(h)(2)(i): The employer, when selecting a contractor, did not obtain and evaluate information regarding the contract employer's safety performance and programs.
The employer does not ensure that when selecting a contractor it obtains and evaluates the contract employers safety performance and programs.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to obtain and evaluate the contract employers safety performance and programs. Contractors selected and who have performed tasks in the facility included but not limited to Nelsons Welding Service, B & B Electric, and Bradshaw Painting & Industrial. This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure that when selecting a contractor it obtains and evaluates the contract employers safety performance and programs.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$5500.00



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(h)(2)(v): The employer did not periodically evaluate the performance of contract employers in fulfilling their obligations as specified in 29 CFR 1910.119(h)(3).

The employer does not ensure that a periodic evaluation of the performance of contract employers is conducted to assure they are fulfilling obligations as specified in 29 CFR 1910.119(h)(3).

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to conduct a periodic evaluation of the safety & health performance of contract employers. Contract employers included but are not limited to Nelsons Welding Service, B & B Electric, and Bradshaw Painting & Industrial. This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure that a periodic evaluation of the performance of contract employers is conducted to assure they are fulfilling obligations as specified in 29 CFR 1910.119(h)(3).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/21/2014



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(h)(2)(vi): The employer did not maintain a contract employee injury and illness log related to contractor's work in process areas.

The employer does not ensure that contract employee injury and illness log related to work in the process areas is maintained.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to maintain a contract employee injury and illness log related to the contractors work in the balloon filling, PETN powder/drying, and booster manufacturing processes. This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure that contract employee injury and illness log related to work in the process areas is maintained

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: **08/21/2014**



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(j)(2): The employer did not establish and implement written procedures to maintain the on-going mechanical integrity of process equipment.

The employer does not ensure written procedures are established and implemented to maintain the on-going integrity of the process equipment.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to establish and implement written procedures for the testing and inspection of process equipment. Process equipment includes but is not limited to:

- a. Booster Manufacturing Scrubber Differential Pressure Shutdown
- b. Booster Manufacturing Kettle E-Stops
- c. Booster Manufacturing Scrubber Low Liquid Flow
- d. Booster Manufacturing Scrubber Pump & Blower
- e. Booster Manufacturing Scrubber Filters
- f. Booster Cleaning of Interior of Ventilation Ducts
- g. PETN Drying Nutch
- h. PETN Drying Nutch Filters
- i. PETN Dryer Heat Exchanger & Controls
- j. PETN Drying Vacuum Pump

This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure written procedures are established and implemented to maintain the on-going integrity of the process equipment.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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: 957166
Inspection Date(s): 02/03/2014 - 03/27/2014
Issuance Date: 07/30/2014



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

Date By Which Violation Must be Abated:
Proposed Penalty:

08/21/2014
\$7000.00

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: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(j)(4)(i): Inspections and tests were not performed on process equipment to maintain its mechanical integrity.

The employer does not ensure inspection and tests are performed on process equipment to maintain its mechanical integrity.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to inspect and test process equipment to maintain its mechanical integrity. Process equipment include but are not limited to:

- a. Booster Manufacturing Scrubber Differential Pressure Shutdown
- b. Booster Manufacturing Kettle E-Stops
- c. Booster Manufacturing Scrubber Low Liquid Flow

This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to ensure inspection and tests are performed on process equipment to maintain its mechanical integrity.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/21/2014

Proposed Penalty:

\$7000.00



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(l)(1): The employer did not establish and implement written procedures to manage changes to process chemicals, technology, equipment, and procedures and changes to facilities that affect a covered process:

The employer does not ensure that written procedures are established and implemented to manage changes to the process chemicals, technology, equipment, procedures, and facilities that affect the covered process.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to establish and implement procedures written procedures for managing changes to the process equipment. Equipment changes include but are not limited to:

- a. Installation of a laser sensor on the booster manufacturing kettle lids
- b. Installation of explosion proof fans in the manufacturing areas.

This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to not ensure that written procedures are established and implemented to manage changes to the process chemicals, technology, equipment, procedures, and facilities that affect the covered process.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/21/2014
\$7000.00



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(n): The employer did not include a procedure in its emergency action plan that instructs employees how to distinguish between small releases and spills and large releases or spills and what employee actions are required in both instances.

The employer does not ensure the emergency action plan included instructions on how to distinguish between a small or large releases or spills and procedures for handling the release and/or spill.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to include a procedure that instructs employees how to distinguish between small and large spills and releases and actions required to in both instances. This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to not ensure the emergency action plan included instructions on how to distinguish between a small or large releases or spills and procedures for handling the release and/or spill.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.120(q)(6)(iii): Employees who participated as hazardous materials technicians, or were expected to participate as hazardous materials technicians, had not received at least 24 hours of training equal to the first responder operations level, and/or had not been certified as having such training, and/or, in addition, did not demonstrate competency in paragraphs (q)(6)(iii)(A)-(I) of this section.

The employer does not ensure that those employees who participated as hazardous materials technicians had received at least 24 hours of training equal to the first responder operations level and/or had not been certified as having such training.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to ensure that those employees who participated as hazardous materials cleanup and handling in the balloon filling, PETEN drying, booster manufacturing, and explosive storage facilities had received at least 24 hours of training (HAZWOPER) and/or had not been certified as having such training. This condition exposed employees to hazards of inhalation, fire, and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to not ensure that those employees who participated as hazardous materials technicians had received at least 24 hours of training equal to the first responder operations level and/or had not been certified as having such training.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/21/2014
\$7000.00

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: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

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

29 CFR 1910.119(o)(1): The employer did not certify that they had evaluated compliance with the provisions of 29 CFR 1910.119 at least every three years to verify that the procedures and practices developed under this standard were adequate and are being followed.

The employer does not ensure that an evaluation of the compliance with the provision of 29 CFR 1910.119 is certified at least every three years to verify that the procedures and practices developed under this standard were adequate and are being followed.

The violation occurred in the Austin Powder manufacturing facility on or about February 3, 2014 and at times prior thereto where the employer failed to complete and process safety management compliance audit of the facility. This condition exposed employees to hazards of inhalation, fire, and explosion.

AUSTIN POWDER COMPANY WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.119(o)(1), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER #783282, CITATION NUMBER #1, and Item # 22. AND WAS AFFIRMED AS FINAL ORDER ON DECEMBER 23, 2013, WITH RESPECT TO A WORKPLACE LOCATED AT 430 POWDER PLANT RD, MCARTHUR, OH 45651.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date the employer must submit documentation showing it is in compliance with the standard, including describing the steps it is taking to not ensure that an evaluation of the compliance with the provision of 29 CFR 1910.119 is certified at least every three years to verify that the procedures and practices developed under this standard were adequate and are being followed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/21/2014
Proposed Penalty:	\$38500.00

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: 957166
Inspection Date(s): 02/03/2014 - 03/27/2014
Issuance Date: 07/30/2014



Citation and Notification of Penalty

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701

A handwritten signature in black ink that reads "Carlos M. Reynolds". The signature is written in a cursive style with a horizontal line underneath the name.

Carlos M. Reynolds
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
10810 Executive Center Drive
Danville Bldg. 2, Suite 206
Little Rock, AR 72211
Phone: 501-224-1841 Fax: 501-224-2697



INVOICE / DEBT COLLECTION NOTICE

Company Name: Austin Powder Company
Inspection Site: 7LC10 Blandy Rd, Camden, AR 71701
Issuance Date: 07/30/2014

Summary of Penalties for Inspection Number	957166
Citation 1, Serious	\$139900.00
Citation 2, Repeat	\$38500.00
TOTAL PROPOSED PENALTIES	\$178400.00

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

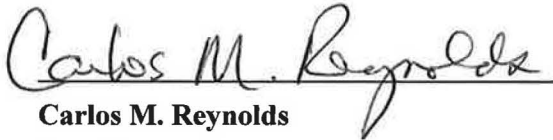
account, the bank will attempt to make the transfer up to 2 times.

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.


Carlos M. Reynolds

Area Director

7-30-14
Date