

U.S. Department of Labor

Occupational Safety and Health Administration
1205 Texas Ave.
Room 806
Lubbock, TX 79401
Phone: 806-472-7681 Fax: 806-472-7686



Citation and Notification of Penalty

To:
CPE FEEDS, INC.
1614 E PASEO CIR
Brownfield, TX 79316

Inspection Number: 1152337
Inspection Date(s): 06/02/2016 - 06/21/2016
Issuance Date: 11/28/2016

Inspection Site:
1614 E PASEO CIR
Brownfield, TX 79316

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

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

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

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

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

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

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

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

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

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

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

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 11/28/2016. The conference will be held by telephone or at the OSHA office located at 1205 Texas Ave., Room 806, Lubbock, TX 79401 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1152337

Company Name: CPE FEEDS, INC.

Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

Issuance Date: 11/28/2016

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, 1205 Texas Ave., Room 806, Lubbock, TX 79401**

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: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.22(a)(1): All places of employment, passageways, storerooms or service rooms were not kept clean and orderly or in a sanitary condition.

Employees were working and/or walking in the production areas that were not kept clean and exposed to health and fire hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$2850.00



Citation and Notification of Penalty

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.23(c)(1)(ii): Open-sided floors and/or platforms four feet or more above adjacent floor or ground level were not guarded with standard railings (or equivalent) and toeboards where there is moving machinery:

Employees were exposed to unprotected falls of greater than four feet when engaged in unclogging the cotton pit and pipes.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$3563.00

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: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.23(c)(2): Runways four feet or more above floor or ground level were not guarded by standard railings (or the equivalent) and toeboards:

Employees accessing the runway between the cotton seed silo and the main plant were exposed to unprotected falls of greater than four feet while unclogging the cotton seed pit and pipes.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$3563.00



Citation and Notification of Penalty

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.24(h): Handrails were not provided on at least one side of closed stairways preferably on the right side descending:

Employees accessing and egressing the area below the cottonseed pit were exposed to slip and fall hazards while using a stairway that did not have hand rails.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$2850.00



Citation and Notification of Penalty

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.101(b): The in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks were not in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in CFR 1910.6:

In the maintenance building employees engaged in welding were exposed to struck-by hazards when the acetylene and oxygen cylinders were not secured in an upright position.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$2850.00

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: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.157(c)(4): Portable fire extinguishers were not kept in their designated places at all times except during use:

The employer did not ensure fire extinguishers were kept in designated places of the main plant and exposed employees to fire hazards in the event of an emergency.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$3563.00

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

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Issuance Date: 11/28/2016



Citation and Notification of Penalty

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

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

The employer did not ensure powered industrial trucks (forklifts) with unapproved lift platforms were operated by employees and exposed them to struck-by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$3563.00

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: 1152337
Inspection Date(s): 06/02/2016 - 06/21/2016
Issuance Date: 11/28/2016



Citation and Notification of Penalty

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

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

In the main plant employees working around the extruder, press, and screener with an unguarded auger were exposed to caught-by and amputation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

12/22/2016
\$4988.00

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: 1152337
Inspection Date(s): 06/02/2016 - 06/21/2016
Issuance Date: 11/28/2016



Citation and Notification of Penalty

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.215(a)(1): Abrasive wheel(s) used on grinding machinery were not used with safety guard(s):

In the maintenance building employees operating a bench grinder without its safety guard were exposed to struck-by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$2850.00

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: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.219(c)(2)(i): All exposed part(s) of horizontal shafting seven (7) feet or less from floor or working platform were not protected by stationary casing(s) enclosing shafting completely or by trough(s) enclosing sides and top or sides and bottom of shafting:

In the main plant employees operating the cotton seed extractor having an unguarded rotating shaft on the generator were exposed to caught-in hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$4276.00

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

Inspection Number: 1152337
Inspection Date(s): 06/02/2016 - 06/21/2016
Issuance Date: 11/28/2016



Citation and Notification of Penalty

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

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

In the main plant and pelleting room employees operating the cotton seed extruder and pelleting line with exposed sprockets and chains were exposed to amputations and caught-in hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$4988.00

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: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.253(b)(2)(iv): Valve protection caps, where cylinders were designed to accept caps, were not always in place, hand-tight, except when cylinders were in use or connected for use:

In the maintenance room employees engaged in work around where un-capped oxygen and acetylene tanks were stored were exposed to chemical and struck-by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$3563.00



Citation and Notification of Penalty

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.253(b)(4)(iii): Oxygen cylinders in storage were not separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least:

The employer did not ensure oxygen cylinders, in the maintenance building, not in use were stored at least 20 feet away from fuel-gas cylinders, and exposed employees to fire hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$3563.00

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

Inspection Number: 1152337
Inspection Date(s): 06/02/2016 - 06/21/2016
Issuance Date: 11/28/2016



Citation and Notification of Penalty

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

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

In the main plant, employees engaged in processing work while working in areas having energized wires sticking out of holes in the walls were exposed to electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$4988.00

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: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.303(b)(7)(i): Unused openings in boxes, raceways, auxiliary gutters, cabinets, equipment cases, or housings were not effectively closed to afford protection substantially equivalent to the wall of the equipment.

Employees working in the maintenance building and operating electrical circuit breakers with missing knockouts were exposed to electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$3563.00

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: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.305(b)(2)(i): Each outlet box in completed installations did not have a cover, faceplate, or fixture canopy:

Employees engaged in work activities were exposed to electrical shock hazards when utilizing outlet boxes located on the east wall of the maintenance building that did not have a cover.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$4988.00



Citation and Notification of Penalty

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.305(c)(4): Faceplates for flush-mounted snap switches. Snap switches mounted in boxes did not have faceplates installed so as to completely cover the opening and seat against the finished surface:

The employer did not ensure electrical switches located beneath the circuit boxes had a faceplate and exposed employees working in the maintenance building to electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$3563.00

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: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and/or cables were used as a substitute for the fixed wiring of a structure:

The employer did not ensure the office area located east of a storage building used a flexible extension cord as fixed wiring and exposed employees to electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$4988.00



Citation and Notification of Penalty

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.305(g)(1)(iv)(C): Flexible cords and cables were used where run through doorways, windows, or similar openings.

The employer did not ensure flexible electrical cords were run through doors and windows of the storage building and exposed employees to electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$3563.00



Citation and Notification of Penalty

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.305(g)(1)(iv)(D): Flexible cords and cables where used were attached to building surfaces:

The employer did not ensure flexible electrical cords in the main plant along the west wall were not attached to the wall and exposed employees to electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$4988.00



Citation and Notification of Penalty

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables were not connected to devices and fittings so that strain relief was provided that would prevent pull from being directly transmitted to joints or terminal screws:

The employer did not ensure flexible electrical cords had strain relief and exposed employees to electrical shock hazards.

- a. Northwest corner of the maintenance building
- b. South wall of the pelleting room.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/22/2016
Proposed Penalty:	\$4988.00



Citation and Notification of Penalty

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316

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

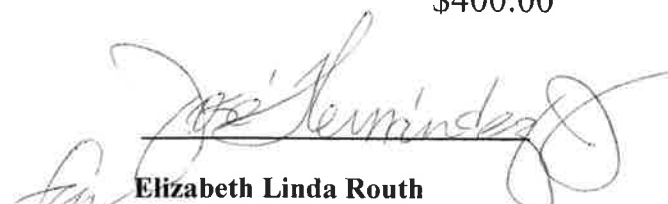
29 CFR 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program as described in 29 CFR 1910.9(c) through (o) whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level of 85 decibels measured on the A scale, or equivalently a dose of fifty percent:

The employer did not ensure an effective hearing conservation program was utilized when noise levels exceeded an 8-hour time-weighted-average of 85 decibels while employees working in and around the main plant were exposed to noise hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

12/22/2016
\$400.00


Elizabeth Linda Routh
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1205 Texas Ave.
Room 806
Lubbock, TX 79401
Phone: 806-472-7681 Fax: 806-472-7686



INVOICE / DEBT COLLECTION NOTICE

Company Name: CPE FEEDS, INC.
Inspection Site: 1614 E PASEO CIR, Brownfield, TX 79316
Issuance Date: 11/28/2016

Summary of Penalties for Inspection Number	1152337
Citation 1, Serious	\$82659.00
Citation 2, Other-than-Serious	\$400.00
TOTAL PROPOSED PENALTIES	\$83059.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

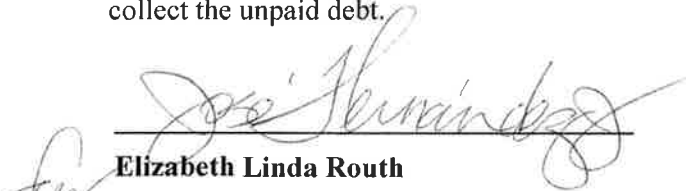
account, the bank will attempt to make the transfer up to 2 times.

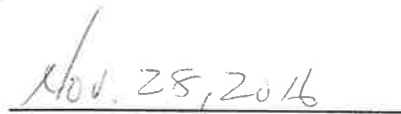
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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

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

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

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


Elizabeth Linda Routh
Area Director


Date

U.S. Department of Labor

Occupational Safety and Health Administration

Lubbock Area Office

1205 Texas Avenue, Room 806

Lubbock, Texas 79401

Phone: 806-472-7681 Fax: 806-472-7686

<http://www.osha.gov>



CPE FEEDS, INC.
1614 E Paseo Cir
Brownfield, TX 79316

Dear Employer:

Under a law passed by Congress in 1996, the Small Business Administration (SBA) has established the SBA Ombudsman and SBA Regional Fairness Boards to investigate small business complaints pertaining to federal agency enforcement actions.

If you are a small business and believe you have been treated unfairly by the Occupational Safety and Health Administration (OSHA), you may file a written, signed complaint with the SBA Ombudsman at:

Small Business Administration
Office of the National Ombudsman
409 Third Street SW
Washington, DC 20024
Phone: (202) 205-2417
Fax: (202) 481-5719

You can also access and download the Complaint/Comment form by visiting their website at:

<http://www.sba.gov/aboutsba/sbaprograms/ombudsman/index.html>

Or, call Toll Free: 1-888-REGFAIR

NOTE: Filing a complaint with the SBA Ombudsman does not affect any obligation you may have to comply with an OSHA citation or other enforcement action. Nor does it mean you need not to take other available legal steps to protect your interest.

Your support in worker occupational health and safety is appreciated.

Sincerely,


Elizabeth Linda Routh
Area Director