

U.S. Department of Labor

Occupational Safety and Health Administration
420 Madison Ave
Suite 600
Toledo, OH 43604
Phone: 419-259-7542 Fax: 419-259-6355



Citation and Notification of Penalty

To:

CS Metals, Inc.
and its successors
5127 Kelso Street
Houston, TX 77021

Inspection Number: 982537**Inspection Date(s):** 06/26/2014 - 12/16/2014**Issuance Date:** 12/18/2014**Inspection Site:**

4575 County Road 33A
Saint Marys, OH 45885

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 12/18/2014. The conference will be held by telephone or at the OSHA office located at 420 Madison Ave, Suite 600, Toledo, OH 43604 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 982537

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

Issuance Date: 12/18/2014

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, 420 Madison Ave, Suite 600, Toledo, OH 43604**

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: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.134(f)(2): The employer did not ensure that an employee using a tight-fitting facepiece respirator was fit tested prior to initial use of the respirator, whenever a different respirator facepiece (size, style, model or make) is used, and at least annually thereafter.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about August 29, 2014, the employer did not ensure employees required to wear tight fitting half face respirators when overexposed to arsenic, lead, iron oxide, and copper fume, were properly fit tested.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/07/2015

Proposed Penalty:

\$5,390.00



Citation and Notification of Penalty

Company Name: CS Metals, Inc.
Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.134(h)(2)(i): All respirators were not stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals, and they were not packed or stored to prevent deformation of the face-piece and exhalation valve.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about June 26, 2014, the employer did not ensure employees were properly storing their half face tight fitting respirators. Respirators were stored inside of hard hats, sitting on top of protective clothing, and hanging from the head band throughout the torch cutting areas.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/30/2014
Proposed Penalty:	\$5,390.00



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.134(h)(4): The employer did not ensure that respirators that fail an inspection or are otherwise found to be defective are removed from service, and are discarded or repaired or adjusted in accordance with the following procedures.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about August 29, 2014, the employer did not ensure a half face tight fitting respirator used by an employee in the North field was removed from service when it was found to be defective. The respirator was missing an inhalation valve on the left side of the face piece but was used by the employee for two days during which the employee was overexposed to arsenic, lead, iron oxide, and copper fume.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/30/2014

Proposed Penalty:

\$5,390.00

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

Inspection Number: 982537
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Issuance Date: 12/18/2014



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.141(d)(3)(iv): Showers were not provided with hot and cold water feeding a common discharge line.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about June 26, 2014, the employer did not ensure the showers available to employees overexposed to lead while performing torching operations, were provided with hot water.

No additional abatement information is needed for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5,390.00



Citation and Notification of Penalty

Company Name: CS Metals, Inc.
Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

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

29 CFR 1910.1000(a)(2): An employee's exposure to any substance in Table Z-1, the exposure limit of which was not preceded by a "C", exceeded the 8-hour Time Weighted Average given for that substance any 8-hour work shift of a 40-hour work week.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about August 29, 2014, an employee performing torch cutting activities in the North field was overexposed to copper fume at an eight hour time weighted average concentration of 0.138 mg/m³ which exceeded the OSHA Permissible Exposure limit of 0.10 mg/m³ by 130%.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/22/2015
Proposed Penalty:	\$5,390.00



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.1000(e): To achieve compliance with paragraphs (a) through (d) of this section, administrative or engineering controls were not determined and implemented whenever feasible. When such controls were not feasible to achieve full compliance, protective equipment or any other protective measures were not used to keep the exposure of employees to air contaminants within the limits prescribed in this section. Any equipment and/or technical measures used for this purpose must be approved for each particular use by a competent industrial hygienist or other technically qualified person.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about August 29, 2014, the employer did not ensure engineering controls were implemented for employees performing torch cutting operations. An employee performing torch cutting operations in the North field was overexposed to copper fume at an eight hour time weighted average concentration of 0.138 mg/m³ which exceeded the OSHA Permissible Exposure limit of 0.10 mg/m³ by 130%.

Step 1: Provide effective respiratory protection to and ensure it is used by exposed employees as an interim protective measure until feasible engineering and/or administrative controls can be implemented or whenever such controls fail to reduce employee exposure to within permissible exposure limits.

Step 2: A written detailed plan of abatement shall be submitted to the Area Director outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to hazardous substances as referenced in this citation. This plan shall include, at a minimum, target dates for the following actions which must be consistent with the abatement dates required by this citation:

- (1) Evaluation of engineering /administrative control options;
- (2) Selection of optimum control methods and completion of design;
- (3) Procurement, installation and operation of selected control measures;
- (4) Testing and acceptance or modification/redesign.



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person. 90 day progress reports are required during the abatement period.

Step 3: Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance.

Feasible engineering controls include, but are not limited to using longer torches so the employee is removed from the generated fumes, proper positioning of the worker to ensure they are standing upwind of the fumes while torching, institute fans and local exhaust ventilation.

Step 1: Abatement Date- 02/05/2015

Step 2: Abatement Date- 03/20/2015

Step 3: Abatement Date- 05/01/2015

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/01/2015



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.1018(c): The employer did not assure that no employee was exposed to inorganic arsenic at concentrations greater than 10 micrograms per cubic meter of air (10 ug/m³), averaged over any 8-hour period.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about August 29, 2014, an employee working in the North field was overexposed to arsenic at an eight hour time weighted average concentration of 12.6 ug/m³ which exceeded the OSHA PEL of 10 ug/m³ by 126%.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/22/2015



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.1018(g)(1)(i): The employer did not institute at the earliest possible time but not later than December 31, 1979, engineering and work practice controls to reduce exposures to or below the permissible exposure limit, except to the extent that the employer can establish that such controls are not feasible.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about August 29, 2014, the employer did not ensure engineering controls were implemented for employees performing torch cutting operations. An employee performing torch cutting operations in the North field was overexposed to arsenic at an eight hour time weighted average concentration of 12.6 ug/m3 which exceeded the OSHA PEL of 10 ug/m3 by 126 %.

Step 1: Provide effective respiratory protection to and ensure it is used by exposed employees as an interim protective measure until feasible engineering and/or administrative controls can be implemented or whenever such controls fail to reduce employee exposure to within permissible exposure limits.

Step 2: A written detailed plan of abatement shall be submitted to the Area Director outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to hazardous substances as referenced in this citation. This plan shall include, at a minimum, target dates for the following actions which must be consistent with the abatement dates required by this citation:

- (1) Evaluation of engineering /administrative control options;
- (2) Selection of optimum control methods and completion of design;
- (3) Procurement, installation and operation of selected control measures;
- (4) Testing and acceptance or modification/redesign .

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 982537

Inspection Date(s): 06/26/2014 - 12/16/2014

Issuance Date: 12/18/2014



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person. 90 day progress reports are required during the abatement period.

Step 3: Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance.

Feasible engineering controls include, but are not limited to using longer torches so the employee is removed from the generated fumes, proper positioning of the worker to ensure they are standing upwind of the fumes while torching, and institute fans and local exhaust ventilation.

Step 1: Abatement Date- 02/05/2015

Step 2: Abatement Date- 03/20/2015

Step 3: Abatement Date- 05/01/2015

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/01/2015

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 982537

Inspection Date(s): 06/26/2014 - 12/16/2014

Issuance Date: 12/18/2014



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.1018(g)(2)(i): The employer did not establish and implement a written program to reduce exposures to or below the permissible exposure limit by means of engineering and work practice controls.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about August 29, 2014, the employer did not ensure an arsenic compliance program was developed which covered employees performing torch cutting operations who were exposed to arsenic at 12.6 ug/m3 as an 8 hour time weighted average which exceeded the OSHA PEL of 10.0 ug/m3 by 126%.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/07/2015

Proposed Penalty:

\$5,390.00

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: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.1018(k)(4): A written housekeeping and maintenance plan was not kept which listed appropriate frequencies for carrying out housekeeping operations, and for cleaning and maintaining dust collection equipment. The plan was not available for inspection by the Assistant Secretary.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about August 29, 2014, the employer did not ensure a written arsenic housekeeping plan was developed that details the frequency of cleaning surfaces and floors in the change rooms, showers, lunchrooms, and lavatory. Employees performing torch cutting operations were exposed to arsenic at 12.6 ug/m3 as an 8 hour time weighted average which exceeded the OSHA PEL of 10.0 ug/m3 by 126%.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/07/2015

Proposed Penalty:

\$5,390.00



Citation and Notification of Penalty

Company Name: CS Metals, Inc.
Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.1018(n)(1)(i)(A): The employer did not institute a medical surveillance program for all employees who were or will be exposed above the action level, without regard to the use of respirators, at least 30 days per year.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about August 29, 2014, the employer did not ensure an arsenic medical surveillance program was instituted which covered employees performing torch cutting operations. Employees were exposed to arsenic at 12.6 ug/m³ as an 8 hour time weighted average which exceeded the OSHA PEL of 10.0 ug/m³ by 126%.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	01/07/2015
Proposed Penalty:	\$5,390.00



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.1018(o)(1)(i): The employer did not train each employee who was subject to exposure to inorganic arsenic above the action level without regard to respirator use, or for whom there is the possibility of skin or eye irritation from inorganic arsenic, in accordance with the requirements of this section. The employer did not institute a training program and ensure employee participation in the program.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about August 29, 2014, the employer did not ensure employees performing torch cutting operations who were exposed to arsenic above the action level, were provided training on the following topics:

1. Information in Appendix A;
2. The quantity, location, manner of use, storage, sources of exposure, and the specific nature of operations which could result in exposure to inorganic arsenic as well as any necessary protective steps;
3. The purpose, proper use, and limitation of respirators;
4. The purpose and a description of the medical surveillance program as required by paragraph (n) of this section;
5. The engineering controls and work practices associated with the employee's job assignment; and
6. A review of this standard.

Step 1: Abatement Date- 02/05/2015

Step 2: Abatement Date- 03/20/2015

Step 3: Abatement Date- 05/01/2015

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

Inspection Number: 982537
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Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/01/2015

Proposed Penalty:

\$5,390.00



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.134(g)(1)(i)(A): The employer permitted respirators with tight-fitting face-pieces to be worn by employees who have facial hair that came between the sealing surface of the face-piece and the face or that interfered with valve function:

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about August 29, 2014, the employer did not ensure employees working in the North and East fields were clean shaven when wearing tight fitting respirators to protect themselves from overexposures to substances such as but not limited to iron oxide, arsenic, copper and lead fumes.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/30/2014

Proposed Penalty:

\$61,600.00



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

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

29 CFR 1910.1018(j)(1)(i): Where the possibility of skin or eye irritation from inorganic arsenic exists, and for all workers working in regulated areas, the employer did not provide at no cost to the employee and assure that employees used appropriate and clean protective work clothing and equipment such as coveralls or similar full body work clothing.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about August 29, 2014, the employer did not ensure employees wore coveralls or other full body protective clothing when overexposed to arsenic during torch cutting operations.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/30/2014

Proposed Penalty:

\$61,600.00



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.1025(g)(1)(i): If an employee is exposed to lead above the PEL, without regard to the use of respirators or where the possibility of skin or eye irritation exists, the employer did not provide at no cost to the employee and assure that the employee used appropriate protective work clothing and equipment such as but not limited to coveralls or similar full-body work clothing:

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about August 29, 2014, the employer did not ensure employees were wearing coveralls or other full body protective clothing when overexposed to lead during torch cutting operations.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/07/2015



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

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

29 CFR 1910.1018(j)(2)(v): The employer did not assure that contaminated protective clothing which was to be cleaned, laundered, or disposed of, was placed in a closed container in the change-room which prevented dispersion of inorganic arsenic outside the container.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about June 26, 2014, the employer did not ensure work clothing contaminated with arsenic was placed in a closed container in the change room.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/30/2014

Proposed Penalty:

\$61,600.00

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 982537

Inspection Date(s): 06/26/2014 - 12/16/2014

Issuance Date: 12/18/2014



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.1025(g)(2)(v): The employer did not assure that contaminated protective clothing which was to be cleaned, laundered, or disposed of, was placed in a closed container in the change-room which prevented dispersion of lead outside the container.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about June 26, 2014, the employer did not ensure work clothing contaminated with lead was placed in a closed container in the change room.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

12/30/2014



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

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

29 CFR 1910.1018(m)(2)(i): The employer did not assure that employees working in regulated areas or subject to the possibility of skin or eye irritation from inorganic arsenic shower at the end of the work shift.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about June 26, 2014, the employer did not ensure employees overexposed to arsenic while torching steel were showering at the end of the work shift.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	12/30/2014
Proposed Penalty:	\$61,600.00



Citation and Notification of Penalty

Company Name: CS Metals, Inc.
Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

29 CFR 1910.1025(i)(3)(i): The employer did not assure that employees who work in areas where their airborne exposure to lead is above the PEL, without regard to the use of respirators, shower at the end of the work shift.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about June 26, 2014, the employer did not ensure employees overexposed to lead while torching steel were showering at the end of the work shift.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 12/30/2014



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

Citation 2 Item 5 a Type of Violation: **Willful**

29 CFR 1910.1025(c)(1): The employer did not assure that no employee was exposed to lead at concentrations greater than fifty micrograms per cubic meter of air (50 ug/m(3)) averaged over an 8-hour period.

a. CS Metals, Inc. worksite located in St. Mary's, Ohio: On or about August 29, 2014, an employee working in the North Field was overexposed to lead at an eight-hour time weighted average concentration of 187 ug/m3 which exceeded the OSHA Permissible Exposure limit of 50 ug/m3 by 374%.

CS Metals, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.1025(c)(1), which was contained in OSHA Inspection Number 314655887, Citation number 1, Item number 2a, and was affirmed as a final order on October 26, 2010, with respect to a workplace located at 2020 Vanderbilt Road, Birmingham, AL.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/22/2015

Proposed Penalty:

\$61,600.00



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

Citation 2 Item 5 b Type of Violation: **Willful**

29 CFR 1910.1025(e)(1)(i): Where any employee was exposed to lead above the permissible exposure limit for more than 30 days per year, the employer did not implement engineering and work practice controls (including administrative controls) to reduce and maintain employee exposure to lead in accordance with the implementation schedule in Table I, except to the extent that the employer can demonstrate that such controls are not feasible. Wherever the engineering and work practice controls which can be instituted were not sufficient to reduce employee exposure to or below the permissible exposure limit, the employer did not use them to reduce exposures to the lowest feasible level and shall supplement them by the use of respiratory protection which complies with the requirements of paragraph (f) of this section.

a. CS Metals, Inc. worksite located in St. Mary's, Ohio: On or about August 29, 2014, engineering controls were not determined and implemented to protect employees from overexposures to lead. An employee working in the North Field was overexposed to lead at an eight-hour time weighted average concentration of 187 ug/m3 which exceeded the OSHA Permissible Exposure limit of 50 ug/m3 by 374%.

CS Metals, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.1025(e)(1)(i), which was contained in OSHA Inspection Number 314655887, Citation number 1, Item number 2b, and was affirmed as a final order on October 26, 2010, with respect to a workplace located at 2020 Vanderbilt Road, Birmingham, AL.

Step 1: Provide effective respiratory protection to and ensure it is used by exposed employees as an interim protective measure until feasible engineering and/or administrative controls can be implemented or whenever such controls fail to reduce employee exposure to within permissible exposure limits.

Step 2: A written detailed plan of abatement shall be submitted to the Area Director outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to hazardous substances as referenced in this citation. This plan shall include, at a minimum, target dates for the following actions which must be consistent with the abatement dates required by this citation:

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: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

- (1) Evaluation of engineering /administrative control options;
- (2) Selection of optimum control methods and completion of design;
- (3) Procurement, installation and operation of selected control measures;
- (4) Testing and acceptance or modification/redesign .

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person. 90 day progress reports are required during the abatement period.

Step 3: Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance.

Feasible engineering controls include, but are not limited to using longer torches so the employee is removed from the generated fumes, proper positioning of the worker ensure they are standing upwind of the fumes while torching, and institute fans and local exhaust ventilation.

Step 1: Abatement Date- 02/05/2015

Step 2: Abatement Date- 03/20/2015

Step 3: Abatement Date- 05/01/2015

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/01/2015



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

Citation 3 Item 1 a Type of Violation: **Repeat**

29 CFR 1910.141(d)(1): Washing facilities were not maintained in a sanitary condition.

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about June 26, 2014, showers located in the changing room of the decon trailer were contaminated with lead and not maintained in a sanitary condition.

CS Metals, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.141(d)(1), which was contained in OSHA Inspection Number 314655887, Citation number 2, Item number 1, and was affirmed as a final order on October 26, 2010, with respect to a workplace located at 2020 Vanderbilt Road, Birmingham, AL.

No additional abatement information is needed for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$10,780.00



Citation and Notification of Penalty

Company Name: CS Metals, Inc.
Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

Citation 3 Item 1 b Type of Violation: **Repeat**

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

a. CS Metals, Inc. worksite located in St Mary's, Ohio: On or about June 26, 2014, the employer did not ensure all surfaces such as but not limited to the insides of lockers, floors, and other equipment located in the change room were maintained as free as practical of accumulations of lead.

CS Metals, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.1025(h)(1), which was contained in OSHA Inspection Number 314655887, Citation number 1, Item number 6, and was affirmed as a final order on October 26, 2010, with respect to a workplace located at 2020 Vanderbilt Road, Birmingham, AL.

No additional abatement information is needed for this item.

Date By Which Violation Must be Abated: Corrected During Inspection



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

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

Citation 3 Item 2 a Type of Violation: **Repeat**

29 CFR 1910.1000(a)(2): An employee's exposure to any substance in Table Z-1, the exposure limit of which is not preceded by a "C", exceed the 8-hour Time Weighted Average given for that substance in any 8-hour work shift of a 40-hour work week.

a. CS Metals, Inc. worksite located in St. Mary's, Ohio: On or about August 29, 2014, an employee working in the East Field was overexposed to iron oxide at an eight-hour time weighted average concentration of 11.25 mg/m³ which exceeded the OSHA Permissible Exposure limit of 10 mg/m³ by 112%.

b. CS Metals, Inc. worksite located in St. Mary's, Ohio: On or about August 29, 2014, an employee working in the North Field was overexposed to iron oxide at an eight-hour time weighted average concentration of 17.96 mg/m³ which exceeded the OSHA Permissible Exposure limit of 10 mg/m³ by 179%.

CS Metals, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.1000(a)(2), which was contained in OSHA Inspection Number 314655887, Citation number 1, Item number 1a, and was affirmed as a final order on October 26, 2010, with respect to a workplace located at 2020 Vanderbilt Road, Birmingham, AL.

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

Inspection Number: 982537
Inspection Date(s): 06/26/2014 - 12/16/2014
Issuance Date: 12/18/2014



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/22/2015

Proposed Penalty:

\$10,780.00

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: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

Citation 3 Item 2 b Type of Violation: Repeat

29 CFR 1910.1000(e): To achieve compliance with paragraphs (a) through (d) of this section, administrative or engineering controls were not determined and implemented whenever feasible. When such controls are not feasible to achieve full compliance, protective equipment or any other protective measures were not used to keep the exposure of employees to air contaminants within the limits prescribed in this section. Any equipment and/or technical measures used for this purpose must be approved for each particular use by a competent industrial hygienist or other technically qualified person. Whenever respirators are used, their use shall comply with 1910.134.

a. CS Metals, Inc. worksite located in St. Mary's, Ohio: On or about August 29, 2014, engineering controls were not determined and implemented to protect employees from overexposures to iron oxide. An employee working in the East Field was overexposed to iron oxide at an eight-hour time weighted average concentration of 11.25 mg/m³ which exceeded the OSHA Permissible Exposure limit of 10 mg/m³ by 112%.

b: CS Metals, Inc. worksite located in St. Mary's, Ohio: On or about August 29, 2014, engineering controls were not determined and implemented to protect employees from overexposures to iron oxide. An employee working in the North Field was overexposed to iron oxide at an eight-hour time weighted average concentration of 17.96 mg/m³ which exceeded the OSHA Permissible Exposure limit of 10 mg/m³ by 179%.

CS Metals, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.1000(e), which was contained in OSHA Inspection Number 314655887, Citation number 1, Item number 1b, and was affirmed as a final order on October 26, 2010, with respect to a workplace located at 2020 Vanderbilt Road, Birmingham, AL.

Step 1: Provide effective respiratory protection to and ensure it is used by exposed employees as an interim protective measure until feasible engineering and/or administrative controls can be implemented or whenever such controls fail to reduce employee exposure to within permissible exposure limits.

Step 2: A written detailed plan of abatement shall be submitted to the Area Director outlining a



Citation and Notification of Penalty

Company Name: CS Metals, Inc.

Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

schedule for the implementation of engineering and/or administrative measures to control employee exposures to hazardous substances as referenced in this citation. This plan shall include, at a minimum, target dates for the following actions which must be consistent with the abatement dates required by this citation:

- (1) Evaluation of engineering /administrative control options;
- (2) Selection of optimum control methods and completion of design;
- (3) Procurement, installation and operation of selected control measures;
- (4) Testing and acceptance or modification/redesign .

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person. 90 day progress reports are required during the abatement period.

Step 3: Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance.

Feasible engineering controls include, but are not limited to using longer torches so the employee is removed from the generated fumes, proper positioning of the worker ensure they are standing upwind of the fumes while torching, and institute fans and local exhaust ventilation.

Step 1: Abatement Date- 02/05/2015

Step 2: Abatement Date- 03/20/2015

Step 3: Abatement Date- 05/01/2015

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

Inspection Number: 982537
Inspection Date(s): 06/26/2014 - 12/16/2014
Issuance Date: 12/18/2014



Citation and Notification of Penalty

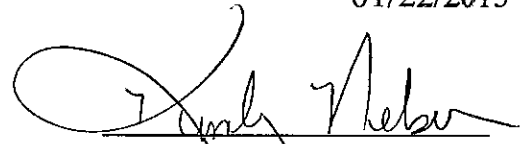
Company Name: CS Metals, Inc.
Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/22/2015


Kimberly Nelson
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
420 Madison Ave
Suite 600
Toledo, OH 43604
Phone: 419-259-7542 Fax: 419-259-6355



INVOICE / DEBT COLLECTION NOTICE

Company Name: CS Metals, Inc.
Inspection Site: 4575 County Road 33A, Saint Marys, OH 45885
Issuance Date: 12/18/2014

Summary of Penalties for Inspection Number	982537
Citation 1, Serious	\$48,510.00
Citation 2, Willful	\$308,000.00
Citation 3, Repeat	\$21,560.00
TOTAL PROPOSED PENALTIES	\$378,070.00

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

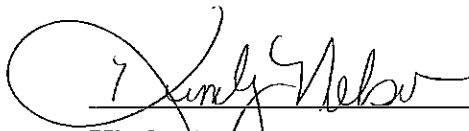
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.

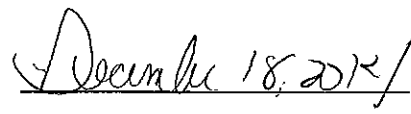
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (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.



Kimberly Nelson
Area Director



Date