

## U.S. Department of Labor

Occupational Safety and Health Administration  
1222 Spruce Street  
Room 9.104  
Saint Louis, MO 63103  
Phone: 314-425-4249 Fax: 314-425-4289



# Citation and Notification of Penalty

**To:**  
DAVIS TOOL & DIE  
888 Bolger Court  
Fenton, MO 63026

**Inspection Number:** 893833  
**Inspection Date(s):** 03/06/2013 - 03/06/2013  
**Issuance Date:** 05/29/2013

**Reply to the Attention of:** Strategic Team Leader

**Inspection Site:**  
888 Bolger Court  
Fenton, MO 63026

*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.

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

**Notification of Corrective Action** – For each violation which you do not contest, you 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](http://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 05/29/2013. The conference will be held by telephone or at the OSHA office located at 1222

Spruce Street, Room 9.104, Saint Louis, MO 63103 on \_\_\_\_\_ at

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

## CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

**Inspection Number: 893833**

Company Name: DAVIS TOOL & DIE  
Inspection Site: 888 Bolger Court, Fenton, MO 63026  
Issuance Date: 05/29/2013

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, 1222 Spruce Street, Room 9.104, Saint Louis, MO 63103**

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:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.132(d)(1): The employer did not assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE):

Location: Davis Tool and Die at 888 Bolger Ct., Fenton, Missouri 63026, production bays 1-4

The employer did not assess the workplace to determine if hazards were present for all maintenance job functions which necessitated the use of personal protective equipment (PPE) such as, but not limited to, the use of personal protective equipment (PPE) to protect against electrical shock or burns while maintenance employees are working on energized equipment and while verifying electrical circuits are deenergized for maintenance purposes. The employer did not ensure that a maintenance worker was provided with and used electrically insulated gloves and nonconductive eye protection when working on or near energized equipment. A maintenance worker was working on a 480 volt W.S. Rockwell oven, s/n S 966 and was electrocuted after contacting energized components.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from electrical hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	06/24/2013
Proposed Penalty:	\$4900.00



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE

**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.137(b)(2)(viii):

Electrical protective equipment was not subjected to periodic electrical tests in accordance with Tables I-5 and I-6:

Location: Davis Tool and Die at 888 Bolger Ct., Fenton, Missouri 63026.

The employer did not ensure that electrically insulated gloves that were provided to a maintenance worker had been tested prior to first issue and every 6 months as outlined in Table I-6.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from electrical hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

06/24/2013

Proposed Penalty:

\$3500.00



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.147(c)(4)(ii): Procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited to, 29 CFR 1910.147(c)(4)(ii)(A), (c)(4)(ii)(B), (c)(4)(ii)(C) and (c)(4)(ii)(D):

Location: David Tool and Die, 888 Bolger Court, Fenton, MO, 63026.

For maintenance employees(s) who serviced and maintained equipment with multiple energy sources, the employer failed to ensure that clear and specific procedural steps were developed for forty-six machines, including but not limited to:

- a) #303, Brown & Sharpe Coordinate Measuring Machine MicroXcel PFX
- b) #322, Sanding/Pulsar VI
- c) #323, 150 Ton Press/150T-E/H Press Master
- d) #324, Zero Bead Blaster / D300F
- e) #331, W.S. Rockwell oven, s/n S966
- f) #350, Forklift
- g) #351, Forklift Yale
- h) #353, Forklift NAMCO
- i) #354, Forklift
- j) #601, Okuma Vertical Machine Center MC-4VAE
- k) #604, Okuma Bubba Vertical Center
- l) #606, Okuma & Howa Millac 852V CNC Vertical Machining Center
- m) #615, Okuma Howa 3VA
- n) #616, Okuma MB-56VA High Speed Vertical Machining Center
- o) #617, Okuma MC-V 4020 Machine Center
- p) #618, Okuma MB 56VA Ace Center High Speed Vertical Maching Center
- q) #619, Okuma MC-V 4020 Machining Center
- r) #624, CNC Mill Fryer Mill MB-15
- s) #626, Haas 20 HP Vertical Machining Center VF-3
- t) #627, Hurco BMC 4020 Vertical Machining Center

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:** DAVIS TOOL & DIE

**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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- u) #628, Hurco MDL VMX24 CNC Vertical Machining Center
- v) #634, Big Ike Horizontal Mill Ikegai NB 110T
- w) #635, Big Nick Horizontal Mill Okuma MX-60 HB
- x) #636, Fast Eddie Horizontal Mill OKK MCH 600
- y) #637, Little Ike Horizontal Mill SNK Ikegai NB11T
- z) #638, Big Mac Horizontal Mill Makino A81
- aa) #652, Vertical Mill Man knee Mill Alliant
- bb) #657, Vertical Mill Man knee Mill Alliant
- cc) #661, Vertical Mill Man knee Mill Lagun
- dd) #662, Vertical Mill Man knee Mill Lagun
- ee) #675, Deckel Maho 50 eVolution 5 Axis Simultaneous High Speed 18,000 RPM Machining Center
- ff) #676, Deckel Maho 70 eVolution 5 axis Simultaneous High Speed 18,000 RPM Machining Center
- gg) #711, Okuma Crown S Lathe
- hh) #730, Okuma Millac 33TU
- ii) #731, Okuma Millac 33TU
- jj) #801, Okamoto Surface Grinder
- kk) #803, Okamoto Surface Grinder
- ll) #804, Okamoto Surface Grinder 16-32 ST
- mm) #811, Corue Pin Grinder
- nn) #901, EDM Sinker - Elox CNC Heritage 12(Electronic Discharge Machine)
- oo) #905, Matchburn EDM - Cincinnati Milacron (Electronic Discharge Machine)
- pp) #908, EDM Sinker - Charmilles Roboform 54P (Electronic Discharge Machine)
- qq) #909, EDM Sinker - Agie Mondo Star 50 (Electronic Discharge Machine)
- rr) #910, EDM Sinker - Charmilles Roboform 550 (Electronic Discharge Machine)
- ss) #911, Charmilles F0550 w/ DD 1662 Toolchanger
- tt) #922, Wire EDM - Agie Progress 3 (Electronic Discharge Machine)

Such typical hazardous energy sources include, but may not be limited to, mechanical (e.g., power transmission apparatus, counterbalances, springs, pressure, and gravity), pneumatic, hydraulic, electrical, chemical, and thermal (high or low temperature) energies that could cause injury to employees.

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

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

**Inspection Number:** 893833  
**Inspection Date(s):** 03/06/2013 - 03/06/2013  
**Issuance Date:** 05/29/2013



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE  
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Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from hazardous energy sources during equipment servicing and maintenance.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/16/2013
Proposed Penalty:	\$4900.00

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:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use:

Location: Davis Tool & Die at 888 Bolger Ct, Fenton, MO 63026

An adequate eyewash station was not provided in the immediate area for emergency use for maintenance employees who charged and serviced the forklift batteries.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from eye injuries.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/16/2013
Proposed Penalty:	\$3500.00



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.178(l)(4)(iii): An evaluation of each powered industrial truck operator's performance was not being conducted at least once every three years:

Location: Davis Tool & Die, 888 Bolger Ct, Fenton, MO 63026

On or about March 6, 2013, it had been more than four years since forklift operators had performance evaluations.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from hazards of operating powered industrial trucks.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/16/2013
Proposed Penalty:	\$2100.00



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

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

At the time of the inspection, two vertical band saws had no guards to cover unused portions of the blades:

- a) #404 Marvel Band Saw, series 81A located in bay 4, up to 6 inches of unused portion of vertical saw blade is not guarded when employees cut 2 inch pieces of steel;
- b) #402 Marvel Band Saw, located in bay 4 is used to cut small metal pieces at sizes ranging from 1 &frac12; inches and larger, leaving approximately 5 inches of unused blade exposed ;

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/16/2013  
\$4900.00



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE

**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.303(a): The conductors and/or equipment required or permitted by this subpart were not approved:

The W.S. Rockwell electric oven, s/n S966 (tagged 42 KW, 440 Volt, 3 phase, 60 cycles, 55 amperes per line), was manufactured on or about 07/03/1963 and then redesigned by W.S. Rockwell on or about 05/19/1964. The oven was installed at Davis Tool and Die sometime on or before 05/21/1993 and the oven wiring of heating elements has been modified from the manufacturers design. The oven has not been approved or inspected by an authority responsible for enforcing occupational safety provisions of the National Electrical Code since the installation at Davis Tool and Die located at 888 Bolger Ct, Fenton, MO, 63026.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from electrical hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

07/16/2013

Proposed Penalty:

\$3500.00



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE

**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

Location: Davis Tool & Die, 888 Bolger Ct, Fenton, MO, 63026

a) Middle of Bay 1: receptacle outlet box that energized pieces of equipment such as, but not limited to, Dell Programming Computer, monitor, and ventilation fan was not mounted as labeled, exposing employees to electrical hazards;

b) South side of Bay 1: outdoor electrical outlet box partially affixed to equipment #331, W.S. Rockwell electric stress relief oven, s/n S966, and used for outdoor electrical supply was not mounted as labeled, exposing employees to electrical hazards;

c) Northwest side of Bay 3: receptacle outlet box located next to electrical distribution sub panel P-5 was not mounted as labeled, exposing employees to electrical hazards.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from electrical hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

06/24/2013

Proposed Penalty:

\$3500.00



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.303(g)(1): Sufficient access and working space was not provided and maintained about all electric equipment (operating at 600 volts, nominal, or less to ground) to permit ready and safe operation and maintenance of such equipment:

Location: Davis Tool and Die, 888 Bolger Ct., Fenton, Missouri 63026, bay 4, shipping and receiving department

An electrical service panelboard located along the southwest wall had a sorting table located directly in front of it blocking safe access and working space.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from electrical hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/16/2013
Proposed Penalty:	\$2100.00





**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.332(b)(1): Employees were not trained in and familiar with the safety-related work practices required by 1910.331 through 1910.335 that pertained to their respective job assignments:

Location: Davis Tool and Die, 888 Bolger Ct., Fenton, Missouri 63026.

On or about March 6, 2013 a maintenance worker performing repair activities on a 480 volt, three (3) phase Delta W.S. Rockwell electric oven, s/n S966, was electrocuted after contacting energized electrical components. Maintenance workers are not provided with safety related work practice training pertaining to their respective job assignments.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from electrical hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/16/2013
Proposed Penalty:	\$4900.00



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.333(a): Safety-related work practices were not employed to prevent electric shock or other injuries resulting from either direct or indirect electrical contacts, when work was performed near or on equipment or circuits which were or could be energized:

Location: Davis Tool and Die, 888 Bolger Ct., Fenton, Missouri 63026.

Safety related work practices had not been developed or implemented for the maintenance employees performing work on or near energized equipment. On or about March 6, 2013 a maintenance worker performing repair activities on a 480 volt, three (3) phase Delta W.S. Rockwell electric stress relief oven, s/n S966, was electrocuted after contacting energized electrical components.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from electrical hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/16/2013
Proposed Penalty:	\$4900.00



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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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 12 a**      Type of Violation: **Serious**

29 CFR 1910.333(a)(1): Live parts to which an employee may be exposed were not deenergized before the employee worked on or was near to them:

Location: Davis Tool and Die, 888 Bolger Ct., Fenton, Missouri 63026.

On or about March 6, 2013 a maintenance worker performing repair activities on a 480 volt, three (3) phase Delta W.S. Rockwell electric oven, s/n S966, was electrocuted after contacting energized electrical components.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from electrical hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/16/2013
Proposed Penalty:	\$4900.00



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.333(b)(2)(iv)(B): A qualified person did not use test equipment to test the circuit elements and electrical parts of equipment to which employees would be exposed and did not verify that the circuit elements and equipment parts are deenergized:

Location: The south part of bay 1 at Davis Tool and Die, 888 Bolger Ct., Fenton, Missouri 63026.

On or about March 6, 2013 a maintenance worker performing repair activities on a 480 volt, three (3) phase Delta W.S. Rockwell electric oven, s/n S966, had no testing equipment with him to verify the parts were deenergized prior to working on the equipment. The worker was electrocuted after contacting energized electrical parts of the oven.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from electrical hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 07/16/2013



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE

**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.333(c)(2): The employer did not ensure that only qualified persons were working on energized circuits and that qualified persons were familiar with the proper use of special precautionary techniques, personal protective equipment, insulating and shielding materials, and insulated tools:

Location: The south part of bay 1 at Davis Tool and Die, 888 Bolger Ct., Fenton, Missouri 63026.

On or about March 6, 2013 a maintenance worker was performing repair activities on a 480 volt, three (3) phase Delta W.S. Rockwell electric oven, s/n S966. The worker was not familiar with the proper use of precautionary techniques while working on the oven, was not provided the proper personal protective equipment, was not provided with insulating and shielding materials, and was not provided insulated tools. The worker was electrocuted after contacting energized electrical components.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from electrical hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

07/16/2013

Proposed Penalty:

\$4900.00



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.333(c)(8): Conductive articles of jewelry and clothing (such a watch bands, bracelets, rings, key chains, necklaces, metalized aprons, cloth with conductive thread, or metal headgear) was worn where employees might contact exposed energized parts:

Location: The south part of bay 1 at Davis Tool and Die, 888 Bolger Ct., Fenton, Missouri 63026.

On or about March 6, 2013 a maintenance worker was performing repair activities on a 480 volt, three (3) phase Delta W.S. Rockwell electric oven, s/n S966, exposing energized electrical components. The worker was wearing metal framed eye protection and a belt with a metal buckle. The worker was electrocuted after contacting energized electrical components.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from electrical hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	06/24/2013
Proposed Penalty:	\$4900.00



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.335(a)(1)(i): Employees working in areas where there are potential electrical hazards shall be provided with, and shall use, electrical protective equipment that is appropriate for the specific parts of the body to be protected and for the work to be performed:

Location: The south part of bay 1 at Davis Tool and Die, 888 Bolger Ct., Fenton, Missouri 63026.

On or about March 6, 2013 a maintenance worker was performing repair activities on a 480 volt, three (3) phase Delta W.S. Rockwell electric oven, s/n S966, exposing energized electrical components. The worker was not provided insulated gloves and was electrocuted after contacting energized electrical components.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$4900.00



**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

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

Location: The south part of bay 1 at Davis Tool and Die, 888 Bolger Ct., Fenton, Missouri 63026.

On or about March 6, 2013 a maintenance worker was performing repair activities on a 480 volt, three (3) phase Delta W.S. Rockwell electric oven, s/n S966, exposing energized electrical components. The worker was not provided insulated tools and was using an aluminum flashlight to visually inspect energized conductor rod and heating rack connections. The worker was electrocuted after contacting energized electrical components.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$4900.00





**Citation and Notification of Penalty**

**Company Name:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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

29 CFR 1910.212(a)(3)(ii):

Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

Location: Davis Tool and Die, 888 Bolger Ct, Fenton, MO 63026

At the time of the inspection, three CNC milling machines were operated without door interlocks exposing employees to point of operation hazards, including but not limited to:

- a) #606 Okuma Howa Millac 852V CNC Vertical Machine Center located in bay 1;
- b) #628 Hurco MDL VMX24 CNC Vertical Machine Center located in bay 3;
- c) #601 Okuma Vertical Machine CNT, MC-4VAE;
- d) At the time of the inspection, the spindle belonging to #601 Okuma Vertical Maching CNT, MC-4VAE was inadequately guarded by an adjustable polycarbonate shield.
- e) At the time of the inspection, #323 RK hydraulic 150 Ton Press, m/n 150T-E/H, in bay 3 had no guard.

Poplar Bluff Tool & Die was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.212(a)(3)(ii), which was contained in OSHA inspection number 316235415, citation number 1, item number 1 and was affirmed as a final order on 03/22/2012, with respect to a workplace located at 266 Township Line Road, Poplar Bluff, MO, 63901.

Pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from point of operation hazards.

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:** 893833  
**Inspection Date(s):** 03/06/2013 - 03/06/2013  
**Issuance Date:** 05/29/2013



**Citation and Notification of Penalty**


**Company Name:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026

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**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/16/2013  
\$9800.00

for   
**William McDonald**  
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  
1222 Spruce Street  
Room 9.104  
Saint Louis, MO 63103  
Phone: 314-425-4249 Fax: 314-425-4289



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** DAVIS TOOL & DIE  
**Inspection Site:** 888 Bolger Court, Fenton, MO 63026  
**Issuance Date:** 05/29/2013

<b>Summary of Penalties for Inspection Number</b>	<b>893833</b>
<b>Citation 1, Serious</b>	<b>\$67200.00</b>
<b>Citation 2, Repeat</b>	<b>\$9800.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$77000.00</b>

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

OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order 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.

  
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**William McDonald**

Area Director

5/29/2013  
Date