

## U.S. Department of Labor

Occupational Safety and Health Administration  
5104 N Francis Avenue, Suite 200  
Oklahoma City, OK 73118



### Citation and Notification of Penalty

**To:**  
HE&M Inc.  
and its successors  
4684 S. Hunt Street  
Pryor, OK 74362

**Inspection Number:** 1372777  
**Inspection Date(s):** 01/16/2019 - 07/10/2019  
**Issuance Date:** 07/10/2019

**Inspection Site:**  
4684 S. Hunt Street  
Pryor, OK 74362

*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 by calling 405-608-4160. 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](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

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

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

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

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

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

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

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

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

**Inspection Activity Data** – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at [www.osha.gov](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 07/10/2019. The conference will be held by telephone or at the OSHA office located at 5104 N Francis Avenue, Suite 200, Oklahoma City, OK 73118 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

## CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1372777

Company Name: HE&M Inc.  
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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, 5104 N Francis Avenue, Suite 200, Oklahoma City, OK 73118**

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

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Occupational Safety and Health Administration

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**Citation and Notification of Penalty**

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

29 CFR 1910.28(b)(11)(ii): Each flight of stairs having at least 3 treads and at least 4 risers was not equipped with stair rail systems and handrails in accordance with Table D-2, Stairway Handrail Requirements:

The employer does not ensure that each flight of stairs having at least 3 treads and at least 4 risers are equipped with stair rails. This violation was observed on or about January 16, 2019 when stairs leading to a second level storage area was not equipped with stair rails, exposing employees to fall hazards.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure each flight of stairs having at least 3 treads and at least 4 risers are equipped with stair rails.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**07/25/2019**  
**\$7501.00**

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

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**Company Name:** HE&M Inc.

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

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

The employer does not ensure that stored, compressed gas cylinders were stored in accordance with Compressed Gas Association Pamphlet P-1-1965. This violation was observed on or about January 16, 2019 when compressed gas cylinders were not secured or provided with protective caps at the facility. Employees were exposed to fire, explosion, and struck by hazards.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure compressed gas cylinders are stored in accordance with Compressed Gas Association Pamphlet P-1-1965

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/25/2019  
\$9377.00

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**Citation and Notification of Penalty**

**Company Name:** HE&M Inc.

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

29 CFR 1910.106(e)(6)(i): Adequate precautions were not taken to prevent the ignition of flammable vapors:

The employer does not ensure barrels of flammable chemicals are protected from the ignition of flammable vapors.

a) This violation was observed on or about January 16, 2019, in the facility, employees are allowed to use a metal tool to open barrels of flammable chemicals, exposing employees to fire and explosion hazards.

b) This violation was observed on or about January 16, 2019, in the facility, employees are allowed to dispense flammable chemicals that were elevated on a stand into smaller containers. The barrels of flammable chemicals were not grounded, exposing employees to fire and explosion hazards.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure flammable chemicals are protected from potential ignition sources.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

07/25/2019

Proposed Penalty:

\$13127.00



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

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed:

The employer does not ensure periodic inspection of the energy control procedure are conducted at least annually. This violation was observed on or about January 16, 2019, in the facility, employees conduct maintenance on equipment with energy control procedures that have not been inspected to ensure the requirement of this standard were being followed, exposing employees to caught-in and struck-by hazards.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure periodic inspection of the energy control procedures are conducted at least annually to ensure that the procedure and the requirement of this standard were being followed.

Date By Which Violation Must be Abated:

07/25/2019

Proposed Penalty:

\$7501.00

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

29 CFR 1910.147(d)(4)(i): Lockout or tagout devices were not affixed to each energy isolating device by authorized employees.

The employer does not ensure lockout/tagout devices are used during service and maintenance of equipment. This violation was observed on or about January 16, 2019, in the facility, an employee was observed conducting maintenance on equipment without using lockout/tagout devices, exposing employees to caught-in and struck-by hazards.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure the use of lockout/tagout devices while servicing and conducting maintenance on equipment.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/25/2019  
\$13127.00

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**Company Name:** HE&M Inc.  
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**Citation 1 Item 6** Type of Violation: **Serious**

29 CFR 1910.184(d): Each day before being used, slings and all fastenings and attachments were not inspected for damage or defects by a competent person designated by the employer:

The employer does not ensure steel alloy slings are inspected. This violation was observed on or about January 16, 2019, in the facility, employees are allowed to use alloy chains in the shop that are not inspected to ensure they are without defects and safe for employee use, exposing employees to struck-by hazards.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps that is taking to ensure slings are inspected prior to each use.

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/25/2019  
\$7501.00

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**Company Name:** HE&M Inc.

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

29 CFR 1910.184(e)(1): Alloy steel sling(s) did not have permanently affixed durable identification stating size, grade, rated capacity, and reach:

The employer does not ensure slings have permanently affixed durable identification tags. This violation was observed on or about January 16, 2019, employees are allowed to use alloy steel slings that did not have tags affixed to them identifying rating and capabilities, exposing employees to struck-by hazards.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps that is taking to identification tags stating size, grade, rated capacity, and reach are affixed to all slings.

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/25/2019  
\$7501.00

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

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**Company Name:** HE&M Inc.

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

29 CFR 1910.184(e)(2)(ii): Makeshift links or fasteners formed from bolts or rods, or other such attachments, shall not be used.

The employer does not ensure hooks fabricated in house and used to hoist/move wheels for the saws are rated with for their lifting capacity. This violation was observed on or about January 16, 2019, in the facility, exposing employees to struck-by hazards.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps that is taking to ensure hooks are rated for safe lifting capacity.

Date By Which Violation Must be Abated:

07/25/2019

Proposed Penalty:

\$7501.00

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

29 CFR 1910.184(i)(1): Synthetic web sling(s) were not marked or coded to show rated capacities for each type of hitch and type of synthetic web material:

The employer does not ensure synthetic slings have tags or coded to show rated capacity. This violation was observed on or about January 16, 2019, in the facility, employees are allowed to use synthetic webbed slings that did not have tags affixed to them identifying rating and capabilities, exposing employees to struck-by hazards.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps that is taking to ensure synthetic slings are marked or coded to show rated capacities.

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/25/2019  
\$7501.00

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

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**Company Name:** HE&M Inc.  
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**Citation 1 Item 10** Type of Violation: **Serious**

29 CFR 1910.184(i)(9)(iii): Synthetic web sling(s) with snags, punctures, tears, or cuts were not immediately removed from service:

The employer does not immediately removed synthetic slings from service for having snags, cuts and tears. This violation was observed on or about January 16, 2019, in the facility, employees are allowed to use synthetic slings that had cuts and other visible signs of damage, exposing employees to struck-by hazards.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps that is taking to ensure synthetic slings having snags, cuts and tears are immediately removed from service.

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/25/2019  
\$9377.00

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

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**Citation and Notification of Penalty**

**Company Name:** HE&M Inc.

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

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

The employer does not ensure all equipment used at the facility is provided with proper machine guarding, exposing employees to amputation hazards.

- a) This violation was observed on or about January 16, 2019, where an Accurpress 100 ton hydraulic press brake that had the guards removed.
- b) This violation was observed on or about July 19, 2016, where employer allowed employees to use a chop saw that was missing its guard.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure machine guarding is provided to protect operator(s) and other employees from hazard(s) created by point of operation, ingoing nip points, rotating parts, flying chips and sparks.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

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Proposed Penalty:

\$13127.00

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



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**Company Name:** HE&M Inc.

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

29 CFR 1910.212(a)(5): Fan blade guard(s) were not provided where the periphery of the blades was less than seven feet from the floor or working level:

The employer does not ensure periphery of the blades was less than seven feet from the floor are properly guarded exposing employees to amputation hazards:

- a) This violation was observed on or about July 19, 2016, a large industrial floor fan that was missing the grated blade guards.
- b) This violation was observed on or about July 19, 2016, where a large pedestal fan that was missing a center cover, leaving an opening approximately (4) inches

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure periphery of the blades was less than seven feet from the floor are properly guarded.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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**Company Name:** HE&M Inc.  
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**Citation 1 Item 13** Type of Violation: **Serious**

29 CFR 1910.215(a)(2): Abrasive wheel(s) used on grinding machinery were not provided with safety guard(s) which covered the spindle end, nut, flange projections:

The employer does not ensure on grinding machinery were provided with safety guard(s) which covered the spindle end, nut, and flange. This violation was observed on or about July 19, 2016, at the facility, bench grinders were observed missing covers for the spindle end, nut, and flange, exposing employees to the hazard of being struck by flying debris.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure the spindle ends, nuts, and flanges of grinders are properly guarded.

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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 14 a      Type of Violation: **Serious**

29 CFR 1910.215(a)(4): Work rest(s) on grinding machinery were not adjusted closely to the wheel with a maximum opening of one eighth inch:

The employer does not ensure on grinding machinery was adjusted closely to the wheel with a maximum opening of one eighth inch.

- a) This violation was observed on or about July 19, 2016, in the maintenance shop, a Baldor bench grinder was found missing a work rest, exposing employees to the hazard of being struck by flying debris.
- b) This violation was observed on or about July 19, 2016, in the maintenance shop, a Darex bench grinder was found missing a work rest, exposing employees to the hazard of being struck by flying debris.
- c) This violation was observed on or about July 19, 2016, between the weld and sheet metal shop, two Burr King Two Wheel Grinders were found missing a work rest, exposing employees to the hazard of being struck by flying debris.
- d) This violation was observed on or about July 19, 2016, in the saw shop, a Baldor Two Wheel Grinder was found with the work rest more than one eighth of an inch from the grinding belt, exposing employees to the hazard of being struck by flying debris.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure the distance between abrasive wheel and machinery is no more than an eighth of an inch.

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**Citation and Notification of Penalty**

**Company Name:** HE&M Inc.

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**Citation 1 Item 14 b**

Type of Violation: **Serious**

29 CFR 1910.215(b)(9): The distance between the abrasive wheel periphery(s) and the adjustable tongue or the end of the safety guard peripheral member at the top exceeded one fourth inch.

The employer does not ensure the peripheral guarding was more than one quarter of an inch.

a) This violation was observed on or about July 19, 2016, in the maintenance shop, a Baldor bench grinder was found with the tongue guard approximately  $\frac{1}{2}$  from the wheel periphery, exposing employees to the hazard of being struck by flying debris.

b) This violation was observed on or about July 19, 2016, by the maintenance shop, a Darex bench grinder was found with the tongue guard approximately  $\frac{3}{4}$  from the wheel periphery, exposing employees to the hazard of being struck by flying debris

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure the top guarding is not more than a quarter of an inch above the abrasive wheel.

Date By Which Violation Must be Abated:

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**Inspection Site:** 4684 S. Hunt Street, Pryor, OK 74362

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

29 CFR 1910.253(b)(2)(ii): Cylinders were not stored at least 20 feet from highly combustible materials such as oil or excelsior:

The employer does not ensure compress gas cylinders of propylene are stored at least 20 feet away from 55 gallon barrels of oil. This violation was observed on or about January 16, 2019, at the facility, cylinders of propylene were stored within 10 feet of barrels of hydraulic and motor oil, exposing employees to fire and explosion hazards.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure compress gas cylinders of propylene are stored at least 20 feet away from oil or excelsior.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/25/2019  
\$13127.00

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

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

**Inspection Number:** 1372777  
**Inspection Date(s):** 01/16/2019 - 07/10/2019  
**Issuance Date:** 07/10/2019



**Citation and Notification of Penalty**

**Company Name:** HE&M Inc.  
**Inspection Site:** 4684 S. Hunt Street, Pryor, OK 74362

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

29 CFR 1910.253(b)(4)(iii): Oxygen cylinders in storage were not separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m):

The employer does not ensure empty compress gas cylinders of oxygen and propylene were stored at least 20 apart. This violation was observed on or about January 16, 2019, at the facility, cylinders of oxygen and propylene were stored adjacent to each other in the facility, exposing employees to fire and explosion hazards.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure oxygen and propylene cylinders are stored at least 20 apart.

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/25/2019  
\$9377.00

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

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

**Inspection Number:** 1372777  
**Inspection Date(s):** 01/16/2019 - 07/10/2019  
**Issuance Date:** 07/10/2019



**Citation and Notification of Penalty**

**Company Name:** HE&M Inc.

**Inspection Site:** 4684 S. Hunt Street, Pryor, OK 74362

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

Citation 1 Item 17 a

Type of Violation: **Serious**

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

The employer does not ensure pendant boxes at the end of flexible cords were not used at the facility. This violation was observed was on or about January 16, 2019, an employee was observed using a pendant box that was at the end of a flexible cord. The pendant box was taped together with yellow masking tape and in plain view of a main walkway in the facility, exposing employees to electrical hazards.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure electrical equipment is being used in accordance with their intended use.

Date By Which Violation Must be Abated:

07/25/2019

Proposed Penalty:

\$9377.00





**Citation and Notification of Penalty**

**Company Name:** HE&M Inc.

**Inspection Site:** 4684 S. Hunt Street, Pryor, OK 74362

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**Citation 1 Item 17 b**

Type of Violation: **Serious**

29 CFR 1910.303(e)(1)(ii): Electric equipment was used without markings giving voltage, current, wattage, or other ratings as necessary:

The employer does not ensure electric panels are equipped with markings giving voltage, current, wattage, or other ratings.

- a) This violation was observed on or about January 16, 2019, located behind the HAAS VF-11 machine, two panels were observed without markings giving voltage, current, or wattage, exposing employees to electrical hazards.
- b) This violation was observed on or about January 16, 2019, located in the empty cylinder storage, a panel was observed without markings giving voltage, current, or wattage, exposing employees to electrical hazards.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure electric panels are equipped with markings giving voltage, current, wattage, or other ratings.

**Date By Which Violation Must be Abated:**

**07/25/2019**

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

**Inspection Number:** 1372777  
**Inspection Date(s):** 01/16/2019 - 07/10/2019  
**Issuance Date:** 07/10/2019



**Citation and Notification of Penalty**

**Company Name:** HE&M Inc.  
**Inspection Site:** 4684 S. Hunt Street, Pryor, OK 74362

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

1910.305(b)(1)(ii): Unused openings in cabinets, boxes, and fittings were not effectively closed:

The employer does not ensure that unused openings in electrical disconnect panels are effectively closed. This violation was observed on or about January 16, 2019, at the facility, pre-punch knockouts on electrical panels were missing, exposing employees to electrical hazards.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure that unused openings in cabinets, boxes, and fittings are effectively closed

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/25/2019  
\$8525.00

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

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

**Inspection Number:** 1372777  
**Inspection Date(s):** 01/16/2019 - 07/10/2019  
**Issuance Date:** 07/10/2019



**Citation and Notification of Penalty**

**Company Name:** HE&M Inc.

**Inspection Site:** 4684 S. Hunt Street, Pryor, OK 74362

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 19 a

Type of Violation: **Serious**

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

The employer does not ensure that extension cords (flex wiring) are not used as a substitute for fixed wiring. This violation was observed on or about January 16, 2019, extension cords were observed zip tied to beams and other fixtures at the facility, exposing employees to electrical hazards.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure that all flexible cords and/or cables are not used as a substitute for fixed wiring.

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/25/2019  
\$9377.00

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

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

**Inspection Number:** 1372777  
**Inspection Date(s):** 01/16/2019 - 07/10/2019  
**Issuance Date:** 07/10/2019



**Citation and Notification of Penalty**

**Company Name:** HE&M Inc.  
**Inspection Site:** 4684 S. Hunt Street, Pryor, OK 74362

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

29 CFR 1910.305(g)(1)(iv)(B): Flexible cords and/or cables were run through holes in walls, ceilings, or floors:

The employer does not ensure that extension cords are not ran through walls. This violation was observed on or about January 16, 2019, an extension cord was observed ran through a hole and in use at the facility, exposing employees to electrical hazards.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure extension cords are not ran through a holes at the facility.

Date By Which Violation Must be Abated:

07/25/2019

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: 1372777  
Inspection Date(s): 01/16/2019 - 07/10/2019  
Issuance Date: 07/10/2019



**Citation and Notification of Penalty**

**Company Name:** HE&M Inc.

**Inspection Site:** 4684 S. Hunt Street, Pryor, OK 74362

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

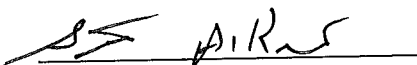
29 CFR 1904.40(a): The employer did not provide an authorized government representative copies of requested records kept under Part 1904 within four (4) business hours:

The employer does not ensure that copies of injury and illness logs are provided to authorized government representatives within (4) business hours. This violation was observed on or about January 16, 2019, the employer failed to provide copies of OSHA Forms 300 and 300-A or their equivalents, which were requested for calendar years 2016, 2017, 2018, and 2019 to date.

Pursuant to 29 CFR 1903.19, within (10) calendar days of the date of this citation, the employer must submit documentation describing the steps taken to ensure injury and illness logs are provided to authorized government representatives within (4) business hours.

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/25/2019  
\$1876.00

  
Steven A. Kirby  
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  
5104 N Francis Avenue, Suite 200  
Oklahoma City, OK 73118



## INVOICE / DEBT COLLECTION NOTICE

**Company Name:** HE&M Inc.  
**Inspection Site:** 4684 S. Hunt Street, Pryor, OK 74362  
**Issuance Date:** 07/10/2019

<b>Summary of Penalties for Inspection Number</b>	<b>1372777</b>
<b>Citation 1, Serious</b>	<b>\$184805.00</b>
<b>Citation 2, Other-than-Serious</b>	<b>\$1876.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$186681.00</b>

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](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

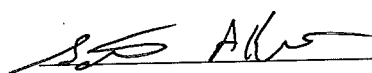
account, the bank will attempt to make the transfer up to 2 times.

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

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

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

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



Steven A. Kirby

Area Director

7-10-2019

Date