

U.S. Department of Labor Occupational Safety and Health Administration
6393 Oak Tree Blvd,
Suite 203
Independence, OH 44131
Phone: 216-447-4194 Fax: 216-520-1624



09/16/2014

MCM INDUSTRIES
7800 FINNEY AVENUE
Newburgh Heights, OH 44105

Dear Employer,

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000) revised 1990, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dated together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

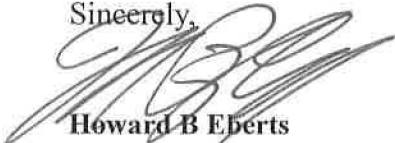
As indicated on page 8 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 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 the citation. The running of this contest period is not interrupted by an informal conference. You must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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.

Sincerely,



Howard B Eberts
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131
Phone: 216-447-4194 Fax: 216-520-1624



Citation and Notification of Penalty

To:

MCM INDUSTRIES Co., Inc
7800 FINNEY AVENUE
Newburgh Heights, OH 44105

Inspection Number: 965401**Inspection Date(s):** 03/27/2014 - 03/27/2014**Issuance Date:** 09/16/2014**Inspection Site:**

7800 FINNEY AVENUE
Cleveland, OH 44105

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 09/16/2014. The conference will be held by telephone or at the OSHA office located at 6393

Oak Tree Blvd, Suite 203, Independence, OH 44131 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 965401

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105
Issuance Date: 09/16/2014

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, 6393 Oak Tree Blvd, Suite 203, Independence, OH 44131**

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: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees were engaged in activities covered by this section:

- a) On or about March 27, 2014, procedures were not developed for the Huron Pave wire former. Employees were observed performing maintenance and servicing on the equipment at the time of inspection. Hazardous energy sources include mechanical and electrical.
- b) On or about March 27, 2014, procedures were not developed for the #55 mechanical power press. Employees perform maintenance and servicing on the equipment as needed. Hazardous energy sources include mechanical, electrical, pneumatic, and gravitational.
- c) On or about March 27, 2014, procedures were not developed for the #69 mechanical power press. Employees perform maintenance and servicing on the equipment as needed. Hazardous energy sources include mechanical, electrical, pneumatic, and gravitational.
- d) On or about March 27, 2014, procedures were not developed for the #309 four-slide press. Employees perform maintenance and servicing on the equipment as needed. Hazardous energy sources include mechanical and electrical.
- e) On or about March 27, 2014, procedures were not developed for the #310 four-slide press. Employees perform maintenance and servicing on the equipment as needed. Hazardous energy sources include mechanical and electrical.
- f) On or about March 27, 2014, procedures were not developed for the BLUE four-slide press. Employees perform maintenance and servicing on the equipment as needed. Hazardous energy sources include mechanical and electrical.
- g) On or about March 27, 2014, procedures were not developed for the CNC spring making machine 1. Employees perform maintenance and servicing on the equipment as needed. Hazardous energy sources include mechanical and electrical.
- h) On or about March 27, 2014, procedures were not developed for the CNC spring making machine 2.

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: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

Employees perform maintenance and servicing on the equipment as needed. Hazardous energy sources include mechanical and electrical.

i) On or about March 27, 2014, procedures were not developed for the Reeves wire spring coiler machine. Employees were observed performing maintenance and servicing on the equipment at the time of inspection. Hazardous energy sources include mechanical and electrical.

j) On or about March 27, 2014, procedures were not developed for the Simplex- Rapid M-30 CNC spring making machine. Employees were observed performing maintenance and servicing on the equipment at the time of inspection. Hazardous energy sources include mechanical and electrical.

k) On or about March 27, 2014, procedures were not developed for the Horizontal spring grinders. Employees perform maintenance and servicing on the equipment as needed. Hazardous energy sources include mechanical and electrical.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/03/2014
Proposed Penalty:	\$4900.00

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

Inspection Number: 965401
Inspection Date(s): 03/27/2014 - 03/27/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

Citation 1 Item 2 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:

On or about March 27, 2014, the employer had not conducted a periodic inspection of the energy control procedures at least annually. Equipment and machinery within the facility includes but is not limited to, mechanical power presses, grinding machines, coilers, spring machines, and four slides. Potential hazardous energies include pneumatic, electrical, mechanical, hydraulic, and gravitational.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/19/2014
Proposed Penalty:	\$4900.00

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

Inspection Number: 965401
Inspection Date(s): 03/27/2014 - 03/27/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

Citation 1 Item 3 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:

a) On or about March 27, 2014, employees were performing set-up and maintenance on the Reeves clutch type spring coiling machine without isolating the hazardous energy sources of the equipment. Sources of energy include electrical, pneumatic and mechanical.

b) On or about March 27, 2014, employees entered the caged area of the Huron Pave wire forming machine to remove loose production pieces without first isolating the hazardous energy sources of the equipment. Sources of energy include mechanical and electrical.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/24/2014
\$4900.00



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazards created by in-going nip points, rotating parts, and/or flying chips and sparks:

- a) On or about March 27, 2014, the Reeves wire spring coiler machine did not have effective guarding in place to protect employees from in-going nip points and point of operation hazards. Guarding was not in place on the output side of the machine. The front door was not interlocked, and was able to be opened without the use of any special tools.
- b) On or about March 27, 2014, the CNC spring machine #120 did not have effective guarding in place to protect employees from in-going nip points and point of operation hazards. Guarding was not in place on the output side of the machine.
- c) On or about March 27, 2014, the north horizontal spring grinder did not have effective guarding in place to protect employees from in-going nip points and point of operation hazards. Guarding was not in place to cover the grinding area of the equipment.
- d) On or about March 27, 2014, the south horizontal spring grinder did not have effective guarding in place to protect employees from in-going nip points and point of operation hazards. Guarding was not in place to cover the grinding area of the equipment.
- e) On or about March 27, 2014, the #54 four slide machine did not have effective guarding in place to protect employees from in-going nip points and point of operation hazards. Guarding was not in place to cover the moving mechanical parts such as rollers, feeders, and punches. One emergency trip wire was installed, however exposure to in-going nip points and point of operation hazards were still present. The emergency trip wire was centered over the machine and did not allow for protection in any other areas where moving mechanical parts were present.
- f) On or about March 27, 2014, the #309 four slide machine did not have effective guarding in place to protect employees from in-going nip points and point of operation hazards. Guarding was not in place to cover the moving mechanical parts. Two emergency wire trips were installed, however exposure to

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: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

in-going nip points and point of operation hazards were still present. The emergency trip wires were centered over the machine and did not allow for protection in any other areas where moving mechanical parts were present.

g) On or about March 27, 2014, the #310 four slide machine did not have effective guarding in place to protect employees from in-going nip points and point of operation hazards. Guarding was not in place to cover the moving mechanical parts. This four slide contained no emergency trip wires.

h) On or about March 27, 2014, the #307 four slide machine did not have effective guarding in place to protect employees from in-going nip points and point of operation hazards. Guarding was not in place to cover the moving mechanical parts. The equipment contained one emergency wire trip, however exposure to in-going nip points and point of operation hazards were still present. The emergency trip wire was centered over the machine and did not allow for protection in any other areas where moving mechanical parts were present.

i) On or about March 27, 2014, the M-30 simplex-rapid CNC spring machine was not guarded to protect employees from the moving machining parts, ejecting springs, rollers, and pinch points. The interlocked barrier guard was bypassed.

j) On or about March 27, 2014, the Huron Pave Wire former was not guarded effectively to protect employees. The interlocked door and safety bypass switch was disabled allowing for the door to be opened during production. The key for selection of bypassing this was left in the machine without supervisory control.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

10/19/2014
\$4900.00

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

Inspection Number: 965401
Inspection Date(s): 03/27/2014 - 03/27/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.217(b)(7)(iii): Fixing of the selection was not by means capable of supervision by the employer.

a) On or about April 7, 2014, the keys were left in the selector switch located on the control panel of the V&O mechanical power press #446.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/20/2014
\$4900.00



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.217(d)(9)(i): The employer did not establish a die setting procedure for mechanical power press(es) that would ensure compliance with 29 CFR 1910.217(b)(c)(a):

- a) On or about March 27, 2014, die setting procedures were not established for the #55 mechanical power press.
- b) On or about March 27, 2014, die setting procedures were not established for the #416 Johnson 3 mechanical power press.
- c) On or about March 27, 2014, die setting procedures were not established for the #414 Johnson 4 mechanical power press.
- d) On or about March 27, 2014, die setting procedures were not established for the #69 mechanical power press.
- e) On or about March 27, 2014, die setting procedures were not established for the #56 Bliss 60 mechanical power press.
- f) On or about March 27, 2014, die setting procedures were not established for the #38 Bliss 60 mechanical power press.
- g) On or about March 27, 2014, die setting procedures were not established for the #37 Bliss 60 mechanical press.

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

Inspection Number: 965401
Inspection Date(s): 03/27/2014 - 03/27/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

h) On or about March 27, 2014, die setting procedures were not established for the #68 Minster mechanical power press.

i) On or about March 27, 2014, die setting procedures were not established for the #446 V&O mechanical power press.

j) On or about March 27, 2014, die setting procedures were not established for the #425 Johnson mechanical power press.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/03/2014
Proposed Penalty:	\$4900.00



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.217(e)(1)(ii): Mechanical power press(es) were not inspected and tested at least weekly to determine the condition of the clutch/brake mechanism, anti-repeat feature and single stroke mechanism:

- a) On or about March 27, 2014, the #55 mechanical power press had not been inspected at least weekly. The inspections had not been performed for several months to years. The weekly mechanical power presses shall be certified by recording the signature of the person conducting the inspection, the date of the inspection, and the serial number of the power press being inspected.

- b) On or about March 27, 2014, the #416 Johnson 3 mechanical power press had not been inspected at least weekly. The inspections had not been performed for several months to years. The weekly mechanical power presses shall be certified by recording the signature of the person conducting the inspection, the date of the inspection, and the serial number of the power press being inspected.

- c) On or about March 27, 2014, the #414 Johnson 4 mechanical power press had not been inspected at least weekly. The inspections had not been performed for several months to years. The weekly mechanical power presses shall be certified by recording the signature of the person conducting the inspection, the date of the inspection, and the serial number of the power press being inspected.

- d) On or about March 27, 2014, the #69 mechanical power press had not been inspected at least weekly.
The inspections had not been performed for several months to years. The weekly mechanical power presses shall be certified by recording the signature of the person conducting the inspection, the date of the inspection, and the serial number of the power press being inspected.

- e) On or about March 27, 2014, the #56 Bliss 60 mechanical power press had not been inspected at least weekly. The inspections had not been performed for several months to years. The weekly mechanical power presses shall be certified by recording the signature of the person conducting the

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: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

inspection, the date of the inspection, and the serial number of the power press being inspected.

f) On or about March 27, 2014, the #38 Bliss 60 mechanical power press had not been inspected at least weekly.

The inspections had not been performed for several months to years. The weekly mechanical power presses shall be certified by recording the signature of the person conducting the inspection, the date of the inspection, and the serial number of the power press being inspected.

g) On or about March 27, 2014, the #68 Minster mechanical power press had not been inspected at least weekly. The inspections had not been performed for several months to years. The weekly mechanical power presses shall be certified by recording the signature of the person conducting the inspection, the date of the inspection, and the serial number of the power press being inspected.

h) On or about March 27, 2014, the #446 V&O mechanical power press had not been inspected at least weekly. The inspections had not been performed for several months to years. The weekly mechanical power presses shall be certified by recording the signature of the person conducting the inspection, the date of the inspection, and the serial number of the power press being inspected.

i) On or about March 27, 2014, the #425 Johnson mechanical power press had not been inspected at least weekly.
The inspections had not been performed for several months to years. The weekly mechanical power presses shall be certified by recording the signature of the person conducting the inspection, the date of the inspection, and the serial number of the power press being inspected.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/03/2014
Proposed Penalty:	\$4900.00

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

Inspection Number: 965401
Inspection Date(s): 03/27/2014 - 03/27/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.217(e)(3): Original and continuing competence of personnel maintaining mechanical power press(es) was not insured:

On or about March 27, 2014 employees responsible for maintaining and set up of the mechanical power press had not been fully trained or competent in set up and maintenance of mechanical power presses. Deficiencies were found in the wrist pull back set ups for operators, keys were not removed from selector switches, weekly press inspections had not been performed, and die set-up procedures were not developed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/04/2014
Proposed Penalty:	\$4900.00

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

Inspection Number: 965401
Inspection Date(s): 03/27/2014 - 03/27/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.219(b)(1): Flywheel(s) with parts seven feet or less above floor(s) or platform(s) were not guarded in accordance with the requirements specified in 29 CFR 1910.219(b)(1)(i) through (b)(1)(iv)(a):

- a) On or about March 27, 2014, flywheels were not completely guarded on #414 Johnson 6 mechanical power press. The rear of the flywheel did not contain any guarding.
- b) On or about March 27, 2014, flywheels were not completely guarded on the #55 mechanical power press. The rear half of the flywheel did not contain any guarding.
- c) On or about March 27, 2014, flywheels were not completely guarded on #416 Johnson 4 mechanical power press. The rear of the flywheel did not contain any guarding.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

10/19/2014
\$3500.00

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

Inspection Number: 965401
Inspection Date(s): 03/27/2014 - 03/27/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

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

On or about March 27, 2014, chains and sprockets were not guarded to protect the employees on the south horizontal spring grinder located in the grinding area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

10/19/2014
\$4900.00

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

Inspection Number: 965401
Inspection Date(s): 03/27/2014 - 03/27/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

Citation 1 Item 11 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:

On or about March 27, 2014, flexible wiring was used in place of permanent wiring of the overhead pendant light located in the grinding department.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/24/2014
Proposed Penalty:	\$4200.00

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

Inspection Number: 965401
Inspection Date(s): 03/27/2014 - 03/27/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.217(c)(3)(i)(b): The employer did not provide and ensure guarding prevented the employer from inadvertently reaching into the point of operation, or withdrawing his hands if they are inadvertently located in the point of operation as the dies close:

- a) On or about March 19, 2014, an employee operated full revolution mechanical power press number 414 (Johnson 4 Ton) without the use of both wrist pull backs. The employee used his/hers unprotected hand to feed the coiled steel into the press. The press was activated by foot control and had no other guarding.
- b) On or about March 26, 2014, an employee operated full revolution mechanical power press number 38 (Bliss 60 ton) without the use of both wrist pull backs. The employee used his/hers unprotected hand to feed the coiled steel into the press. The press was activated by foot control and had no other guarding.
- c) On or about April 7, 2014, an employee operated full revolution mechanical power press number 55 (Niagra) without the use of both wrist pull backs. The employee was not wearing the pull backs in order to hand feed the coil. A barrier guard was in place on the press, however it was not effective in that the operator could still place extremities into the point of operation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

09/24/2014
\$56000.00

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: 965401
Inspection Date(s): 03/27/2014 - 03/27/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131
Phone: 216-447-4194 Fax: 216-520-1624



INVOICE / DEBT COLLECTION NOTICE

Company Name: MCM INDUSTRIES Co., Inc
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105
Issuance Date: 09/16/2014

Summary of Penalties for Inspection Number	965401
Citation 1, Serious	\$51800.00
Citation 2, Willful	\$56000.00
TOTAL PROPOSED PENALTIES	\$107800.00

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

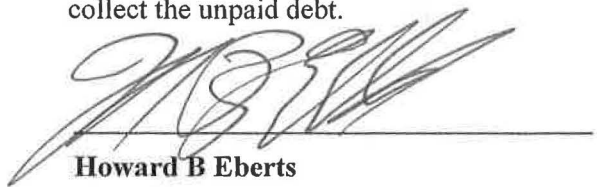
account, the bank will attempt to make the transfer up to 2 times.

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.


Howard B Eberts

Area Director

9-16-2014
Date

U.S. Department of Labor Occupational Safety and Health Administration
6393 Oak Tree Blvd,
Suite 203
Independence, OH 44131
Phone: 216-447-4194 Fax: 216-520-1624



09/16/2014

MCM INDUSTRIES
7800 FINNEY AVENUE
Newburgh Heights, OH 44105

Dear Employer,

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000) revised 1990, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dated together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

As indicated on page 8 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 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 the citation. The running of this contest period is not interrupted by an informal conference. You must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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.

Sincerely,



Howard B. Eberts
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131
Phone: 216-447-4194 Fax: 216-520-1624



Citation and Notification of Penalty

To:
MCM INDUSTRIES
7800 FINNEY AVENUE
Newburgh Heights, OH 44105

Inspection Number: 965338
Inspection Date(s): 03/27/2014 - 06/25/2014
Issuance Date: 09/16/2014

Inspection Site:
7800 FINNEY AVENUE
Cleveland, OH 44105

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 09/16/2014. The conference will be held by telephone or at the OSHA office located at 6393

Oak Tree Blvd, Suite 203, Independence, OH 44131 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 965338

Company Name: MCM INDUSTRIES

Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

Issuance Date: 09/16/2014

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, 6393 Oak Tree Blvd, Suite 203, Independence, OH 44131**

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

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

Inspection Number: 965338
Inspection Date(s): 03/27/2014 - 06/25/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.23(a)(8)(ii): Every floor hole into which persons could accidentally walk was not guarded by a floor hole cover of standard strength and construction:

On or about March 27, 2014, the floor hole opening near the South Horizontal Spring Grinding Machine was not protected with a cover to prevent an employee from slipping, tripping, or falling.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/04/2014
Proposed Penalty:	\$2800.00

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: 965338
Inspection Date(s): 03/27/2014 - 06/25/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.107(b)(5)(iv): Space within the spray booth on the downstream and upstream sides of filters were not protected with approved automatic sprinklers:

On or about March 27, 2014, the employer did not have a sprinkler system on either side of the filters.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/04/2014
Proposed Penalty:	\$3500.00

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: 965338
Inspection Date(s): 03/27/2014 - 06/25/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.107(g)(2): All spraying areas were not kept as free from the accumulation of deposits of combustible residues as practical, with cleaning conducted daily if necessary:

On or about March 27, 2014, the employer did not keep surfaces, such as but not limited to, walls, floor, and filters free from the accumulation of combustible residue.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/04/2014
Proposed Penalty:	\$3500.00

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: 965338
Inspection Date(s): 03/27/2014 - 06/25/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.133(a)(3): The employer shall ensure that each affected employee who wears prescription lenses while engaged in operations that involve eye hazards wears eye protection that incorporates the prescription in its design, or wears eye protection that can be worn over the prescription lenses without disturbing the proper position of the prescription lenses or the protective lenses:

On or about March 27, 2014, the employer did not provide eye protection for employees who wear prescription lenses while painting, operating presses, and grinding machines.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/24/2014
Proposed Penalty:	\$2100.00

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: 965338
Inspection Date(s): 03/27/2014 - 06/25/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.157(g)(2): The educational program to familiarize employees with the general principles of fire extinguisher use and the hazards involved with incipient stage fire fighting was not provided to all employees upon initial employment, and at least annually thereafter:

On or about March 27, 2014, the employer did not provide annual training for portable fire extinguishers when available for employee use.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/04/2014
Proposed Penalty:	\$3500.00

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: MCM INDUSTRIES

Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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 6 a Type of Violation: **Serious**

29 CFR 1910.1200(f)(6)(i): Except as provided in 29 CFR 1910.1200(f)(7) and 29 CFR 1910.1200(f)(8), the employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the information required by 29 CFR 1910.1200(f)(1)(i) through 29 CFR 1910.1200(f)(1)(v):

On or about March 27, 2014, the employer did not ensure that containers were labeled with the identity of the chemical. Unlabeled containers were located in the press department and contained a vanishing oil.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/24/2014

Proposed Penalty:

\$3500.00

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

Inspection Number: 965338
Inspection Date(s): 03/27/2014 - 06/25/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.1200(h)(3)(iv): The details of the hazard communication program developed by the employer, did not include an explanation of the labels received on shipped containers and the workplace labeling system used by their employer; the safety data sheet, including the order of information and how employee could obtain and use the appropriate hazard information:

On or about March 27, 2014, the employer did not provide training or information to employees working with hazardous chemicals on the explanation of the labels for KEM 400 Enamel Paint, Propane, and Vanishing Oil along with the label elements under 2012 hazard communication standard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/29/2014

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

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

Inspection Number: 965338
Inspection Date(s): 03/27/2014 - 06/25/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.107(b)(5)(i): Visible gauges or audible alarm or pressure activated devices were not installed to indicate or insure that the required air velocity is maintained:

On or about March 27, 2014, the employer did not have a visible gauge on the spray booth to indicate the required air velocity.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/04/2014
Proposed Penalty:	\$0.00

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: 965338
Inspection Date(s): 03/27/2014 - 06/25/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

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

29 CFR 1910.132(d)(2): The employer did not verify that the required workplace hazard assessment has been performed through a written certification that identifies the workplace evaluated, the person certifying that the evaluation has been performed, the date(s) of the hazard assessment, and, which identifies the document as a certification of hazard assessment:

On or about March 27, 2014, the workplace hazard assessment had not been certified with the person conducting the evaluation and the dates the hazard assessment was completed. Personal protective equipment required to be worn by all employees include safety glasses and safety shoes. All other personal protective equipment is based on the job activity.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/24/2014
Proposed Penalty:	\$0.00

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: 965338
Inspection Date(s): 03/27/2014 - 06/25/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

Citation 2 Item 3 Type of Violation: **Other-than-Serious**

29 CFR 1910.134(k)(6): The employer did not provide the basic advisory information on respirators, as presented in Appendix D of 29 CFR 1910.134, in written or oral format to employees who wear respirators when such use was not required by the employer:

On or about March 27, 2014 the employer did not provide employees with Appendix D of the respiratory standard when voluntarily using N-95 filtering face piece respirators when emptying the dust collector, painting, or when employees deem necessary.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/24/2014
Proposed Penalty:	\$0.00

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: 965338
Inspection Date(s): 03/27/2014 - 06/25/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

Citation 2 Item 4 Type of Violation: **Other-than-Serious**

29 CFR 1910.145(c)(3): Safety instruction sign(s) were not used where there was a need for general instructions and suggestions relative to safety measure(s):

On or about March 27, 2014, there were no warning signs in the vicinity of the spray booth or dust collection system to warn employees of the fire and explosion potential of dusts and residue which contain combustible dust and paint.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/24/2014
Proposed Penalty:	\$0.00

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: 965338
Inspection Date(s): 03/27/2014 - 06/25/2014
Issuance Date: 09/16/2014



Citation and Notification of Penalty

Company Name: MCM INDUSTRIES

Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105

Citation 2 Item 5 Type of Violation: **Other-than-Serious**

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

On or about March 27, 2014, the electrical box located on the Johnson Press Corp. #414 and Four Slide #309 had knock outs missing on the boxes exposing employees to live electrical when accessing the boxes.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

10/04/2014

Proposed Penalty:

\$0.00

A handwritten signature in black ink, appearing to read "HBE", written over a horizontal line.

Howard B Eberts
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
6393 Oak Tree Blvd
Suite 203
Independence, OH 44131
Phone: 216-447-4194 Fax: 216-520-1624



INVOICE / DEBT COLLECTION NOTICE

Company Name: MCM INDUSTRIES
Inspection Site: 7800 FINNEY AVENUE, Cleveland, OH 44105
Issuance Date: 09/16/2014

Summary of Penalties for Inspection Number	965338
Citation 1, Serious	\$18900.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$18900.00

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.



Howard B Eberts

Area Director

5-16-2014

Date