

## U.S. Department of Labor

Occupational Safety and Health Administration  
ROOM 806, GEORGE MAHON FEDERAL BUILDING  
1205 TEXAS AVENUE  
LUBBOCK, TX 79401-4039  
Phone: (806)472-7681 FAX: (111)222-3333



# Citation and Notification of Penalty

**To:**  
Spa Pipe and Supply LP dba Smith Pipe of Abilene  
and its successors  
7435 Hwy 277  
Abilene, TX 79606

**Inspection Number:** 315714493  
**Inspection Date(s):** 01/04/2012-01/06/2012  
**Issuance Date:** 07/02/2012

**Inspection Site:**  
7435 Hwy 277  
Abilene, TX 79606

*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 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 page 5 Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

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

**Penalty Payment** - Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance.

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

**Notification of Corrective Action** - For each violation which you do not contest, you are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the OSHA office issuing the citation and identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

**All abatement verification documents must contain the following information:** 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

**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.

## ABATEMENT CERTIFICATION

JOANN J. FIGUEROA, Area Director  
U.S. Department of Labor - OSHA  
ROOM 806, GEORGE MAHON FEDERAL BUILDING  
1205 TEXAS AVENUE  
LUBBOCK, TX 79401-4039  
Phone: (806)472-7681

Spa Pipe and Supply LP dba Smith Pipe of Abilene  
7435 Hwy 277  
Abilene, TX 79606

The hazard referenced in Inspection Number \_\_\_\_\_ for the violation identified as  
Citation \_\_\_\_\_ and Item \_\_\_\_\_ was corrected on \_\_\_\_\_  
by \_\_\_\_\_.

The hazard referenced in Inspection Number \_\_\_\_\_ for the violation identified as  
Citation \_\_\_\_\_ and Item \_\_\_\_\_ was corrected on \_\_\_\_\_  
by \_\_\_\_\_.

The hazard referenced in Inspection Number \_\_\_\_\_ for the violation identified as  
Citation \_\_\_\_\_ and Item \_\_\_\_\_ was corrected on \_\_\_\_\_  
by \_\_\_\_\_.

The hazard referenced in Inspection Number \_\_\_\_\_ for the violation identified as  
Citation \_\_\_\_\_ and Item \_\_\_\_\_ was corrected on \_\_\_\_\_  
by \_\_\_\_\_.

The hazard referenced in Inspection Number \_\_\_\_\_ for the violation identified as  
Citation \_\_\_\_\_ and Item \_\_\_\_\_ was corrected on \_\_\_\_\_  
by \_\_\_\_\_.

I attest that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement activities described in this certification.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Typed or Printed Name



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/02/2012. The conference will be held at the OSHA office located at ROOM 806, GEORGE MAHON FEDERAL BUILDING, 1205 TEXAS AVENUE, LUBBOCK, TX, 79401-4039 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.



**Citation and Notification of Penalty**

**Company Name:** Spa Pipe and Supply LP dba Smith Pipe of Abilene  
**Inspection Site:** 7435 Hwy 277, Abilene, TX 79606

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

29 CFR 1910.101(b): Section 3.4.4, Compressed Gas Association Pamphlet P11965, as adopted by 29 CFR 1910.101(b): Compressed gas cylinder(s) in use were not properly supported to prevent them from being knocked over:

In the truck shop on or about January 04, 2012 employees were exposed to struck by hazards where argon cylinders in use were not secured.

Date By Which Violation Must be Abated: 07/09/2012  
Proposed Penalty: \$ 3300.00

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

29 CFR 1910.212(a)(1): One or more methods of machine guarding were not provided to protect the operator and other employees in the machine area from hazards created by rotating parts:

In the machine shop on or about January 04, 2012 the monarch horizontal lathe serial #28471 was not equipped with a chuck guard exposing the operator to a caught in hazard from rotating parts.

Date By Which Violation Must be Abated: 07/09/2012  
Proposed Penalty: \$ 5500.00



**Citation and Notification of Penalty**

**Company Name:** Spa Pipe and Supply LP dba Smith Pipe of Abilene  
**Inspection Site:** 7435 Hwy 277, Abilene, TX 79606

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

29 CFR 1910.303(g)(2)(i): Live parts of electric equipment operating at 50 volts or more were not guarded against accidental contact by approved cabinets or other forms of approved enclosures, or other means listed under this provision:

In the employee breakroom, on or about January 04, 2012 employees were exposed to electrical shock hazards when live parts were not guarded.

Date By Which Violation Must be Abated: 07/09/2012  
Proposed Penalty: \$ 5500.00

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

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

In the stairs and ladder shop, on or about January 04, 2012, employees were exposed to electrical hazards when electrical components were not used according to U.L. listing.

Date By Which Violation Must be Abated: 07/09/2012  
Proposed Penalty: \$ 3300.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



### **Citation and Notification of Penalty**

**Company Name:** Spa Pipe and Supply LP dba Smith Pipe of Abilene  
**Inspection Site:** 7435 Hwy 277, Abilene, TX 79606

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

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

In the truck shop on or about January 04, 2012, employees were exposed to electrical hazards from a missing faceplate on a blower motor switch.

Date By Which Violation Must be Abated:	07/09/2012
Proposed Penalty:	\$ 4400.00

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

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

29 CFR 1910.1200(f)(5)(i): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the identity of the hazardous chemical(s) contained therein:

Outside the truck shop on or about January 04, 2012 employees were exposed to fire and explosion hazards where propane tanks were not labeled as to contents:

- a) On the south side of the truck shop adjacent to the diesel refueling area.
- b) On the north side of the truck shop behind the break room.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 3300.00

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See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.





**Citation and Notification of Penalty**

**Company Name:** Spa Pipe and Supply LP dba Smith Pipe of Abilene  
**Inspection Site:** 7435 Hwy 277, Abilene, TX 79606

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

29 CFR 1910.1200(f)(5)(ii): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged, or marked with the appropriate hazard warnings:

Outside of the truck shop on or about January 04, 2012 employees were exposed to fire and explosion hazards where propane tanks were not marked with appropriate hazard warnings:

- a) On the south side of the truck shop adjacent to the diesel refueling area.
- b) On the north side of the truck shop behind the break room.

**Date By Which Violation Must be Abated:** **Corrected During Inspection**



**Citation and Notification of Penalty**

**Company Name:** Spa Pipe and Supply LP dba Smith Pipe of Abilene  
**Inspection Site:** 7435 Hwy 277, Abilene, TX 79606

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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 resulting from an accident.

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

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:

In the truck shop on or about January 04, 2012 the work rest on the Jet 8 inch bench grinder was adjusted to within 5/8" of the abrasive wheel exposing employees to struck by hazards.

SPA PIPE AND SUPPLY L.P. DBA SMITH PIPE OF ABILENE WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314343948, CITATION NUMBER 1, ITEM NUMBER 8A AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 24, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT 7435 HWY. 277 ABILENE, TX. 79606.

Date By Which Violation Must be Abated:	07/09/2012
Proposed Penalty:	\$ 16500.00



**Citation and Notification of Penalty**

**Company Name:** Spa Pipe and Supply LP dba Smith Pipe of Abilene  
**Inspection Site:** 7435 Hwy 277, Abilene, TX 79606

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

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:

On or about January 04, 2012, in the truck shop, the tongue guard on the Jet 8" bench grinder had been removed exposing employees to a struck-by hazard.

SPA PIPE AND SUPPLY L.P. DBA SMITH PIPE OF ABILENE WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314343948, CITATION NUMBER 1, ITEM NUMBER 8B AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 24, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT 7435 HWY. 277 ABILENE, TX. 79606.

Date By Which Violation Must be Abated:

07/09/2012



**Citation and Notification of Penalty**

**Company Name:** Spa Pipe and Supply LP dba Smith Pipe of Abilene  
**Inspection Site:** 7435 Hwy 277, Abilene, TX 79606

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

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

Outside the vessel shop on or about January 04, 2012 oxygen and acetylene compressed gas cylinders were stored without valve protection caps which exposed the employees to struck-by hazards.

SPA PIPE AND SUPPLY L.P. DBA SMITH PIPE OF ABILENE WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314343948, CITATION NUMBER 1, ITEM NUMBER 9 AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 24, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT 7435 HWY. 277 ABILENE, TX. 79606.

Date By Which Violation Must be Abated:	07/09/2012
Proposed Penalty:	\$ 5500.00



**Citation and Notification of Penalty**

**Company Name:** Spa Pipe and Supply LP dba Smith Pipe of Abilene  
**Inspection Site:** 7435 Hwy 277, Abilene, TX 79606

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

29 CFR 1910.254(d)(9)(iii): Cables with damaged insulation or exposed bare conductors were not replaced:

In the tank shop on or about January 04, 2012 employees were exposed to electrical shock hazards from damaged welding leads.

SPA PIPE AND SUPPLY L.P. DBA SMITH PIPE OF ABILENE WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314343948, CITATION NUMBER 1, ITEM NUMBER 12 AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 24, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT 7435 HWY. 277 ABILENE, TX. 79606.

Date By Which Violation Must be Abated:	07/09/2012
Proposed Penalty:	\$ 22000.00



**Citation and Notification of Penalty**

**Company Name:** Spa Pipe and Supply LP dba Smith Pipe of Abilene  
**Inspection Site:** 7435 Hwy 277, Abilene, TX 79606

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**Citation 2 Item 4 Type of Violation: Repeat**

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

In the stairs and ladders shop on or about January 04, 2012, employees were exposed to electrical hazards from open unused openings in the breaker box.

SPA PIPE AND SUPPLY L.P. DBA SMITH PIPE OF ABILENE WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314343948, CITATION NUMBER 1, ITEM NUMBER 22B AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 24, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT 7435 HWY. 277 ABILENE, TX. 79606.

Date By Which Violation Must be Abated:	07/09/2012
Proposed Penalty:	\$ 22000.00



**Citation and Notification of Penalty**

**Company Name:** Spa Pipe and Supply LP dba Smith Pipe of Abilene  
**Inspection Site:** 7435 Hwy 277, Abilene, TX 79606

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**Citation 2 Item 5** Type of Violation: **Repeat**

29 CFR 1910.303(f)(2): Each service, feeder and branch circuit, at its disconnecting means or overcurrent device, was not legibly marked to indicate its purpose, nor located and arranged so the purpose was evident:

In the vessel shop, on or about January 04, 2012 employees were exposed to electrical hazards at the circuit breaker panel on the north wall.

SPA PIPE AND SUPPLY L.P. DBA SMITH PIPE OF ABILENE WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314343948, CITATION NUMBER 1, ITEM NUMBER 15 AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 24, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT 7435 HWY. 277 ABILENE, TX. 79606.

Date By Which Violation Must be Abated:	07/09/2012
Proposed Penalty:	\$ 16500.00



**Citation and Notification of Penalty**

**Company Name:** Spa Pipe and Supply LP dba Smith Pipe of Abilene  
**Inspection Site:** 7435 Hwy 277, Abilene, TX 79606

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**Citation 2 Item 6** Type of Violation: **Repeat**

29 CFR 1910.305(b)(1)(i): Conductors entering boxes, cabinets, or fittings were not protected from abrasions:

In the stairs and ladders shop on or about January 04, 2012, west wall, electrical conductors were not protected against abrasion, exposing employees to electrical hazards.

SPA PIPE AND SUPPLY L.P. DBA SMITH PIPE OF ABILENE WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314343948, CITATION NUMBER 1, ITEM NUMBER 16 AND WAS AFFIRMED AS A FINAL ORDER ON FEBRUARY 24, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT 7435 HWY. 277 ABILENE, TX. 79606.

Date By Which Violation Must be Abated: 07/09/2012  
Proposed Penalty: \$ 22000.00

*for*   
JOANN J. FIGUEROA  
Area Director

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## U.S. Department of Labor

Occupational Safety and Health Administration  
ROOM 806, GEORGE MAHON FEDERAL BUILDING  
1205 TEXAS AVENUE  
LUBBOCK, TX 79401-4039  
Phone: (806)472-7681 FAX: (806)472-7686



### INVOICE/ DEBT COLLECTION NOTICE

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**Company Name:** Spa Pipe and Supply LP dba Smith Pipe of Abilene  
**Inspection Site:** 7435 Hwy 277, Abilene, TX 79606  
**Issuance Date:** 07/02/2012

#### Summary of Penalties for Inspection Number 315714493

<b>Citation 1, Serious</b>	<b>= \$ 25300.00</b>
<b>Citation 2, Repeat</b>	<b>= \$ 104500.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>= \$ 129800.00</b>

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To avoid additional charges, please remit payment promptly to this District Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to:

"DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

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

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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

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

*for*   
JOANN J. FIGUEROA  
Area Director

07/02/2012  
Date

**U.S. Department of Labor**

Occupational Safety and Health Administration  
Room 806, Federal Building  
1205 Texas Avenue  
Lubbock, TX 79401  
Phone: (806) 472-7681  
Fax: (806) 472 7686



Spa Pipe and Supply LP dba Smith Pipe of Abilene  
7435 Hwy 277  
Abilene, TX 79606

Dear Employer:

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

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

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

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


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

Or, call Toll Free: 1-888-REGFAIR

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

Your support in worker occupational health and safety is appreciated.

Sincerely,

  
for JOANN J. FIGUEROA  
Area Director