

## U.S. Department of Labor

Occupational Safety and Health Administration  
9100 Bluebonnet Centre Blvd.  
Suite 201  
Baton Rouge, LA 70809  
Phone: 225-298-5458 Fax: 225-298-5457



# Citation and Notification of Penalty

**To:**

Transporter Maintenance and Inspection, LLC, dba  
TMI; Subsidiary of L&B Holdings, LLC  
and its successors  
702 HWY 190 WEST  
Port Allen, LA 70767

**Inspection Site:**

570 Hwy 190 West  
Port Allen, LA 70767

**Inspection Number:** 1029749

**Inspection Date(s):** 02/03/2015 - 04/02/2015

**Issuance Date:** 07/31/2015

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

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

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

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

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

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

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

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

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/31/2015. The conference will be held by telephone or at the OSHA office located at 9100 Bluebonnet Centre Blvd., Suite 201, Baton Rouge, LA 70809 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

## CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

**Inspection Number: 1029749**

Company Name: Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC  
Inspection Site: 570 Hwy 190 West, Port Allen, LA 70767  
Issuance Date: 07/31/2015

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, 9100 Bluebonnet Centre Blvd., Suite 201, Baton Rouge, LA 70809**

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:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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 1 a** Type of Violation: **Serious**

29 CFR 1910.95(d)(1): When information indicated that any employee's exposure equaled or exceed the 8-hour time-weighted average of 85 decibels, the employer did not develop and implement a monitoring program:

a. The employer did not ensure that when information indicated that an employee's exposure equaled or exceeded the 8-hour time-weighted average of 85 decibels, that a monitoring program was implemented. This violation occurred on or about February 5, 2015 when the employer did not implement a monitoring program for the sandblaster who was exposed to noise in excess of the 8-hour time-weighted average of 85 decibels.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/15/2015

Proposed Penalty:

\$2100.00



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

29 CFR 1910.95(g)(1): The employer did not establish and maintain an audiometric testing program as provided by 29 CFR 1910.95(g) by making audiometric testing available to all employees whose exposures equal or exceed an 8-hour time-weighted average of 85 decibels:

a. The employer did not establish and maintain an audiometric testing program as provided by 29 CFR 1910.95(g) by making audiometric testing available to all employees whose exposures equal or exceed an 8-hour time-weighted average of 85 decibels. This violation occurred on or about February 5, 2015 in the sandblasting area where employee(s) were exposed to noise in excess of the 8-hour time-weighted average of 85 decibels.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/15/2015



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

29 CFR 1910.95(k)(1): The employer did not institute a training program and ensure employee participation in the program:

a. The employer did not ensure that a hearing conservation education and training program was implemented and that employees participated in the program. This violation occurred on or about February 3, 2015 when employees were exposed to noise in the Sandblasting area and the Truck Shop that was in excess of the 8-hour time-weighted average of 85 decibels.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/15/2015



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

29 CFR 1910.106(e)(2)(ii)(b)(1): The quantity of liquid that may be located outside of an inside storage room or storage cabinet in a building or in any one fire area of a building shall not exceed 25 gallons of Category 1 flammable liquids in containers:

a. On or about February 3, 2015, Paint Shop, Category 1 flammable liquids in excess of 25 gallons, including but not limited to, Imron Solventborne 9T00-A, Imron Primer 1333-67637, Imron 3.5 Polyurethane, Imron 610P, Imron VF-525, Imron Thinner D-8054, and Imron 33-AG009 were not stored in an approved flammable storage cabinet or storage room.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/15/2015

Proposed Penalty:

\$3500.00



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

29 CFR 1910.107(c)(2): Open flame or spark producing equipment was within a spraying area and/or within 20 feet thereof, was not separated by a partition:

a. The employer did not ensure that spark producing equipment was not within a spraying area nor separated by a partition when within 20 feet thereof. This violation occurred on or about February 3, 2015 when there was spark producing electrical equipment (including but not limited to general service lighting, fans, power outlets, and exposed wires) within 20 feet of the spray area without any partition separating the equipment from the spray area.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/15/2015

Proposed Penalty:

\$4900.00



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

29 CFR 1910.107(c)(5): The employer failed to ensure that there was no electrical equipment in any spraying area, whereon deposits of combustible residues may readily accumulate, except wiring in rigid conduit or in boxes or fittings containing no taps, splices, or terminal connections:

a. On or about February 3, 2015, in the paint shop, there was flexible wiring, electrical outlets, fans, and light fixtures on which combustible paint residue accumulated.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/15/2015

Proposed Penalty:

\$3500.00



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

29 CFR 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace; including a reasonable estimate of employee exposures to respiratory hazards and identification of the contaminant's chemical state and physical form:

- a. The employer did not ensure that respiratory hazards in the workplace were evaluated. This violation occurred on or about February 3, 2015 when the employer failed to evaluate the respiratory hazards in the spray finishing area of the Paint Shop where the employees were potentially overexposed to isocyanates, volatile organic compounds, and other toxins from industrial automotive paints, additives, and activators.
- b. The employer did not ensure that respiratory hazards in the workplace were evaluated. This violation occurred on or about February 3, 2015 when the employer failed to evaluate the respiratory hazards in the Sandblasting area where the employees were potentially overexposed to silica during abrasive blasting operations.
- c. The employer did not ensure that respiratory hazards in the workplace were evaluated. This violation occurred on or about February 3, 2015 when the employer failed to evaluate the respiratory hazards in Shop 2 where employees welding on stainless steel tanker trailers were potentially overexposed to hexavalent chromium while MIG and TIG welding.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/15/2015
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.



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

29 CFR 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator, before the employee was fit tested or required to use the respirator in the workplace:

a. The employer did not ensure that a medical evaluation was done to determine the employee's ability to use a respirator, before the employee was required to use the respirator in the workplace. This violation occurred on or about February 3, 2015 when an employee that was required to wear a half-face, tight fitting respirator (3M model 07193) and an abrasive blasting airline respirator (NOVA 3) was not given a medical evaluation to determine the ability to use a respirator.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/15/2015  
\$2100.00



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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 7 a** Type of Violation: **Serious**

29 CFR 1910.134(f)(2): Employee(s) using tight-fitting facepiece respirators were not fit tested prior to initial use of the respirator:

a. The employer did not ensure that employees using tight-fitting facepiece respirators were fit tested prior to initial use of the respirator. This violation occurred on or about February 3, 2015 when an employee in the Paint Shop wore a half-face, tight fitting respirator (3M model 07193) when painting tanker trailers.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/15/2015  
\$2100.00



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

29 CFR 1910.134(g)(1)(iii): Employee(s) did not perform a user seal check each time they put on a tight-fitting respirator using the procedure in Appendix B-1 of 29 CFR 1910.134 or procedures recommended by the respirator manufacturer that the employer demonstrated were as effective as those in Appendix B-1:

a. The employer did not ensure that employees performed a user seal check each time they put on a tight-fitting respirator using the procedure in Appendix B-1 of 29 CFR 1910.134 or procedures recommended by the respirator manufacturer. This violation occurred on or about February 3, 2015 when an employee wore a half-face, tight fitting respirator (3M model 07193) to spray paint tanker trailers in the Paint Shop.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/15/2015



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

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

a. The employer did not ensure that employees exposed to injurious corrosive materials were provided with suitable facilities for quick drenching or flushing of the eyes and body within the work area for immediate emergency use. This violation occurred on or about February 3, 2015 in the outdoors vapor scrubbing area where employees used caustic sodium hydroxide to neutralize the acid vapors in the trailers and did not have facilities for quick drenching or flushing of the eyes and body.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/15/2015  
\$3500.00



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

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

a. The employer did not ensure that valve protection caps were in place. This violation occurred on or about February 3, 2015 in Shop two (2) when compressed gas cylinders that were not in use or connected for use did not have valve protection caps in place. These included an argon, an acetylene, an oxygen, an argon/carbon dioxide, and an argon/helium/carbon dioxide.

b. The employer did not ensure that valve protection caps were in place. This violation occurred on or about February 3, 2015 in The Truck Shop when compressed gas cylinders that were not in use or connected for use did not have valve protection caps in place. These included an oxygen and an acetylene.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/15/2015

Proposed Penalty:

\$2800.00



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

29 CFR 1910.253(b)(4)(iii): Oxygen cylinders in storage were not separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least one-half hour:

- a. The employer did not ensure that oxygen cylinders in storage were separated from fuel-gas cylinders a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least one-half hour. This violation occurred on or about February 3, 2015 when oxygen cylinders in storage in the Truck Shop were not separated from acetylene cylinders.
- b. The employer did not ensure that oxygen cylinders in storage were separated from fuel-gas cylinders a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least one-half hour. This violation occurred on or about February 3, 2015 when oxygen cylinders in storage in Shop 2 were not separated from acetylene cylinders.
- c. The employer did not ensure that oxygen cylinders in storage were separated from fuel-gas cylinders a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least one-half hour. This violation occurred on or about February 3, 2015 when oxygen cylinders in storage in the Weld Shop were not separated from acetylene cylinders.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/15/2015

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:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

29 CFR 1910.303(g)(1)(i)(A): For electric equipment operating at 600 volts, nominal, or less to ground, and likely to require examination, adjustment, servicing, or maintenance while energized, the depth of the working space in the direction of access to live parts (as measured from the live parts where they were exposed or from the enclosure front or opening where they were enclosed) was less than indicated in Table S-1 of Subpart S of Part 1910:

a. The employer did not ensure that electric equipment operating at 600 volts, nominal, or less to ground, and likely to require examination, adjustment, servicing, or maintenance while energized, that the depth of the working space in the direction of access to live parts was not less than indicated in Table S-1 of Subpart S of Part 1910. This violation occurred on or about February 3, 2015, when the circuit breaker panels on the North Side of Shop One (1) did not have at least three (3) feet of clearance in the direction of access as required in Table S-1.

b. The employer did not ensure that electric equipment operating at 600 volts, nominal, or less to ground, and likely to require examination, adjustment, servicing, or maintenance while energized, that the depth of the working space in the direction of access to live parts was not less than indicated in Table S-1 of Subpart S of Part 1910. This violation occurred on or about February 3, 2015, when the circuit breaker panels on the Center Partition wall of Shop One (1) did not have at least three (3) feet of clearance in the direction of access as required in Table S-1.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/15/2015

Proposed Penalty:

\$4900.00



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

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

29 CFR 1910.1000(c): An employee(s) was exposed to crystalline silica in excess of the 8-hour time-weighted average limits listed in Table Z-3:

a. The employer did not ensure that employees were not exposed to crystalline silica in excess of the 8-hour time-weighted average listed in Table Z-3. This violation occurred on or about February 3, 2015 when abrasive blasting exposed an employee to crystalline silica in excess of the calculated 8-hour time-weighted average of 0.159 milligrams per cubic meter of air. The employee was monitored for 137 minutes while blasting a tanker trailer and was exposed to 3.6 milligrams per cubic meter of respirable silica. The 8-hour time-weighted average of 1.09 milligrams per cubic meter of air was calculated assuming zero exposure for the remaining 343 minutes.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/15/2015
Proposed Penalty:	\$3500.00



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

29 CFR 1910.1000(e): Feasible administrative or engineering controls were not determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000(a) through (d):

a. The employer did not ensure that feasible administrative or engineering controls were determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000(a) through (d). This violation occurred on or about February 2, 2015 when administrative or engineering controls were not determined or implemented to achieve compliance when employees were exposed above the exposure limits for crystalline silica described in 29 CFR 1910.1000(c).

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/15/2015



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

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:

a. The employer did not ensure that unused openings in boxes, raceways, auxiliary gutters, cabinets, equipment cases, or housings were effectively closed to afford protection substantially equivalent to the wall of the equipment. This violation occurred on or about February 3, 2015 in Inspection Bay 1 when an electrical outlet box was missing the knockout cover in an unused opening.

b. The employer did not ensure that unused openings in boxes, raceways, auxiliary gutters, cabinets, equipment cases, or housings were effectively closed to afford protection substantially equivalent to the wall of the equipment. This violation occurred on or about February 3, 2015 in Inspection Bay 2 when an electrical outlet box was missing the knockout cover in an unused opening.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$0.00



**Citation and Notification of Penalty**

**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC

**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767

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

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables were not connected to devices and fittings so that strain relief was provided that would prevent pull from being directly transmitted to joints or terminal screws:

a. The employer did not ensure that flexible cords and cables were connected to devices and fittings so that strain relief was provided that would prevent pull from being directly transmitted to joints or terminal screws. This violation occurred on or about February 3, 2015 in Shop 1 when a flexible cord had damaged from strain at the plug end revealing the inner conductors.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/15/2015

Proposed Penalty:

\$0.00

A handwritten signature in blue ink, reading "Dorinda Folse", written over a horizontal line.

**Dorinda Folse**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
9100 Bluebonnet Centre Blvd.  
Suite 201  
Baton Rouge, LA 70809  
Phone: 225-298-5458 Fax: 225-298-5457



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Transporter Maintenance and Inspection, LLC, dba TMI; Subsidiary of L&B Holdings, LLC  
**Inspection Site:** 570 Hwy 190 West, Port Allen, LA 70767  
**Issuance Date:** 07/31/2015

<b>Summary of Penalties for Inspection Number</b>	<b>1029749</b>
<b>Citation 1, Serious</b>	<b>\$38500.00</b>
<b>Citation 2, Other-than-Serious</b>	<b>\$0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$38500.00</b>

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To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

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

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

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


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

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



**Dorinda Folse**

Area Director



Date

# ***U.S. Department of Labor***

***Occupational Safety and Health Administration***

***Region VI Baton Rouge Area Office***



9100 Bluebonnet Centre, Ste. 201  
Baton Rouge, LA 70809-2985  
Phone: (225) 298-5458  
Fax: (225) 298-5457

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July 31, 2015

Transporter, Maintenance and Inspection, LLC  
Louie Vielee, Owner  
570 Hwy 190 West  
Port Allen, LA 70767

Re: Inspection Number: 1029749

Dear Employer:

Air sampling for isocyanates was conducted on March 27<sup>th</sup>, 2015, during an inspection of your workplace. Results showed that painters were exposed to 1,6 – hexamethylene diisocyanate (HDI) homopolymer in levels above a manufacturer's guideline limit (MGL) of 1000  $\mu\text{g}/\text{m}^3$ . Employees also had exposure to 1,6 – hexamethylene diisocyanate (HDI) which was below the NIOSH recommended exposure limit (REL) of 140  $\mu\text{g}/\text{m}^3$ . The results are summarized below:

Employee	HDI Homopolymer (10-minute ceiling)	HDI (10- minute ceiling)
1	3734 $\mu\text{g}/\text{m}^3$	11.2 $\mu\text{g}/\text{m}^3$

Even though sampling did not show exposures above an OSHA permissible exposure limit, in the interest of workplace safety and health, I recommend that you voluntarily take the necessary steps to materially reduce or eliminate your employees' exposure to the conditions listed above.

While the risk of health hazards associated with exposure to isocyanates can be reduced or eliminated by implementing a single means of abatement, in most cases a variety of abatement methods will provide a more effective method of addressing these hazards. These include workplace analysis of jobs and tasks to assess hazards associated with those jobs and tasks and the steps to abate them; product substitutions; engineering, administrative and work practice controls; accurate injury and illness recordkeeping; medical surveillance; medical management of occupational illnesses and injuries; education and training of employees; and management oversight. When respiratory sensitization, asthma or other hazards associated with isocyanate exposure are addressed on an incremental basis to determine the effectiveness of a specific control strategy, it is important to evaluate the effectiveness of the results in a timely manner. If the initial control strategy fails to eliminate or substantially reduce employee exposures, additional control measures should be implemented.

We have examined available information on the hazards associated with these jobs/tasks, and your efforts to address these hazards. The evaluation suggests that the following additional methods of abatement should be implemented.

### 1. Engineering Controls

If substitution is not possible, engineering controls are the first line of defense in employee protection. Therefore, employers should provide appropriate engineering controls and should train their employees in their use and in proper work practices to ensure that employee occupational exposure to isocyanates are maintained below levels hazardous to employees. The following engineering controls are recommended:

- Install a paint booth or install a downdraft paint booth so that painters do not need to stand between the paint spray and the filter collectors.

### 2. Administrative and Work Practices Controls

The following work practices should be used to ensure that occupational exposure to isocyanates during painting is reduced:

- Limit the time employees are exposed
- Job rotation
- Monitor employee exposures on a regular basis
- Limit the number of employees who have access to areas where the operation occurs
- Provide separate lockers for work clothes and street clothes
- Shower at the end of the work shift
- Do not eat, drink, apply cosmetics or use tobacco products in work area(s)
- Do not leave the workplace wearing protective work clothing or equipment or take it home to launder
- Wash face, hands, and forearms before eating, drinking, smoking, or applying cosmetics
- Immediately and thoroughly wash off skin with soap and flowing water if dermal contact occurs
- Wear appropriate personal protective equipment
- Implement a medical surveillance program

### 3. Personal Protective Equipment

To be effective, personal protective equipment must be individually selected; properly fitted and periodically refitted; conscientiously and properly worn; regularly maintained; and replaced as necessary. In addition, employers must:

- Perform a workplace hazard assessment in accordance with 29 CFR 1910.132(d) to determine if hazards are present, or are likely to be present which necessitate the use of personal protective equipment (PPE)
- Provide and ensure the use of the appropriate gloves (e.g., butyl, nitrile), goggles, and protective clothing when a potential for eye or dermal exposure exists (e.g., exposure to contaminated equipment, chemical containers, etc.)
- Train employees on the limitations and use of PPE required during painting

- Establish, implement, and maintain a written respiratory protection program in accordance with 29 CFR 1910.134(c) whenever the employer requires the use of respiratory protection
- Provide and ensure that employees use appropriate respiratory protection

#### 4. Training and Information

Employers must comply with the OSHA Hazard Communication standard, 29 CFR 1910.1200. In particular, employers must ensure that employees exposed to isocyanates are trained in and have access to the following information:

- The specific nature of the operations in their workplace where exposure may occur
- Safety Data Sheets (SDSs) for chemicals containing isocyanates
- The signs and symptoms of isocyanate exposure
- The importance of avoiding dermal contact when working with isocyanates
- The engineering controls the employer is using to reduce employee exposures to isocyanates
- Specific work practices that should be used to reduce exposure to isocyanates
- The use of appropriate protective equipment, including respirators and skin protection and the limitations of that equipment; and
- Methods that may be used to detect the presence of the isocyanates in the workplace, such as workplace monitoring.

In addition, the results of any air or wipe sampling the employer or others have conducted for levels of isocyanates should be shared with employees and/or their representative.

If you have any questions or comments about this issue or any other employee safety and health subject, please do not hesitate to contact me at the address or phone number listed above.

Sincerely,



DORINDA FOLSE  
Area Director