

## U.S. Department of Labor

Occupational Safety and Health Administration  
2900 4th Avenue North, Suite 303  
Billings, MT 59101  
Phone: 406-247-7494 Fax: 406-247-7499



### Citation and Notification of Penalty

**To:**  
Tricon Timber, LLC  
P.O. Box 158  
Saint Regis, MT 59866

**Inspection Number:** 192171  
**Inspection Date(s):** 02/22/2012 - 03/06/2012  
**Issuance Date:** 08/21/2012

**Inspection Site:**  
162 Old Mill Loop  
Saint Regis, MT 59866

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

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

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

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

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

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

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

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

(excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/21/2012. The conference will be held at the OSHA office located at 2900 4th Avenue North, Suite 303, Billings, MT 59101 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

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

**Inspection Number:** 192171  
**Inspection Date(s):** 02/22/2012 - 03/06/2012  
**Issuance Date:** 08/21/2012



**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

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

29 CFR 1910.22(a)(1): All places of employment, passageways, storerooms, and service rooms were not kept clean and orderly and in a sanitary condition:

(a) Head Saw Control Room: On or about March 06, 2012 and at times prior thereto, employees were exposed to fire and explosion hazards from a buildup of Class II dust on the purlings and tops of the transformers.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/12/2012  
\$6930.00

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

29 CFR 1910.265(c)(20)(vi): Provision for the daily removal of refuse were not made in all operations not required to have an exhaust system or having refuse too heavy, bulky, or otherwise unsuitable to be handled by the exhaust system.

(a) Outside Boiler Area: On or about March 06, 2012 and at times prior thereto, employees were exposed to a fire hazard from accumulations of bark and wood product covering bearings on conveyors such as, but not limited to, the S Drive conveyor.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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

**09/12/2012**

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**Company Name:** Tricon Timber, LLC  
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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

29 CFR 1910.23(d)(1): Every flight of stairs having four or more risers was not equipped with standard stair railings or standard handrails as specified in paragraphs (d)(1)(i) through (v) of this section, the width of the stair to be measured clear of all obstructions except handrails:

(a) Upper Level Storage Area: On or about March 6, 2012 and at times prior thereto, employees were exposed a fall of approximately 9 feet to the concrete below while using a stairway with incomplete stair railings.

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/12/2012  
\$3960.00

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**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

29 CFR 1910.265(c)(4)(iv): Elevated walk(s) and runway(s), 4 feet or more from floor level, were not provided with a standard railing:

(a) Upper Level Storage Area: On or about March 6, 2012 and at times prior thereto, employees were exposed a fall of approximately 9 feet to the concrete below while working on and walking across an elevated walkway without railings.

Date By Which Violation Must be Abated:

09/12/2012

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**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

**Citation 1 Item 3 a** 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 contaminants chemical state and physical form:

(a) Dip Tank Area: On or about March 06, 2012 and at times prior thereto, employees were exposed to respiratory hazards while using negative pressure, half face piece respirators with chemicals such as, but not limited to; Carbamic Acid, Butyl-3-iodo-2, Propynyl Ester Alcohol Denat (ANTIBLU XP64), and Disodium Octaborate Tetrahydrate, Aqueous (CELLU-TREAT) because the employer did not reasonably evaluate or characterize employee exposure.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/12/2012  
\$6930.00

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**Citation 1 Item 3 b 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) Dip Tank Area: On or about March 06, 2012 and at times prior thereto, employees wore negative pressure, half face piece respirators in areas such as, but not limited to the Dip Tank Area, without a medical evaluation prior, to ensure the employees were physically capable to use the respirators.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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

**09/12/2012**

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**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
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**Citation 1 Item 3 c Type of Violation: **Serious****

29 CFR 1910.134(f)(1): The employer did not ensure that employee(s) required to use a tight-fitting face piece respirator passed the appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT):

(a) Dip Tank Area: On or about March 06, 2012 and at times prior thereto, employees were exposed to respiratory hazards while using negative pressure, half face piece respirators without fit testing to ensure the employees are receiving protection from chemicals such as, but not limited to; Carbamic Acid, Butyl-3-iodo-2, Propynyl Ester Alcohol Denat (ANTIBLU XP64), Disodium Octaborate Tetrahydrate, Aqueous (CELLU-TREAT) and DEFOAMER XP (containing chemicals such as but not limited to Aluminum hydroxibis and Poly[oxy(methyl-1,2-ethanediyl)], a-[(9Z)-1-oxo-9-octadecenyl]-w-butoxy).

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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**Company Name:** Tricon Timber, LLC  
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**Citation 1 Item 3 d** Type of Violation: **Serious**

29 CFR 1910.134(h)(2)(i): Respirators were not stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals or were not packed or stored to prevent deformation of the face piece and exhalation valve:

(a) Dip Tank Area: On or about March 06, 2012 and at times prior thereto, the employer did not ensure employees were properly storing negative pressure, half face piece respirators to protect the respirators from damage to the seals, valves or deformation of the face piece from sunlight, extreme temperature, and dust.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/28/2012

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

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**Issuance Date:** 08/21/2012



**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

29 CFR 1910.134(k)(1)(vii): The employer did not ensure that each user could demonstrate knowledge of the general requirements of 29 CFR 1910.134:

(a) Dip Tank Area: On or about March 06, 2012 and at times prior thereto, the employer did not ensure employees were trained to recognize the hazards regarding the limitations of the respirator use and respiratory hazards such as, but not limited to; Carbamic Acid, Butyl-3-iodo-2, Propynyl Ester Alcohol Denat (ANTIBLU XP64), and Disodium Octaborate Tetrahydrate, Aqueous (CELLU-TREAT). This condition exposed employees to respiratory tract irritation and permanent lung damage.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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

**09/12/2012**

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:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

29 CFR 1910.134(l)(1): Evaluations of the workplace were not conducted to ensure the written respiratory protection program was being effectively implemented:

(a) Dip Tank Area: On or about March 06, 2012 and at times prior thereto, the employer did not conduct evaluations of the written respiratory protection program to identify deficiencies or if the program was effectively implemented. Employees were exposed to respiratory hazards while using negative pressure, half face piece respirators with chemicals such as, but not limited to; Carbamic Acid, Butyl-3-iodo-2, Propynyl Ester Alcohol Denat (ANTIBLU XP64), and Disodium Octaborate Tetrahydrate, Aqueous (CELLU-TREAT). This condition exposed employees to respiratory tract irritation and permanent lung damage.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

09/12/2012

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

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**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

29 CFR 1910.138(a): The employer did not select and require employee(s) to use appropriate hand protection when employees' hands were exposed to hazards such as those from skin absorption of harmful substances and chemical burns:

(a) Dip Tank Area: On or about March 6, 2012 and at times prior thereto, employees were exposed to corrosive liquids such as but not limited to Carbamic Acid, Butyl-3-iodo-2, Propynyl Ester Alcohol Denat), Aluminum hydroxibis and Poly[oxy(methyl-1,2-ethanediyl)], a-[(9Z)-1-oxo-9-octadecenyl]-w-butoxy while mixing and treating lumber with ANTIBLU XP64 and DEFOAMER XP using SAS 6607 Derma-Lite Nitrile hand protection. Both chemicals require the use of impervious gloves.

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/12/2012  
\$5940.00

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:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

29 CFR 1910.147(c)(4)(ii)(B): The energy control procedures did not clearly and specifically outline the steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy.

(a) Wood Processing Plant: On or about February 15, 2012 and at times prior thereto, employees were exposed to unexpected release of energy while conducting maintenance, clearing jams, and adjusting equipment such as but not limited to the Simon II Stacker, with multiple energy sources such as but not limited to; 220 volt electricity, mechanical, pneumatic and hydraulic energy without the protection of a machine specific Lock/Tag Out procedure.

(b) Mill Area: On or about February 15, 2012 and at times prior thereto, employees were exposed to unexpected release of energy while conducting maintenance, clearing jams, and adjusting equipment such as but not limited to the Double Cutoff Saws, with multiple energy sources present.

(c) Mill Area: On or about February 15, 2012 and at times prior thereto, employees were exposed to unexpected release of energy while conducting maintenance, clearing jams, and adjusting equipment such as but not limited to the Debarker, with multiple energy sources present.

(d) Mill Area: On or about February 15, 2012 and at times prior thereto, employees were exposed to unexpected release of energy while conducting maintenance, clearing jams, and adjusting equipment such as but not limited to the Headrig, with multiple energy sources present.

(e) Mill Area: On or about February 15, 2012 and at times prior thereto, employees were exposed to unexpected release of energy while conducting maintenance, clearing jams, and adjusting equipment such as but not limited to the Re-Saw, with multiple energy sources present.

(f) Mill Area: On or about February 15, 2012 and at times prior thereto, employees were exposed to unexpected release of energy while conducting maintenance, clearing jams, and adjusting equipment such as but not limited to the Edgers, with multiple energy sources present.



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**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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(g) Mill Area: On or about February 15, 2012 and at times prior thereto, employees were exposed to unexpected release of energy while conducting maintenance, clearing jams, and adjusting equipment such as but not limited to the Hog, with multiple energy sources present.

(h) Mill Area: On or about February 15, 2012 and at times prior thereto, employees were exposed to unexpected release of energy while conducting maintenance, clearing jams, and adjusting equipment such as but not limited to the Planer, with multiple energy sources present.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/12/2012  
\$6930.00

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**  
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**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

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

29 CFR 1910.147(c)(5)(ii)(D): Lockout devices and tagout devices did not indicate the identity of the employee applying the device(s):

(a) Mill Area: On or about March 06, 2012 and at times prior thereto, the employer did not ensure employees were using Lock-out/Tag out devices that indicated the identity of the employee applying the device. This condition exposed employees to amputation hazards while conducting maintenance, clearing jams, and adjusting multiple pieces of equipment without knowledge of the employee working on the equipment.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/28/2012  
\$6930.00

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

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**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

29 CFR 1910.147(c)(7)(i): The employer did not provide adequate training to ensure that employees acquired the knowledge and skills required for the safe application, usage and removal of energy control devices:

(a) Wood Processing Plant: On or about February 15, 2012 and at times prior thereto, employees were exposed to unexpected release of energy while conducting maintenance, clearing jams, and adjusting equipment such as but not limited to the Simon II Stacker, without correctly locking and tagging the equipment prior to entering the equipment.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

09/12/2012

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:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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**Citation 1 Item 6 c** 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) Wood Processing Plant: On or about February 15, 2012 and at times prior thereto, employees were exposed to unexpected release of energy while conducting maintenance, clearing jams, and adjusting equipment such as but not limited to the Simon II Stacker, without locking the equipment out prior to entering the equipment.

(b) Mill Area: On or about March 06, 2012 and at times prior thereto, employees were exposed to unexpected release of energy while repairing blades on equipment such as but not limited to the Head Bridge, without locking the equipment out prior to entering the equipment.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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

29 CFR 1910.147(d)(4)(ii): Lockout devices utilized were not affixed in a manner that held the energy isolating device in a safe or off position:

(a) Mill Area: On or about March 06, 2012 and at times prior thereto, the employer did not ensure employees were protected from the unexpected release of energy while repairing blades on the Head Bridge. Employees were using a single lock installed in such a manner that allowed it to be re-energized during maintenance operations.

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

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

(a) Dip Tank Area: On or about March 6, 2012 and at times prior thereto, employees were exposed to corrosive liquids such as but not limited to Carbamic Acid, Butyl-3-iodo-2, Propynyl Ester Alcohol Denat), Aluminum hydroxibis and Poly[oxy(methyl-1,2-ethanediyl)], a-[(9Z)-1-oxo-9-octadecenyl]-w-butoxy while mixing and treating lumber with ANTIBLU XP64 and DEFOAMER XP without a means to flush the eyes within the work area.

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08/28/2012  
\$6930.00

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

**Citation 1 Item 8 a** 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:

- (a) Wood Processing Plant: On or about February 15, 2012 and at times prior thereto, employees were exposed to amputations due to unguarded sprockets and chains for the Simon I Stacker.
- (b) Wood Processing Plant: On or about February 15, 2012 and at times prior thereto, employees were exposed to amputations due to unguarded sprockets and chains for the Simon II Stacker.
- (c) Upper Level Storage Area: On or about March 6, 2012 and at times prior thereto, employees were exposed to amputation hazards due to unguarded sprockets and chains for the Carry Away Screw.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

29 CFR 1910.265(c)(18)(i): Pulley(s), sprocket(s), sheave(s), drum(s) and block(s) of conveyor(s) were not arranged to prevent the possibility of injury due to hands or parts of clothing being caught between the belt(s) and pulley(s) or chain(s) and sprockets:

(a) Yard: On or about March 6, 2012 and at times prior thereto, employees were exposed to amputation hazards while walking in and around unguarded sprockets and chains on conveyors such as, but not limited to, the S Drive conveyor outside of the Boiler Room.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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

**09/12/2012**

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: 192171  
Inspection Date(s): 02/22/2012 - 03/06/2012  
Issuance Date: 08/21/2012



**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

29 CFR 1910.242(b): Compressed air used for cleaning purposes was not reduced to less than 30 p.s.i.:

(a) Boiler Room: On or about March 6, 2012 and at times prior thereto, employees were exposed to flying parts and pieces and air embolisms while using air nozzles with 90 p.s.i. of unregulated air at the nozzle.

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/28/2012  
\$4950.00

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:** 192171  
**Inspection Date(s):** 02/22/2012 - 03/06/2012  
**Issuance Date:** 08/21/2012



**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

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

29 CFR 1910.265(c)(24)(ii): Open hooks were being used in rigging to lift loads where there was a hazard from relieving the tension on the hook from the load or hook catching or fouling.

(a) Mill Area: On or about March 6, 2012 and at times prior thereto, employees were exposed to falling loads while operating a five ton crane to move items with the load bearing hook missing the manufacturers safety latch.

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

**09/12/2012**  
**\$4950.00**

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:** 192171  
**Inspection Date(s):** 02/22/2012 - 03/06/2012  
**Issuance Date:** 08/21/2012



**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

29 CFR 1910.265(c)(24)(iii): Installation, inspection, maintenance, repair, and testing of ropes, cables, slings, and chains were not done only by persons qualified to do such work:

(a) Mill Area: On or about March 6, 2012 and at times prior thereto, employees were exposed to falling loads while operating a five ton crane due to unqualified persons inspecting, maintaining, and repairing, ropes, cables, slings, and chains in that kinking, broken wires and uneven wear was visible on the 5 ton crane.

Date By Which Violation Must be Abated:

09/12/2012

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:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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**Citation 1 Item 11** Type of Violation: **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) Wood Processing Plant: On or about March 06, 2012 and at times prior thereto, employees were exposed to electrical shock from the control panel of the Simon II Stacker where the cover plate does not set flush with the control box.

(b) Boiler Room: On or about March 06, 2012 and at times prior thereto, employees were exposed to electrical shock from the open junction box, with exposed, live conductors.

(c) Outside Boiler Area: On or about March 06, 2012 and at times prior thereto, employees were exposed to electrical shock from the open 480 Volt Main Electric Panel.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/12/2012  
\$6930.00

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

**Inspection Number:** 192171  
**Inspection Date(s):** 02/22/2012 - 03/06/2012  
**Issuance Date:** 08/21/2012



**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

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

(a) Boiler Area: On or about March 06, 2012 and at times prior thereto, employees were exposed to shock hazards while flexible extension cords were ran through the wall of the Compressor Room to provide power to equipment such as but not limited to, cooling fan and inline dryer for the air compressor and lights.

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/12/2012  
\$4950.00

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:** 192171  
**Inspection Date(s):** 02/22/2012 - 03/06/2012  
**Issuance Date:** 08/21/2012



**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location:

(a) Head Saw Control Room: On or about March 06, 2012 and at times prior thereto, employees were exposed to fire and explosion hazards from multiple openings in 480 Volt Control Panel C in the Head Saw Control Room that had an accumulation of Class II wood dust. The unused openings with exposed conductors compromised the integrity of the Control Panel.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

09/12/2012  
\$6930.00

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:** 192171  
**Inspection Date(s):** 02/22/2012 - 03/06/2012  
**Issuance Date:** 08/21/2012



**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

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

(a) Carry Away Screw Area: On or about March 06, 2012 and at times prior thereto, employees were exposed to amputation hazards while working and walking in and around an unguarded screw auger on equipment such as but not limited to, the Carry Away Screw, in the Boiler Area.

TRICON TIMBER WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314316761, CITATION NUMBER 2, ITEM NUMBER 1, ISSUED ON APRIL 05, 2011 AND BECAME FINAL ORDER ON APRIL 19, 2011 FOR THE WORKPLACE LOCATED AT 126 HIGHWAY 135 NORTH, ST. REGIS, MT 59866.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/28/2012
Proposed Penalty:	\$34650.00

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: 192171  
Inspection Date(s): 02/22/2012 - 03/06/2012  
Issuance Date: 08/21/2012



**Citation and Notification of Penalty**

**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866

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

29 CFR 1910.219(c)(4)(ii): The unused keyway(s) of projecting shaft end(s) were not filled up or covered:

((a) Wood Processing Plant: On or about February 15, 2012 and at times prior thereto, employees were exposed to amputations while operating equipment such as but not limited to the Simon I Stacker with projecting shaft ends with unused keyways.


((b) Wood Processing Plant: On or about February 15, 2012 and at times prior thereto, employees were exposed to amputations while operating equipment such as but not limited to the Simon II Stacker with projecting shaft ends with unused keyways.

TRICON TIMBER WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314316761, CITATION NUMBER 1, ITEM NUMBER 1, ISSUED ON APRIL 05, 2011 AND BECAME FINAL ORDER ON APRIL 19, 2011 FOR THE WORKPLACE LOCATED AT 126 HIGHWAY 135 NORTH, ST. REGIS, MT 59866.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/28/2012  
\$13860.00

  
\_\_\_\_\_  
Jeff R. Funke, CSP  
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  
2900 4th Avenue North, Suite 303  
Billings, MT 59101  
Phone: 406-247-7494 Fax: 406-247-7499



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Tricon Timber, LLC  
**Inspection Site:** 162 Old Mill Loop, Saint Regis, MT 59866  
**Issuance Date:** 08/21/2012

<b>Summary of Penalties for Inspection Number</b>	<b>192171</b>
<b>Citation 1, Serious</b>	<b>\$80190.00</b>
<b>Citation 2, Repeat</b>	<b>\$48510.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$128700.00</b>

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

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

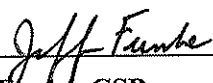
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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

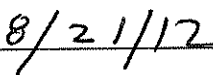
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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

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

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

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

  
\_\_\_\_\_  
Jeff R. Funke, CSP  
Area Director

  
\_\_\_\_\_  
Date

Jeff R. Funke CSP, Area Director  
U.S. Department of Labor, OSHA  
2900 4<sup>TH</sup> Ave. North Suite 303  
Billings, MT. 59101

**ABATEMENT CERTIFICATION FORM**

Tricon Timber, LLC  
P.O. Box 158  
Saint Regis, MT 59866

The hazard referenced in Inspection Number 192171 for violation identified as:

Citation\_1\_\_ Item Number\_1a\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_1b\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_2a\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_2b\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_3a\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_3b\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_3c\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_3d\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_3e\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_3f\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_4\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
  
  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_5\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_6a\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_6b\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED

correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_6d\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED

correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_7\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED

correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_8a\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED

correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_8b\_\_ was corrected on \_\_\_\_\_(date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED

correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_9\_\_ was corrected on \_\_\_\_\_(date) by (describe method of

correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_10a\_\_ was corrected on \_\_\_\_\_(date) by (describe method of

correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_10b\_\_ was corrected on \_\_\_\_\_(date) by (describe method of

correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_11\_\_ was corrected on \_\_\_\_\_ (date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_12\_\_ was corrected on \_\_\_\_\_ (date) by (describe method of  
correction)\_\_\_\_\_.

Citation\_1\_\_ Item Number\_13\_\_ was corrected on \_\_\_\_\_ (date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED  
correction)\_\_\_\_\_.

Citation\_2\_\_ Item Number\_1\_\_ was corrected on \_\_\_\_\_ (date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED  
correction)\_\_\_\_\_.

Citation\_2\_\_ Item Number\_2\_\_ was corrected on \_\_\_\_\_ (date) by (describe method of  
ADDITIONAL  
DOCUMENTATION  
REQUIRED  
correction)\_\_\_\_\_.

When abatement occurred are required. Where the citation indicates that ***abatement documentation*** is necessary, you must also provide evidence, such as photographs, receipts, etc., verifying that abatement has occurred.

I have posted this document or otherwise effectively informed employees about abatement activities.

I attest that the information contained in this document is accurate.

\_\_\_\_\_  
Signature