

## U.S. Department of Labor

Occupational Safety and Health Administration  
1222 Spruce Street  
Room 9.104  
St. Louis, MO 63103  
Phone: (314)425-4249 FAX: (314)425-4289



### Citation and Notification of Penalty

**To:**  
AMERICAN PULVERIZER CO.

and its successors  
1319 Macklind Ave.  
St. Louis, MO 63110

**Inspection Site:**  
5540 West Park Ave.  
St. Louis, MO 63110-1897

**Inspection Number:** 315338509  
**Inspection Date(s):** 02/17/2011 - 08/02/2011

**Issuance Date:** 08/03/2011  
**Reply to the Attn of:** Larry Davidson

*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. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

**Informal Conference** - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the page 4 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 violations which you do not contest, you should notify the U.S. Department of Labor Area Office promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation. Please inform the Area Office in writing of the abatement steps you have taken and of their dates, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc.

**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.

THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970 affords workers the right to a safe workplace. OSHA requires employers to provide a workplace that is free of serious recognized hazards and in compliance with OSHA standards. Workers have the right to FILE A COMPLAINT WITH OSHA if they believe that there are either violations of OSHA standards or serious workplace hazards. Contact the OSHA Area office nearest you or contact our toll free number: 1-800-321-OSHA (6742)... TTY 1-877-889-5627. To file a complaint online or obtain information on your rights in the workplace, see OSHA's Worker Rights page.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/03/2011. The conference will be held at the OSHA office located at 1222 Spruce Street, Room 9.104, St. Louis, MO, 63103 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.



### Citation and Notification of Penalty

Company Name: AMERICAN PULVERIZER CO.  
Inspection Site: 5540 West Park Ave., St. Louis, MO 63110-8897

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employee(s) was exposed to the hazard of unintentional start up of a metal cutting saw:

American National Standard B11.10-1974--Safety Requirements for the Construction, Care, and use of Metal Sawing Machines, paragraph 4.2.3.4: In the event of an interruption in the electrical power supply, the machine shall not restart automatically when power is restored:

National Fire Protection Association 79-2002--Electrical Standards for Industrial Machinery, paragraph 7.5.3: Upon restoration of the voltage or upon switching on the incoming supply, automatic or unintentional restarting of the machine shall be prevented when such a restart can cause a hazardous condition:

- a) Building #2 (New building), employees are exposed to an amputation hazard when operating the Doringer D300 cold chop saw (SN 18543), in the event of an unintended restart of the saw blade following a power outage.

Among other methods, feasible and acceptable abatement means to correct this hazard includes, but are not limited to:

- a) Plug an anti-restart device between the power supply receptacle and the power cord of the machinery.
- b) Use a magnetic motor starter device to provide anti-restart protection.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated:  
Proposed Penalty:

12/12/2011  
\$ 4900.00



### Citation and Notification of Penalty

Company Name: AMERICAN PULVERIZER CO.  
Inspection Site: 5540 West Park Ave., St. Louis, MO 63110-8897

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that crane operator(s) were exposed to struck-by hazards due to not performing functional test inspections of the operational controls before use.

American National Standard B30.11-2010 Monorails and Underhung Cranes, chapter 11-2.1.3 (b)(1) addresses functional test inspections of operational controls before use. Chapter 11-2.1.3 (c) states that adjustments, repairs, or replacements shall be made prior to initial use if the functional test inspection reveals that there are item(s) and condition(s) that do not comply.

- a) Building #1 (Old building), employees are exposed to a hazard of being struck by loads or crushed by falling loads, in the event of a mechanical or human failure when moving loads with the 1-ton Konecrane (#4).

Among other methods, feasible and acceptable abatement means to correct this hazard includes, but are not limited to:

- a) Install a new emergency E-stop on the pendant control.
- b) Conduct functional test inspections of the crane operational controls before use. Adjustments, repairs, or replacements shall be made prior to use, as necessary.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 09/19/2011  
Proposed Penalty: \$ 3500.00



### Citation and Notification of Penalty

Company Name: AMERICAN PULVERIZER CO.  
Inspection Site: 5540 West Park Ave., St. Louis, MO 63110-8897

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

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that crane operator(s) were exposed to a struck-by hazard when lifting parts with the 1-ton Konecrane (#5).

American National Standard B30.11-2010 Monorails and Underhung Cranes, Chapter 11-3.3.2(e) states that all personnel involved with the crane or monorail system operation shall comply with the following: A hook latch shall be used when provided.

- a) Building #1 (Old Building), employees are exposed to a hazard of being crushed by falling loads, in the event a load becomes disconnected from the lifting hook when moving loads with the 1-ton Konecrane (#5).

Building #1 (Old building), the hook belonging to the 1-ton Konecrane (#5) was missing a safety latch.

Among other methods, feasible and acceptable abatement means to correct this hazard includes, but are not limited to:

- a) A hook safety latch shall be used when provided.
- b) Train crane operators that a hook safety latch shall be used when provided and not to operate the crane until the latch has been replaced.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated:

09/19/2011

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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:** 315338509  
**Inspection Dates:** 02/17/2011-08/02/2011  
**Issuance Date:** 08/03/2011



**Citation and Notification of Penalty**

**Company Name:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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Proposed Penalty:	\$ 4900.00
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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:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that crane operator(s) were exposed to a struck-by hazard when lifting parts with cranes that had hooks with bent or damaged safety latches.

American National Standard B30.11-2010 Monorails and Underhung Cranes, Chapter 11-4.2.4(a) states that any condition disclosed by the inspections performed in accordance with Section 11-2.1 (Inspection) that is determined to be a hazard to continued operation shall be corrected by adjustment, repair, or replacement before continuing the use of the equipment.

- a) Building #1 (Old building), employees are exposed to a hazard of being crushed by falling loads, in the event a load becomes disconnected from the lifting hook when moving loads with the 1-ton Yale (#9 trolley, #11 JIB arm).
- b) Building #1 (Old building), employees are exposed to a hazard of being crushed by falling loads, in the event a load becomes disconnected from the lifting hook when moving loads with the 1-ton Yale (labeled #2 and #19).

Building #1 (Old building), the hook belonging to the 1-ton Yale (#9 trolley, #11 JIB arm) had a bent safety latch.

Building #1 (Old building), along the south wall by the 5-ton Milwaukee crane, the hook belonging to the 1-ton Yale (labeled #2 and #19) had a bent safety latch.

Among other methods, feasible and acceptable abatement means to correct this hazard includes, but are not limited to:

- a) Replace bent or damaged safety latches.
- b) Conduct routine inspections in accordance with American National Standard B30.11-2010 Monorails and Underhung Cranes, Chapter 11-2.1. Ensure that any condition disclosed by inspections that is determined to be a hazard to continued operation shall be corrected by adjustment, repair or replacement before continuing use of the equipment.

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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:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

**Date By Which Violation Must be Abated:** 09/19/2011

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

29 CFR 1910.179(l)(3)(i): Unsafe condition(s) disclosed during the frequent or periodic inspection(s) required by 29 CFR 1910.179(j) were not corrected before operation of the crane(s) was resumed:

- 1) Building 1, the 5 ton Milwaukee crane (SN N0943) was not locked out/ tagged out of service after the periodic inspection (Report #17) conducted June 22, 2010. Employee(s) continued to operate the crane with conditions that required immediate attention, including but not limited to nonfunctioning brake, wheels and bearings, bent safety latch, and excessive wear on lower hook.

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

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

**Inspection Number:** 315338509  
**Inspection Dates:** 02/17/2011 - 08/02/2011  
**Issuance Date:** 08/03/2011



**Citation and Notification of Penalty**

**Company Name:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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

29 CFR 1910.22(a)(1): Places of employment were not kept clean and orderly and in a sanitary condition:

- 1) Building 2 (New building), area between the MAZAK INTE e650 HII lathe and the north wall where employee(s) travel, was surrounded by rigging equipment, wire cable and pallets on all sides of the two transformers, creating a tripping hazard.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 09/19/2011  
Proposed Penalty: \$ 3500.00



**Citation and Notification of Penalty**

**Company Name:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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

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

29 CFR 1910.37 (a)(2): Exit routes were not arranged so that the employee would not have to travel toward a high hazard area, unless the path of travel was effectively shielded from the high hazard area by a suitable partition or other physical barrier:

- 1) Employees were exposed to a fire/explosion hazard in that outside Building #2 (New building) on the south side, six (6) full propylene cylinders were stored adjacent to the building and approximately 5 feet 1 inch from the emergency exit.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated:	10/31/2011
Proposed Penalty:	\$ 3500.00



### Citation and Notification of Penalty

**Company Name:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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

29 CFR 1910.110(f)(6)(i)): Storage of liquefied petroleum gases outside of buildings for containers awaiting use or resale were not located in accordance with Table H-33 of the standard:

- 1) Employees were exposed to a fire/explosion hazard in that outside Building #2 (New building) on the south side, six (6) full propylene cylinders were stored adjacent to the building and approximately 5 feet 1 inch from the emergency exit.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 10/31/2011

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

29 CFR 1910.110(f)(6)(ii)): LP gas container(s) stored outside of buildings were not in a suitable enclosure or otherwise protected against tampering:

- 1) Employees were exposed to a fire/explosion hazard in that outside Building #2 (New building) on the south side, six (6) full propylene cylinders were stored adjacent to the building approximately 5 feet 1 inch from the emergency exit. The cylinders were not stored in a suitable enclosure or otherwise protected against tampering.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 10/31/2011

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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:** 315338509  
**Inspection Dates:** 02/17/2011 - 08/02/2011  
**Issuance Date:** 08/03/2011



**Citation and Notification of Penalty**

**Company Name:** AMERICAN PULVERIZER CO.  
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**Citation 1 Item 6** Type of Violation: **Serious**

29 CFR 1910.106(e)(9)(iii): Combustible waste material and residues in a building or unit operating areas were not kept in covered metal receptacles and disposed of daily:

- 1) Building #2 (New building), used rags impregnated with combustible residue were stored in four separate covered metal receptacles and disposed of weekly, not daily.
- 2) Building #2 (New building), used rags were lying on the floor on the west side of the OKUMA lathe (Type LB35II, SN 140885) beneath where the bar is inserted, on working tables, and on the floor.

Abatement certification and abatement documentation is required for this violation. the documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 09/19/2011  
Proposed Penalty: \$ 3500.00



**Citation and Notification of Penalty**

Company Name: AMERICAN PULVERIZER CO.  
Inspection Site: 5540 West Park Ave., St. Louis, MO 63110-8897

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

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

- 1) For maintenance employee(s) who performed servicing or maintenance on equipment with multiple energy sources (electric, pneumatic and hydraulic), machine-specific procedures had not been developed. These machines include, but are not limited to the following machines, which require individual locks for the electrical and pneumatic energy sources:
  - a) New Building, MAZAK INTE e650 H II lathe
  - b) New Building, OKUMA ((SN 140885, Type LB 35II)) lathe
  - c) New building, INTEGREGX e1550V II lathe
  - d) New buidling, OKUMA MILLAC 1052V lathe)
  - e) Fabrication building, Compressor

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 12/12/2011  
Proposed Penalty: \$ 4900.00

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

**Inspection Number:** 315338509  
**Inspection Dates:** 02/17/2011 - 08/02/2011  
**Issuance Date:** 08/03/2011



**Citation and Notification of Penalty**

**Company Name:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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

29 CFR 1910.147(c)(5)(i): Locks, tags, chains, wedges, key blocks, adapter pins, self-locking fasteners, or other hardware were not provided by the employer for locking, securing, or blocking of machines or equipment from energy sources:

- 1) Locking devices were not provided by the employer to lockout the air valves on CNC equipment (MAZAK INTE e650 H II lathe, OKUMA ((SN 140885, Type LB 35II)) lathe, INTEGREX e1550V II lathe, and the OKUMA MILLAC 1052V lathe) and compressors.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 09/19/2011  
Proposed Penalty: \$ 4900.00



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

**Inspection Number:** 315338509  
**Inspection Dates:** 02/17/2011-08/02/2011  
**Issuance Date:** 08/03/2011



**Citation and Notification of Penalty**

**Company Name:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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

29 CFR 1910.178(l)(2)(ii): Forklift Training did not consist of a combination of formal instruction (e.g. lecture, discussion, interactive computer learning, video tape, written material), practical training (demonstrations performed by the trainer and practical exercises performed by the trainee), and evaluation of the operator's performance in the workplace:

- 1) Employees were exposed to struck-by and forklift tip-over hazards in that practical training referenced by 1910.178(l)(2)(ii) was not provided.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

**Date By Which Violation Must be Abated:** 12/12/2011  
**Proposed Penalty:** \$ 4900.00

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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:** 315338509  
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**Issuance Date:** 08/03/2011



**Citation and Notification of Penalty**

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**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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

29 CFR 1910.179(j)(2): Overhead crane hooks and chains were not inspected for defects at intervals as defined in paragraph (j)(1)(ii) of this section, including observation for any defects which might appear between regular inspections:

- 1) At the facility, monthly inspections for hooks and hoist chains were not conducted and certified.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

**Date By Which Violation Must be Abated:** 09/19/2011  
**Proposed Penalty:** \$ 4900.00

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

29 CFR 1910.179(m)(1): Thorough monthly inspections of rope conditions, with written, dated and signed reports, were not performed on the running ropes:

- 1) At the facility, monthly inspections of rope conditions, with written and signed reports, were not performed on the running ropes of overhead cranes.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

**Date By Which Violation Must be Abated:** 09/19/2011  
**Proposed Penalty:** \$ 3500.00

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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:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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

29 CFR 1910.212(a)(1): One or more methods of machine guarding shall be provided to protect the operator and other employees in the machine area from hazards such as those created by a rotating blade or bar, moving parts, or ingoing nip points:

- 1) Building #2 (New building), saw department, Peerless HB-1014PC horizontal band saw was used by employee(s) with the unused portion of the blade unguarded. Approximately two inches of the unused portion of the blade was not guarded.
- 2) Building #2 (New building), lathe and mill department, panel was missing on the MAZAK INTE e650 HII lathe resulting in unguarded moving parts.
- 3) Building #2 (New building), the panel was removed when the employee(s) inserted the bar into the shaft during operation of the OKUMA lathe (SN #140885, Type LB 35II).
- 4) Building #2 (New building), the ENCO drill press (SN B9-12-4123) in the center lacked a chuck guard.
- 5) Building #2 (New building), the Carlton drill press (6 ARM - 17 COL) in the center east portion of the building lacked a chuck guard.
- 6) Building #1 (Old building), the Powermatic vertical bandsaw was used by employee(s) with the unused portion of the blade unguarded. Approximately 1 1/4 inches of the unused portion of the blade was not guarded.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

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**Proposed Penalty:** \$ 4900.00

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**Company Name:** AMERICAN PULVERIZER CO.  
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**Citation 1 Item 13** Type of Violation: **Serious**

29 CFR 1910.212(a)(3)(ii): Point(s) of operation of machinery were not guarded to prevent employee(s) from having any part of their body in the danger zone(s) during operating cycle(s):

- 1) Building #2, Mitts & Merrill Keyseater (SN #AM7422) was operated without point of operation guarding. The opening measured 1 inch between the plate and part and 1 1/2 inches from the entry to the point of operation.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 12/12/2011  
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**Citation 1 Item 14** Type of Violation: **Serious**

29 CFR 1910.212(a)(5): Fan blade guards, where the periphery of the blades was less than seven feet above the floor or working level, had openings larger than one-half inch:

- 1) Building 2 (New building) pedestal fan labeled "Keyseater" had an opening in the front of the fan which measured approximately 4 1/2 inches.

Abatement certification and abatement documentation is required for this violation. the documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated:	09/19/2011
Proposed Penalty:	\$ 3500.00



**Citation and Notification of Penalty**

**Company Name:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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

29 CFR 1910.212(b): Machine(s) designed for fixed location(s) were not securely anchored to prevent walking or moving:

- 1) Fabrication building, on the north wall located near the rolling machine, the heavy duty Cincinnati pedestal grinder (440 V 3 phase, 1650 rpm, SN #245290) was not anchored to the floor.
- 2) Building 2 (New building), the APEX grinding wheel in the center east portion of the building was not anchored to the floor.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 09/19/2011  
Proposed Penalty: \$ 3500.00

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

**Inspection Number:** 315338509  
**Inspection Dates:** 02/17/2011 - 08/02/2011  
**Issuance Date:** 08/03/2011



**Citation and Notification of Penalty**

**Company Name:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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

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

- 1) Building 2 (New building), safety guards on the large AB QUALITY grinder did not cover the spindle, nut and flange projections on the front of both sides of this grinder.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

**Date By Which Violation Must be Abated:** 09/19/2011  
**Proposed Penalty:** \$ 3500.00



### Citation and Notification of Penalty

Company Name: AMERICAN PULVERIZER CO.  
Inspection Site: 5540 West Park Ave., St. Louis, MO 63110-8897

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

#### Citation 1 Item 17a Type of Violation: **Serious**

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

- 1) Building 2 (New building), the 1788 heavy duty 3/4 HP 8" bench grinder had an opening of approximately 7/8 inch between the work rest and the periphery of the abrasive wheel on the left side and an opening of approximately 3/4 inch between the work rest and the periphery of the abrasive wheel on the right side.
- 2) Building 2 (New building), the AB QUALITY grinder had an opening of approximately 1/2 inch between the work rest and the periphery of the abrasive wheel on the left side and an opening of approximately 5/8 inch between the work rest and the periphery of the abrasive wheel on the right side.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$ 3500.00





**Citation and Notification of Penalty**

**Company Name:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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**Citation 1 Item 17b** Type of Violation: **Serious**

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

- 1) Building 2 (New building), the 1788 Heavy Duty 3/4 HP 8" bench grinder had an opening that measured approximately 1 inch from the tongue guard to the periphery of the abrasive wheel on the left side and an opening that measured approximately 1 inch from the tongue guard to the periphery of the abrasive wheel on the right side.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful.

Date By Which Violation Must be Abated:

09/19/2011



**Citation and Notification of Penalty**

Company Name: AMERICAN PULVERIZER CO.  
Inspection Site: 5540 West Park Ave., St. Louis, MO 63110-8897

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

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

- 1) Building #2 (New building), the Mitts & Merrill Keyseater (SN AM7422) had exposed rotating sprockets while the machine was in operation.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 10/31/2011  
Proposed Penalty: \$ 3500.00

**Citation 1 Item 19** 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.:

- 1) Building 2 (New building), air nozzle used to clean water off parts from the blancher measured 70 p.s.i.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 09/19/2011  
Proposed Penalty: \$ 3500.00



### Citation and Notification of Penalty

Company Name: AMERICAN PULVERIZER CO.  
Inspection Site: 5540 West Park Ave., St. Louis, MO 63110-8897

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#### Citation 1 Item 20 Type of Violation: **Serious**

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

- 1) Building 2 (New building), welding area, power supply for the #10 MILLER S-60 24V constant speed wire feeder had a damaged lead.
- 2) Building 2 (New building), welding area, damaged welding lead (exposed conductor) for the MILLER Dimension 452 ARC and MIG welder.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 10/31/2011  
Proposed Penalty: \$ 3500.00

#### Citation 1 Item 21 Type of Violation: **Serious**

29 CFR 1910.303(b)(1)(viii): Electric equipment was not free from recognized hazards that were likely to cause death or serious physical harm to employees, because of factors that would contribute to the practical safeguarding of persons using or likely to come in contact with the equipment:

- 1) Building 2 (New building) south wall, an open electrical box with live wires was not guarded.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 08/29/2011  
Proposed Penalty: \$ 3500.00



**Citation and Notification of Penalty**

Company Name: AMERICAN PULVERIZER CO.  
Inspection Site: 5540 West Park Ave., St. Louis, MO 63110-8897

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**Citation 1 Item 22** Type of Violation: **Serious**

29 CFR 1910.303(g)(1)(i): Workspace was less than 30 inches wide in front of electric equipment operating at 600 volts, nominal, or less:

- 1) Fabrication building, north wall near Column A5 welding station, an electrical panel box (480 V) was blocked by a fan, stool, Lincoln Electric DC-400 welder #4, and leaning metal bar.
- 2) Fabrication building, welding station in the southeast corner, an electrical panel box (230V, 3 phase) located on the south wall was blocked by equipment.
- 3) Building 2 (New building), electrical panel box (240V 3Ph 3W DP2) located behind the MAZAK INTE e-1550 VII lathe was blocked by conduit and metal tubes.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 08/29/2011  
Proposed Penalty: \$ 3500.00

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

**Inspection Number:** 315338509  
**Inspection Dates:** 02/17/2011 - 08/02/2011  
**Issuance Date:** 08/03/2011



**Citation and Notification of Penalty**

**Company Name:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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**Citation 1 Item 23** Type of Violation: **Serious**

29 CFR 1910.305(a)(2)(iii)(G): Flexible cords and cables of temporary circuits were not protected from accidental damage:

- 1) Building 2 (New building), extension cord used to service the oil skimmer was crushed beneath the rocker (chip bucket) holding metal shavings.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

**Date By Which Violation Must be Abated:** 08/29/2011  
**Proposed Penalty:** \$ 4900.00

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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:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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**Citation 1 Item 24** Type of Violation: **Serious**

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

- 1) Building #2 (New building) west wall, a live electrical box (VTL OP3 480V 3 Ph 150A, once used to service a lathe that has been removed from service) had a large opening, resulting in exposed wiring.
- 2) Building #2 (New building), the disconnect for Crane #26 (1 ton Yale) located on the north wall behind the Okuma lathe (SN #14085, Type LB35II) had an unused opening, resulting in exposed wiring.
- 3) Building #2 (New building), a blocked electrical panel box (240V 3Ph 3W DP2) located behind the MAZAK E 1550V II had an unused opening on the right side/ east side of the panel box, resulting in exposed wiring.
- 4) Building #2 (New building), electrical panel box along center west column (DP3 480Y/277V 3ph 4W) had an unused opening marked SPARE, resulting in exposed wiring.
- 5) Building #2 (New building), electrical box located at the back of the Keyseater (SN #AM7422) had an used opening, resulting in exposed wiring.
- 6) Building #2 (New building), Miller Constant Speed Wire Feeder controls were missing covers on the trigger hold and voltage adjustment.
- 7) Building #1 (Old building), electrical panel box servicing disconnects and JIB cranes on the north side of the building had a large hole, resulting in exposed wiring.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

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

**10/31/2011**



**Citation and Notification of Penalty**

Company Name: AMERICAN PULVERIZER CO.  
Inspection Site: 5540 West Park Ave., St. Louis, MO 63110-8897

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Proposed Penalty: \$ 4900.00

**Citation 1 Item 25** Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and cables may not be used as a substitute for the fixed wiring of a structure:

- 1) Building 2 (New building), the extension cord used to service the oil skimmer for the MAZAK INTE e650 HII lathe was crushed beneath the rocker (chip bucket) holding metal shavings. Temporary wiring was used in lieu of fixed wiring.
- 2) Building 2 (New building), an extension cord was used to service the Parts Washer, used approximately twice/week by employees. Temporary wiring was used in lieu of fixed wiring.
- 3) Building 2 (New building), flexible cord plugged into a wall receptacle was hardwired into a table as the power supply to a grinder and drill press located on the table. Temporary wiring was used in lieu of fixed wiring.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 12/12/2011  
Proposed Penalty: \$ 4900.00



**Citation and Notification of Penalty**

Company Name: AMERICAN PULVERIZER CO.  
Inspection Site: 5540 West Park Ave., St. Louis, MO 63110-8897

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**Citation 1 Item 26** Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(iii): Flexible cords were not connected to devices and fittings so that tension would not be transmitted to joints or terminal screws:

- 1) On the north wall of the fabrication building by Column 7, the cord and plug for the KOIKE IK-12 Radiograph (SN #077650) lacked strain relief.
- 2) On the south wall of the fabrication building (southeast corner) the cord and plug for the Miller #8 Dimension 452 welder (460 V) lacked strain relief.
- 3) Building 2 (New building), the cord and plug for the Parts Washer lacked strain relief.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 09/19/2011  
Proposed Penalty: \$ 3500.00





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

**Company Name:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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#### **Citation 1 Item 27 Type of Violation: **Serious****

29 CFR 1910.306 (b)(1)(i): Readily accessible disconnecting means were not provided between the runway contact conductors and the power supply on cranes or hoists:

- 1) Fabrication shop, 1-ton CM underhung crane needed a disconnect. The annual crane inspection report (report #38) dated June 22, 2010 identified this hazard.
- 2) Fabrication shop, 1-ton Yale underhung crane needed a disconnect. The annual crane inspection report (report #40) dated June 22, 2010 identified this hazard.
- 3) Fabrication shop, 2200 lbs DEMAG underhung crane needed a main line disconnect. The annual crane inspection report (report #41) dated June 22, 2010 identified this hazard.
- 4) Fabrication shop, 2200 lbs DEMAG underhung crane needed a main line disconnect. The annual crane inspection report (report #44) dated June 22, 2010 identified this hazard.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 12/12/2011  
Proposed Penalty: \$ 3500.00



**Citation and Notification of Penalty**

Company Name: AMERICAN PULVERIZER CO.  
Inspection Site: 5540 West Park Ave., St. Louis, MO 63110-8897

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**Citation 1 Item 28** Type of Violation: **Serious**

29 CFR 1910.334(a)(2)(i): Portable cord and plug connected electric equipment and flexible cord sets (extension cords) were not visually inspected before use on any shift for external defects (such as loose parts, deformed and missing pins, or damage to outer jacket or insulation) and for evidence of possible internal damage (such as pinched or crushed outer jacket):

- 1) Building 2 (New building), at the time of the inspection on 3/29/11 a TPI Industrial fan on the east side of the MAZAK INTE e-650 HII lathe was missing a ground pin, a TPI Industrial fan in the east central portion of the building had black tape around missing outer insulation, a fan labeled Keyseater by the OKUMA MILLAC 1052V lathe was missing a ground pin, the cord was pulled away from the portable light servicing the Keyseater fan, and the cord was pulled away from the Dayton pedestal fan near the bandsaws (saw department).

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 09/19/2011  
Proposed Penalty: \$ 3500.00

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

**Inspection Number:** 315338509  
**Inspection Dates:** 02/17/2011 - 08/02/2011  
**Issuance Date:** 08/03/2011



**Citation and Notification of Penalty**

**Company Name:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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

29 CFR 1910.304(g)(5): The path to ground from circuits, equipment, and enclosures was not permanent, continuous and effective:

- 1) Building 2 (New building), a TPI Industrial fan on the east side of the MAZAK INTE e-650 HII lathe was missing a ground pin.
- 2) Building 2 (New building), a fan labeled Keyseater by the OKUMA MILLAC 1052V lathe was missing a ground pin.

American Pulverizer was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent standard 29 CFR 1910.304 (f)(4), which was contained in OSHA inspection number 310419288, Citation 1, Item 2, issued on 10/30/2006, and became Final Order 11/30/2006.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. The abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 09/19/2011  
Proposed Penalty: \$ 7000.00

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

**Inspection Number:** 315338509  
**Inspection Dates:** 02/17/2011 - 08/02/2011  
**Issuance Date:** 08/03/2011



**Citation and Notification of Penalty**

**Company Name:** AMERICAN PULVERIZER CO.  
**Inspection Site:** 5540 West Park Ave., St. Louis, MO 63110-8897

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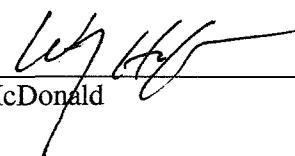
**Citation 3 Item 1** Type of Violation: **Other**

29 CFR 1904.29(b)(1); A Log of all recordable work-related injuries and illnesses (OSHA Form 300 or equivalent), was not completed in the detail as required by the regulation:

- 1) Case #2 on the 2010 OSHA 300 Log, identified the employee injury as laceration of right thumb. The injury was an amputation.

Abatement certification and abatement documentation is required for this violation. The documentation should include written verification of abatement, applicable measurements or monitoring results, and photographs or videos which you believe will be helpful. the abatement certification sheet is enclosed with the citation(s).

Date By Which Violation Must be Abated: 09/19/2011  
Proposed Penalty: \$ 700.00

  08-03-11  
\_\_\_\_\_  
William D. McDonald  
Area Director

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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  
1222 Spruce Street  
Room 9.104  
St. Louis, MO 63103  
Phone: (314)425-4249 FAX: (314)425-4289



## INVOICE/ DEBT COLLECTION NOTICE

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### Summary of Penalties for Inspection Number 315338509

Citation 1, Serious	= \$ 113400.00
Citation 2, Repeat	= \$ 7000.00
Citation 3, Other	= \$ 700.00
<b>TOTAL PROPOSED PENALTIES</b>	<b>= \$ 121100.00</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 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.

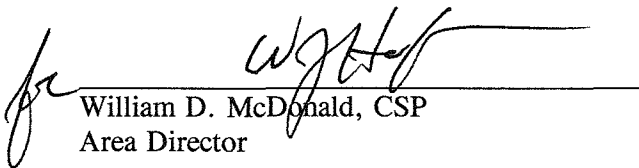
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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. 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 3%. 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.

  
William D. McDonald, CSP  
Area Director

08-03-11  
Date

Corrective action taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Citation and Notification of Penalty.

If the hazards itemized on this citation(s) are not abated/corrected and a follow-up inspection is conducted, your establishment may receive a Failure to Abate Citation for the uncorrected hazards with subsequent additional monetary penalties of up to thirty (30) times the original penalty amount of the uncorrected hazards.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the Citation(s).

## CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Company Name: AMERICAN PULVERIZER CO.  
Inspection Site: 5540 West Park Ave., St. Louis, MO 63110-1897  
Issuance Date: 08/03/2011

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return this page with the signed Informal Settlement Agreement to: **U.S. Department of Labor - Occupational Safety and Health Administration, 1222 Spruce Street, Room 9.104, St. Louis, MO 63103.**

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There are approximately 20 lines visible. The paper appears to be a standard notebook page.

NAME OF COMPANY OFFICIAL

DATE \_\_\_\_\_

**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 for not more than six months or both.

**POSTING:** A copy of the completed Corrective Action Worksheet should be posted for employee review.