

U.S. Department of Labor Occupational Safety and Health Administration
1033 La Posada
Suite 375
Austin, TX 78752



09/25/2024

Hailiang Copper Texas Inc
and its successors
5000 I-10
Sealy, TX 77474

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000), which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (512) 374-0271.

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

As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take 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 the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

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

Sincerely,

A handwritten signature in blue ink that reads "Mark Marvick". The signature is written in a cursive style with a long horizontal stroke at the end.

for

Monica Camacho

Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
1033 La Posada
Suite 375
Austin, TX 78752



Citation and Notification of Penalty

To:
Hailiang Copper Texas Inc
and its successors
5000 I-10
Sealy, TX 77474

Inspection Number: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024

Inspection Site:
5000 I-10
Sealy, TX 77474

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period by calling (512) 374-0271. During such an informal conference, you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

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

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

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

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically at www.pay.gov. At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

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

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

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

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

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 09/25/2024. The conference will be held by telephone or at the OSHA office located at 1033 La Posada, Suite 375, Austin, TX 78752 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1738003

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474
Issuance Date: 09/25/2024

List the specific method of correction for each item on this citation in this package that does not read “Corrected During Inspection” and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 1033 La Posada, Suite 375, Austin, TX 78752.**

Citation Number 1 and Item Number 1 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 2 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 3 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 4 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 5 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 6 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 7 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 8 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 9 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 10 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 11 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 12 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 13 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 14 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 15 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 16 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 17 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 18 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 19 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 20 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 21 was corrected on _____
By (Method of Abatement): _____

Citation Number 2 and Item Number 1 was corrected on _____
By (Method of Abatement): _____

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

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

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



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.22(a)(3): The employer did not ensure that walking-working surfaces are maintained free of hazards such as sharp or protruding objects, loose boards, corrosion, leaks, spills, snow, and ice.

- a) On or about March 28, 2024, at the Furnace; working surface areas had two non-operational machines that moved along raised rails in which employees had to both step over and stand in between while they were working; where employees are performing duties to lift, move, and melt copper.
- b) On or about April 25, 2024, at the Pancake; working surfaces areas for two machines had coiler tables that moved along two raised rails in which employees had to both step over and stand in between while they were working; where employees are performing duties to create a copper coil - pancake.
- c) On or a April 25, 2024, at the Rolling and Double Cascade Machines; the employees were working on surface areas that were slippery with oil and had raised rails; where they were standing to perform copper coiling and adjusting the diameter of the copper tubing.
- d) On or about May 1, 2024, at the Little Pancake machine; working surface areas had two places where different floor elevations presented a trip hazard for employees monitoring the conveyor belt and retrieving little pancakes.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 22, 2024
Proposed Penalty:	\$10,648.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.29(a)(1): The employer did not ensure each fall protection system and falling object protection meets the requirements in this section.

On or about April 3, 2024, at the Furnace; yellow caution tape and yellow straps were being used to keep employees from falling from heights of more than four feet while performing work in the melting and casting department.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$12,421.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.29(b)(1): The employer did not ensure that guardrail systems met the requirement that the top edge height of top rails, or equivalent guardrail system members, that are 42 inches (107 cm), plus or minus 3 inches (8 cm), above the walking-working surface.

On or about April 3, 2024, at the Furnace; employees were working near and stepping over a guard rail in which the top rail is approximately 22.5 inches high, while the employees add bags of charcoal/graphite and stir the charcoal/graphite to the direct area of the melting process of copper.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$12,421.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.138(a): Appropriate hand protection was not used when employee's hands were exposed to hazards such as those from skin absorption of harmful substances; severe cuts or lacerations; severe abrasions; punctures; chemical burns; thermal burns; and harmful temperature extremes.

On or about April 25, 2024, at the Rolling machine; employees were exposed to lacerations while using cotton gloves to grab the end of copper tubing with jagged edges as it was being fed from a section of the machine while performing operations to coil/roll the copper tubing.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$10,648.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.144(a)(1)(iii): Emergency stop bars, stop buttons or switches which letters or other markings appear, used for emergency stopping of machinery were not red.

On or about March 28, 2024, a yellow emergency stop button at the Annealing machine processing line was not conspicuous and blended with the machine.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 22, 2024
Proposed Penalty:	\$7,098.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

Citation 1 Item 6 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:

On or about March 26, 2024, at the Pancake machine, employees were performing periodic changes to wheels that set copper tubing diameters on the machine without the employer developing energy control procedures.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$12,421.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.147(c)(5)(ii): Lockout and tagout (LO/TO) devices were utilized for other purposes than controlling energy:

On or about March 28, 2024, at the furnace and processing line; a yellow barrier fence with an entrance gate that was locked with a LO/TO device was used to prevent access of the operating Annealing machine.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7,098.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.147(c)(6)(i): The employer did not conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirement of this standard were being followed.

On or about March 28, 2024, the employer did not conduct a periodic inspection of energy control procedures for the machines being used in the plant.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 22, 2024
Proposed Penalty:	\$12,421.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.176(c): Storage areas were not kept free from accumulation of materials that constituted hazards from tripping, fire, explosion or pest harborage:

On or about May 3, 2024, at the last three aisles of the Finished Product storage area; employees were retrieving supplies for the Annealing machine line from obstructed aisleways while having to walk around or climb over material to access the supplies.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$10,648.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.179(b)(5): Rated load markings on crane(s) were not clearly legible from the ground or the floor.

On or about March 28, 2024, employees were using three Smart cranes at the Annealing machine that did not have their load ratings marked on them while being used on the processing line to unload copper coils.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 22, 2024
Proposed Penalty:	\$10,648.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.179(j)(1)(ii)(b): A complete periodic inspection of crane(s) had not been conducted in the past 12 months.

On or about March 28, 2024, employees were using three Smart cranes that have not had a periodic inspection within the last 12 months to off load copper coils at the off-loading section of the Annealing machine's processing line.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$7,098.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.184(c)(2): Slings shortened with knots or bolts or other makeshift devices.

On or about May 1, 2024, at the Smasher machine; employees were using yellow straps as slings tied together by hand to increase the strap length to lift copper with an overhead crane while moving copper to and from the compactor.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$12,421.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.184(f)(1): Wire-rope slings did not have permanently affixed and legible identification markings as prescribed by the manufacturer that indicated the recommended safe working load for the type(s) of hitch(es) used, the angle upon which it is based, and the number of legs if more than one.

On or about April 3, 2024, at the Furnace; employees were using a wire rope sling that did not have the safe working load affixed while they were loading, moving, guiding, and lowering copper into the copper melting process with the use of an overhead crane.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$12,421.00

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: 1738003
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Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.184(f)(5)(iii): Kinking, crushing, bird caging or any other damage resulting in distortion of the wire rope structure.

On or about April 3, 2024, at the Furnace; employees were using a wire rope sling that had distorted wiring between the overhead crane and the load while they were loading, moving, guiding, and lowering copper into the copper melting process.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$12,421.00

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: 1738003
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Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.212(a)(1): One or more methods of machine guarding were not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks.

On or about April 25, 2024, and at times prior thereto, employees operating the Straight Tube machine without guards are exposed to copper tubing as a projectile.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$12,421.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.212(a)(1): One or more methods of machine guarding were not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks.

On or about April 25, 2024, and at times prior thereto, employees operated the Level Winding machine without guards to protect from the ingoing nip point while guiding copper wire/tubing with their hands as it was being wound onto a spinning spool.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$12,421.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

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 point of operation, ingoing nip points, rotating parts, flying chips and sparks.

On or about April 5, 2024, and at times prior thereto, employees operated Inner Grooving machines without guards to protect from pinch points while feeding copper tubing through rollers to cut and form the inner grooving of the copper.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 22, 2024
Proposed Penalty:	\$12,421.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

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 point of operation, ingoing nip points, rotating parts, flying chips and sparks.

On or about April 25, 2024, and at times prior thereto, employees operated the Double Cascade machine without guards to protect from the moving parts while adjusting the cascades and copper tubing.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$12,421.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

Citation 1 Item 19 Type of Violation: **Serious**

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 point of operation, ingoing nip points, rotating parts, flying chips and sparks.

On or about March 28, 2024, and at times prior thereto, employees operated the Annealing machine with unguarded ingoing nip points from rollers throughout the processing line while moving racks of copper coils.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$12,421.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

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

On or about March 28, 2024, employees worked at the Annealing machine's processing line with protruding shafts that had unguarded key ways while walking along the automated line to move racks of copper coils.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$10,648.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.303(b)(6): Deteriorating agents. Unless identified for use in the operating environment, no conductors or equipment shall be located in damp or wet locations; where exposed to gases, fumes, vapors, liquids, or other agents that have a deteriorating effect on the conductors or equipment; or where exposed to excessive temperatures.

On or about May 1, 2024, on the Little Pancake machine; employees accessed an electrical control box with the power cables submerged in a pit of standing water while operating the Little Pancake machine.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$12,421.00

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: 1738003
Inspection Date(s): 03/28/2024 - 03/28/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1904.29(a): The employer did not use an OSHA 300, 301 and 300A Form or equivalent.

On or about March 28, 2024, the employer did not utilize an OSHA 301 form or equivalent for the required reporting for an injured employee in 2024.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$1,774.00

A handwritten signature in blue ink that reads "Monica Camacho".

Monica Camacho
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
1033 La Posada
Suite 375
Austin, TX 78752



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474
Issuance Date: 09/25/2024

Summary of Penalties for Inspection Number: 1738003

Citation 1 Item 1, Serious	\$10,648.00
Citation 1 Item 2, Serious	\$12,421.00
Citation 1 Item 3, Serious	\$12,421.00
Citation 1 Item 4, Serious	\$10,648.00
Citation 1 Item 5, Serious	\$7,098.00
Citation 1 Item 6, Serious	\$12,421.00
Citation 1 Item 7, Serious	\$7,098.00
Citation 1 Item 8, Serious	\$12,421.00
Citation 1 Item 9, Serious	\$10,648.00
Citation 1 Item 10, Serious	\$10,648.00
Citation 1 Item 11, Serious	\$7,098.00
Citation 1 Item 12, Serious	\$12,421.00
Citation 1 Item 13, Serious	\$12,421.00
Citation 1 Item 14, Serious	\$12,421.00
Citation 1 Item 15, Serious	\$12,421.00
Citation 1 Item 16, Serious	\$12,421.00
Citation 1 Item 17, Serious	\$12,421.00
Citation 1 Item 18, Serious	\$12,421.00
Citation 1 Item 19, Serious	\$12,421.00
Citation 1 Item 20, Serious	\$10,648.00
Citation 1 Item 21, Serious	\$12,421.00
Citation 2 Item 1, Other-than-Serious	\$1,774.00

TOTAL PROPOSED PENALTIES: \$237,781.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically at www.pay.gov. At the top of the pay.gov homepage, type "OSHA" in the Search field and select

Search. From the **OSHA Penalty Payment Form** search result, select Continue. The direct link is: <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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



Monica Camacho
Area Director

September 25, 2024

Date

U.S. Department of Labor Occupational Safety and Health Administration
1033 La Posada
Suite 375
Austin, TX 78752



09/25/2024

Hailiang Copper Texas Inc
and its successors
5000 I-10
Sealy, TX 77474

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000), which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (512) 374-0271.

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

As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take 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 the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

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

Sincerely,

A handwritten signature in blue ink that reads "Mark Marvick". The signature is written in a cursive style with a long horizontal stroke at the end.

for

Monica Camacho

Area Director

Enclosures

U.S. Department of Labor
Occupational Safety and Health Administration
1033 La Posada
Suite 375
Austin, TX 78752



Citation and Notification of Penalty

To:
Hailiang Copper Texas Inc
and its successors
5000 I-10
Sealy, TX 77474

Inspection Number: 1745581
Inspection Date(s): 05/02/2024 - 05/02/2024
Issuance Date: 09/25/2024

Inspection Site:
5000 I-10
Sealy, TX 77474

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period by calling (512) 374-0271. During such an informal conference, you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

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

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

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

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically at www.pay.gov. At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

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

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

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

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

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 09/25/2024. The conference will be held by telephone or at the OSHA office located at 1033 La Posada, Suite 375, Austin, TX 78752 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1745581

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474
Issuance Date: 09/25/2024

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 1033 La Posada, Suite 375, Austin, TX 78752.**

Citation Number 1 and Item Number 1a was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 1b was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 2 was corrected on _____
By (Method of Abatement): _____

Citation Number 1 and Item Number 3 was corrected on _____
By (Method of Abatement): _____

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

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

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

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

Inspection Number: 1745581
Inspection Date(s): 05/02/2024 - 05/02/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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 1910.134(c)(2)(i): Respirator users were not provided with the information contained in Appendix D to 29 CFR 1910.134 when the employer determined that any voluntary respirator use was permissible:

On or about May 2, 2024, and at times prior thereto, on the north side of the facility; employees were allowed to voluntarily wear N95 respirators while operating the furnace without being provided the information contained in Appendix D to 29 CFR 1910.134.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$5,323.00

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: 1745581
Inspection Date(s): 05/02/2024 - 05/02/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

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

On or about May 2, 2024, on the north side of the facility; employees were exposed to chemical fumes without an evaluation of respiratory hazards while working in the:

- a) copper plates dipping furnace area, and
- b) casting area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

October 22, 2024

Proposed Penalty:

\$0.00

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

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

Inspection Number: 1745581
Inspection Date(s): 05/02/2024 - 05/02/2024
Issuance Date: 09/25/2024



Citation and Notification of Penalty

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.134(d)(1)(ii):The employer did not select and use a NIOSH-certified respirator in compliance with the conditions of its certification:

On or about May 2, 2024, and at times prior thereto, employees were provided KN-95 respirators to use within the facility that had not been NIOSH-certified.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 22, 2024
Proposed Penalty:	\$5,323.00

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: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

On or about May 2, 2024, across the facility; the employer did not implement a hazard communication program for all employees covering topics, such as but not limited to:

- a) Training on the physical, health, simple asphyxiation, combustible dust, and pyrophoric gas hazards, as well as hazards not otherwise classified, of the chemicals in the work area,
- b) An explanation of the labels received on shipped containers and the workplace labeling system used at the facility, and
- c) Accessibility of Safety Data Sheets at all times.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 22, 2024
\$5,323.00

A handwritten signature in blue ink that reads "Monica Camacho".

Monica Camacho
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
1033 La Posada
Suite 375
Austin, TX 78752



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Hailiang Copper Texas Inc
Inspection Site: 5000 I-10, Sealy, TX 77474
Issuance Date: 09/25/2024

Summary of Penalties for Inspection Number: 1745581

Citation 1 Item 1a, Serious	\$5,323.00
Citation 1 Item 1b, Serious	\$0.00
Citation 1 Item 2, Serious	\$5,323.00
Citation 1 Item 3, Serious	\$5,323.00

TOTAL PROPOSED PENALTIES: **\$15,969.00**

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

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

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



Monica Camacho
Area Director

September 25, 2024

Date