

U.S. Department of Labor

Occupational Safety and Health Administration
1402 Pankratz Street, Suite 114
Madison, WI 53704



Citation and Notification of Penalty

To:

AJLS Enterprises Inc., dba Schoep's Ice Cream
and its successors
2070 Helena Street
Madison, WI 53704

Inspection Number: 1691602**Inspection Date(s):** 08/17/2023 - 08/17/2023**Issuance Date:** 01/12/2024**Inspection Site:**

514 Division Street
Madison, WI 53704

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 (608) 733-2822. 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 01/12/2024. The conference will be held by telephone or at the OSHA office located at 1402

Pankratz Street, Suite 114, Madison, WI 53704 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1691602

Company Name: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704
Issuance Date: 01/12/2024

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, 1402 Pankratz Street, Suite 114, Madison, WI 53704.**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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

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

Inspection Number: 1691602
Inspection Date(s): 08/17/2023 - 08/17/2023
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704

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

29 CFR 1910.29(b)(13)(i): The guardrail system opening used around holes that serve as points of access (such as ladderways), did not have a self-closing gate that slides or swings away from the hole, and was equipped with a top rail and midrail or equivalent intermediate member that met the requirements in paragraph (b) of this section: (a):

On or about August 17, 2023, the ladderway openings to access the rooftop condensers did not have self-closing gates that slide or swing away from opening.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET from Page 5).

Date By Which Violation Must be Abated:
Proposed Penalty:

February 01, 2024
\$8,929.00

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: 1691602
Inspection Date(s): 08/17/2023 - 08/17/2023
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704

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

29 CFR 1910.38(c)(1): The employer did not develop and implement procedures in their Emergency Action Plan for reporting a fire or other emergencies:

On or about August 17, 2023, the employer did not develop procedures in the Emergency Action Plan for reporting ammonia releases to current emergency coordinators and other management to initiate evacuations or other emergency actions.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET from Page 5).

Date By Which Violation Must be Abated:
Proposed Penalty:

February 05, 2024
\$8,929.00

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: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704

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

29 CFR 1910.119(d)(3)(ii): The employer did not document that equipment complies with recognized and generally accepted good engineering practices.

On or about August 17, 2023, the employer did not document that equipment complies with recognized and generally accepted good engineering practices (RAGAGEP), including the following:

- a) The employer did not document that the current ventilation system design complied with RAGAGEP, including IAR-2, due to the addition of three new screw compressors.
- b) The employer did not document that the King Knockout drum complied with RAGAGEP, including IAR-2) in that it was missing a nameplate/equipment identification.
- c) The employer did not document that the alleyway (also a machinery room) complied with RAGAGEP,, including IAR-2) in that the doors were not self-closing, or equipped with panic hardware.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET from Page 5).

Date By Which Violation Must be Abated:
Proposed Penalty:

February 05, 2024
\$11,162.00

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

Inspection Number: 1691602
Inspection Date(s): 08/17/2023 - 08/17/2023
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704

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

29 CFR 1910.119(e)(5): The employer did not assure that PHA recommendations were resolved in a timely manner.

On or about August 17, 2023, the employer did not assure that PHA recommendations were resolved in a timely manner, in that the twenty-three of the twenty-four PHA findings from the 2018 PHA were not documented as addressed or resolved.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET from Page 5).

Date By Which Violation Must be Abated:
Proposed Penalty:

February 05, 2024
\$11,162.00

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: 1691602
Inspection Date(s): 08/17/2023 - 08/17/2023
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704

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

29 CFR 1910.119(l)(4): Process safety information was not updated when a process change covered by 29 CFR 1910.119(l) occurred:

On or about August 17, 2023, the employer did not update the process safety information including piping and instrument diagrams, when a process change covered by 29 CFR 1910.119(l) occurred, including when Ice Cream Freezer 10 and Ice Cream Freezer 11 were added to the system, including all associated piping, control valves and pressure relief valves.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET from Page 5).

Date By Which Violation Must be Abated:
Proposed Penalty:

February 05, 2024
\$11,162.00

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: 1691602
Inspection Date(s): 08/17/2023 - 08/17/2023
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704

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

29 CFR 1910.119(o)(4): The employer did not promptly determine and document an appropriate response to each of the findings of the compliance audit, and document that deficiencies have been corrected:

On or about August 17, 2023, the employer did not promptly determine and document an appropriate response to each of the findings of the 2018 compliance audit, nor did they document that deficiencies have been corrected.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET from Page 5).

Date By Which Violation Must be Abated:
Proposed Penalty:

February 05, 2024
\$11,162.00

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: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704

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:

- a) On or about November 13, 2023, procedures were not utilized for the control of potentially hazardous energy when employees were disassembling the Powder Horn Machine in the Production/Mix Area to remove a clog.
- b) On or about November 13, 2023, procedures were not utilized for the control of potentially hazardous energy when employees performed lubrication maintenance to the chain of the Cartoner-Packaging machine in the Production Area.
- c) On or about November 13, 2023, procedures were not utilized for the control of potentially hazardous energy when employees performed disassembly and reassembly of the Line 1 "Mini-Cone" Machine for sanitation in the Production Area.

In accordance with 29 CFR 1903.19(c) & (d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET from Page 5), and in addition, documentation demonstrating that abatement is complete, must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

Date By Which Violation Must be Abated: January 29, 2024
Proposed Penalty: \$15,625.00

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: 1691602
Inspection Date(s): 08/17/2023 - 08/17/2023
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704

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

29 CFR 1910.147(c)(6)(i): The employer did not conduct an annual or more frequent inspection of the energy control procedure to ensure that the procedure and requirements of this standard were followed:

On or about November 13, 2023, the employer did not conduct an annual or more frequent inspection of the energy control procedures to ensure that the procedure and the requirements of this standard were followed when employees performed servicing or maintenance on the Powder Horn Machine in the Production/Mix Area.

In accordance with 29 CFR 1903.19(c) & (d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET from Page 5)

Date By Which Violation Must be Abated:
Proposed Penalty:

January 29, 2024
\$11,162.00

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: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704

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

29 CFR 1910.147(c)(7)(i)(A): Authorized employee(s) did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation:

- a) On or about November 13, 2023, authorized employee(s) did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation of the Powder Horn Machine in the Production/Mix Area.
- b) On or about November 13, 2023, authorized employee(s) did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation of the Cartoner-Packaging machine in the Production Area.
- c) On or about November 13, 2023, authorized employee(s) did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation of the Line 1 "Mini-Cone" Machine for sanitation in the Production Area.

In accordance with 29 CFR 1903.19(c) & (d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET from Page 5), and in addition, documentation demonstrating that abatement is complete, must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 29, 2024
\$15,625.00



Citation and Notification of Penalty

Company Name: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704

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

29 CFR 1910.147(d): The established procedure for the application of energy control (the lockout or tagout procedures) did not cover the actions listed in and was not done in sequence as required by 29 CFR 1910.147(d)(1)-(6):

- a) On or about November 13, 2023, authorized employee(s) performing maintenance on the Powder Horn Machine in the Production/Mix Area did not affix a lockout device to the energy isolating device prior to disassembling the machine to remove a clog.
- b) On or about November 13, 2023, authorized employee(s) performing servicing on the Cartoner-Packaging machine in the Production Area did not isolate the energy sources and affix a lockout device to the energy isolating devices prior to lubricating a chain on the machine.
- c) On or about November 13, 2023, authorized employee(s) performing maintenance on the Line 1 "Mini-Cone" Machine did not affix a lockout device to the energy isolating devices prior to disassembling the machine for sanitation.

In accordance with 29 CFR 1903.19(c) & (d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET from Page 5), and in addition, documentation demonstrating that abatement is complete, must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 29, 2024
\$15,625.00

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: 1691602
Inspection Date(s): 08/17/2023 - 08/17/2023
Issuance Date: 01/12/2024



Citation and Notification of Penalty

Company Name: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704

Citation 1 Item 11 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 November 13, 2023, one or more methods of machine guarding was not provided to protect the operator and other employees in the area of the Line 3 "Gemini" machine area from hazards such as those created by point of operation, ingoing nip points, and rotating parts.

In accordance with 29 CFR 1903.19(c) & (d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET from Page 5), and in addition, documentation demonstrating that abatement is complete, must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence, or written records.

Date By Which Violation Must be Abated:
Proposed Penalty:

January 29, 2024
\$15,625.00

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: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704

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

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

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

On or about August 17, 2023, the employer did not have a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met, to protect employees from exposures to hazardous chemicals, including anhydrous ammonia.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET from Page 5).

Date By Which Violation Must be Abated:
Proposed Penalty:

February 05, 2024
\$8,929.00



Citation and Notification of Penalty

Company Name: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704

Citation 1 Item 12 b 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 August 17, 2023, the employer did not provide employees effective information and training on hazardous chemicals in their work area, including anhydrous ammonia, 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.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET from Page 5).

Date By Which Violation Must be Abated:
Proposed Penalty:

February 05, 2024
\$0.00

Chad E. Greenwood
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1402 Pankratz Street, Suite 114
Madison, WI 53704



INVOICE / DEBT COLLECTION NOTICE

Company Name: AJLS Enterprises Inc., dba Schoep's Ice Cream
Inspection Site: 514 Division Street, Madison, WI 53704
Issuance Date: 01/12/2024

Summary of Penalties for Inspection Number: 1691602

Citation 1 Item 1, Serious	\$8,929.00
Citation 1 Item 2, Serious	\$8,929.00
Citation 1 Item 3, Serious	\$11,162.00
Citation 1 Item 4, Serious	\$11,162.00
Citation 1 Item 5, Serious	\$11,162.00
Citation 1 Item 6, Serious	\$11,162.00
Citation 1 Item 7, Serious	\$15,625.00
Citation 1 Item 8, Serious	\$11,162.00
Citation 1 Item 9, Serious	\$15,625.00
Citation 1 Item 10, Serious	\$15,625.00
Citation 1 Item 11, Serious	\$15,625.00
Citation 1 Item 12a, Serious	\$8,929.00
Citation 1 Item 12b, Serious	\$0.00

TOTAL PROPOSED PENALTIES: **\$145,097.00**

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.

Chad E. Greenwood

Area Director

1/12/24

Date