

**Este documento es muy importante. Si ud. No habla inglés,
busque un traductor o llame al (920) 734-4521.**

U.S. Department of Labor Occupational Safety and Health Administration
1648 Tri Park Way
Appleton, WI 54914
Phone: (920) 734-4521 Fax: (920) 734-2661

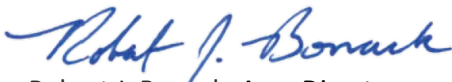


May 29, 2024

Dear Tyler Karner,

On 12/05/2023, an OSHA compliance officer met with you or your representative as part of an inspection at 616 N. Perkins St, Appleton, WI 54914. This letter includes the citations for the violations that were found (see summary below). Please choose one of the three options from the box to the right and complete the associated steps found on the following page **within 15 working days**. Please call us if you have any questions about the enclosed citation and/or penalties; we are here to help you choose the best option to resolve your citation as quickly as possible.

Sincerely,


Robert J. Borjack, Area Director

Your Citation Summary

Konz Wood Products, Inc.
Inspection Number: 1714263

Total Amount Due: \$156,159.00

**Payment Due Date: 15 working days
after receipt of
this letter**

You must correct each violation by the date listed in the Citation and Notification of Penalty. Please see the violations and the correction deadline for each violation starting on page 6.

Total Number of Violations: 14

**Your First Correction Deadline is:
June 27, 2024**

Step 1 – Choose a Response Option and Act within 15 working days

Respond now before you lose the ability to discuss potential adjustments to penalty amounts and/or due dates. Please choose one option below and complete the steps on the next page.

Option #1 – Discuss with OSHA

I would like to discuss the citation with an OSHA representative. This may lead to changes in the penalty amount, due date or correction deadlines (if appropriate).

Option #2 – Correct and Pay

I agree with the citation, penalties, and correction deadlines, and do not contest.

Option #3 – Contest the Citation

I do not agree with the citation, penalties, and/or correction deadlines, and would like to contest.

Questions or Concerns?

If you have any questions or concerns regarding the citation, penalties, and/or correction deadlines, please call us at (920) 734-4521.

Step 2 – Complete One Option Checklist

Please post a copy of the citation at or near the place where each violation occurred, even if you plan to contest. You can use the checklist to the right to help plan your next steps. Please do not send in your checklist.

Option #1 – Discuss with OSHA

I will complete by:

1. Call: Robert J. Bonack, Area Director, at (920) 734-4521 as soon as possible to schedule a meeting with an OSHA representative that must occur **within 15 working days** of receiving this citation. Bring supporting documentation of existing conditions and corrections done thus far. If necessary, you can still contest the citation after this meeting. ****This meeting does NOT extend your 15 working day deadline to contest the citation.****
2. Fill in and post the attached “Notice to Employees OSHA Informal Conference” after scheduling meeting.

___ / ___

___ / ___

Option #2 – Correct Violations and Pay Penalty

I will complete by:

1. Correct violations, then complete and mail the attached “Certification of Corrective Action Worksheet” along with the appropriate evidence of repair (e.g. photos, purchase orders, etc.) to the OSHA office listed on the first page, **postmarked within 10 calendar days after each violation's correction deadline and include any required evidence. If these documents are transmitted by means other than mailing, the date the Agency received the documents is the date of submission.**
2. Pay the **Total Penalty** by using one of the following methods:
****Include your Inspection Number (see first page) on the payment.****

___ / ___

___ / ___

Pay Online: Search “OSHA” on www.pay.gov and complete the “OSHA Penalty Payment Form.” Pay by debit, credit or Automated Clearing House (ACH) **within 15 working days.** Penalties over \$25,000 must be paid by ACH and require a Transaction ID (Call 202-693-2170 to obtain one).

Pay by Check: Mail check or money order payable to “DOL-OSHA” for the Total Penalty to the OSHA office listed on the first page **within 15 working days.**

Option #3 – Contest the Citation

I will complete by:

Mail a letter of intent to legally contest to the OSHA office listed on the first page, postmarked within **15 working days.**

___ / ___

U.S. Department of Labor Occupational Safety and Health Administration
1648 Tri Park Way
Appleton, WI 54914



05/29/2024

Konz Wood Products, Inc.
and its successors
616 N. Perkins St
Appleton, WI 54914

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 (920) 734-4521.

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 "Robert J. Bonack". The signature is written in a cursive style with a large initial "R".

Robert J. Bonack
Area Director

Enclosures

U.S. Department of Labor
Occupational Safety and Health Administration
1648 Tri Park Way
Appleton, WI 54914



Citation and Notification of Penalty

To:
Konz Wood Products, Inc.
and its successors
616 N. Perkins St
Appleton, WI 54914

Inspection Number: 1714263
Inspection Date(s): 12/05/2023 - 05/15/2024
Issuance Date: 05/29/2024

Inspection Site:
616 N. Perkins St
Appleton, WI 54914

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 (920) 734-4521. 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 05/29/2024. The conference will be held by telephone or at the OSHA office located at 1648 Tri Park Way, Appleton, WI 54914 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1714263

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914
Issuance Date: 05/29/2024

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, 1648 Tri Park Way, Appleton, WI 54914.**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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 1910.25(c)(3):(3) In addition to paragraph (b) of this section, the employer must ensure standard stairs have a minimum tread depth of 9.5 inches (24 cm);

On and before December 14, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, the employer did not ensure that the standard stairs used by employees to access maintenance areas above the Grinder Conveyor outside of the Rough Mill had a minimum tread depth of 9.5 inches, exposing employee to potential falls while using the stairs.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

June 27, 2024
\$8,873.00



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.28(b)(11)(ii): (ii) Each flight of stairs having at least 3 treads and at least 4 risers is equipped with stair rail systems and handrails as identified in Table D-2 of this standard.

- a) On and before December 14, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, the employer did not ensure that the ship stairs used by employees to access the nail feed areas for Viking 1 in the Main Mill were equipped with handrails and stair rails to prevent falls.
- b) On and before December 14, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, the employer did not ensure that the ship stairs used by employees to access the nail feed areas for Viking 2 in the South Mill were equipped with handrails and stair rails to prevent falls.
- c) On and before December 14, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, the employer did not ensure that the standard stairs used by employees to access maintenance areas above the Grinder Conveyor outside of the Rough Mill were equipped with handrails and stair rails to prevent falls.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	June 27, 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: 1714263
Inspection Date(s): 12/05/2023 - 05/15/2024
Issuance Date: 05/29/2024



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.28(b)(1)(i): Except as provided elsewhere in this section, the employer must ensure that each employee on a walking-working surface with an unprotected side or edge that is 4 feet (1.2 m) or more above a lower level is protected from falling by one or more of the systems identified in 1910.28(b)(1)(i)(A)-1910.28(b)(1)(i)(C).

On and before December 14, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees working from the Rough Mill outdoor lumber feed platform for the outdoor lumber feed conveyor to the Multi-saw were not protected from falls of greater than four feet when the south side edge of the platform did not have guardrail and no other forms of fall protection.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

June 27, 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.



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

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

29 CFR 1910.147(c)(4)(ii)(B): The procedures shall clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including specific procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy.

- a) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees performing service and maintenance work in the Rough Mill, on the Resaw Infeed carriage, were not protected from all hazardous energy sources due to the gravitational energy of the carriage not being accounted for on the written energy control procedure.
- b) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees performing service and maintenance work in the Rough Mill, on the Resaw Stacker carriage, were not protected from all hazardous energy sources due to the gravitational energy of the carriage not being accounted for on the written energy control procedure.
- c) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees performing service and maintenance work in the Rough Mill, on the Multi-saw Stacker table, were not protected from all hazardous energy sources due to the gravitational energy of the table not being accounted for on the written energy control procedure.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	June 27, 2024
Proposed Penalty:	\$8,873.00

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: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.147(c)(6)(i): The employer shall conduct a periodic inspection of the energy control procedure at least annually to ensure that the procedure and the requirements of this standard are being followed.

- a) On or about December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees conducting service and maintenance activities in the Rough Mill were exposed to potential struck-by and caught-in hazards when the Periodic Inspection of the Rough Mill Woodcraft Infeed energy control procedure had not been conducted annually to ensure that the procedure and the requirements of this standard were being followed.
- b) On or about December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees conducting service and maintenance activities in the Rough Mill were exposed to potential struck-by and caught-in hazards when the Periodic Inspection of the Rough Mill Woodcraft Notcher energy control procedure had not been conducted annually to ensure that the procedure and the requirements of this standard were being followed.
- c) On or about December 5, 2023, with respect to an establishment located 577 N. Perkins St, Appleton, WI 54914, employees conducting service and maintenance activities in the Recycle Building were exposed to potential struck-by and caught-in hazards when the Periodic Inspection of the Recycle Grinder energy control procedure had not been conducted annually to ensure that the procedure and the requirements of this standard were being followed.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$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: 1714263
Inspection Date(s): 12/05/2023 - 05/15/2024
Issuance Date: 05/29/2024



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.147(c)(7)(iii)(A): Retraining shall be provided for all authorized and affected employees whenever there is a change in their job assignments, a change in machines, equipment or processes that present a new hazard, or when there is a change in the energy control procedures.

On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, the employer failed to ensure that employees whose job assignments were changed to new equipment had received training on the servicing and maintenance duties and hazardous energy controls prior to allowing them to conduct LOTO covered tasks.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

June 27, 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: 1714263
Inspection Date(s): 12/05/2023 - 05/15/2024
Issuance Date: 05/29/2024



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.165(b)(2): The employee alarm shall be capable of being perceived above ambient noise or light levels by all employees in the affected portions of the workplace. Tactile devices may be used to alert those employees who would not otherwise be able to recognize the audible or visual alarm.

On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, and 505 N. Perkins St, Appleton, WI 54914, the employer did not ensure that the emergency alarm system could be perceived by all employees, including an employee who is deaf, and exposed employees to possible entrapment during emergencies.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8,873.00

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: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.212(a)(1): Types of guarding. One or more methods of machine guarding shall be provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks. Examples of guarding methods are-barrier guards, two-hand tripping devices, electronic safety devices, etc.

- a) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to potential struck-by hazards when the guarding for the infeed carriage of the Resaw did not prevent access to the moving parts of the machine.
- b) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to potential struck-by hazards when the guarding for the Resaw Stacker did not prevent access to the carriage area of the machine.
- c) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to potential caught-in hazards when the pinch points created by the return end of the chain conveyor table between the outfeed of the Resaw and waterfall conveyor for the Resaw Stacker were not guarded to prevent exposure.
- d) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to potential caught-in hazards when the sheer point created by separator bars of the Notcher waterfall chain conveyor and the opening of the waterfall frame was not guarded to prevent exposure.
- e) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to potential caught-in hazards when the pinch points created by the return end of the chain conveyor near the Multi-saw Operators station were not guarded to prevent exposure.
- f) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Chip Room were exposed to potential caught-in hazards when the pinch points created by the return end of the belt conveyor was not guarded to prevent exposure.
- g) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to potential caught-in and struck by hazards when the Multi-Saw Stacker table was not adequately guarded to prevent access during production activities.
- h) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Main Mill were exposed to potential caught-in when lift fingers of the Viking Pallet Stacker were not guarded to prevent exposure.

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: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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- i) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the South Mill were exposed to potential caught-in when lift fingers of the Viking Pallet Stacker were not guarded to prevent exposure.
 - j) On and before December 5, 2023, with respect to an establishment located 577 N. Perkins St, Appleton, WI 54914, employees in the Recycle Building were exposed to potential caught-in and struck by hazards when the pinch points created by the pallet tipper, near the operator's foot control, was not guarded to prevent exposure.
 - k) On and before December 5, 2023, with respect to an establishment located 577 N. Perkins St, Appleton, WI 54914, employees in the Recycle Building were exposed to potential caught-in and struck by hazards when the pinch points created by the return end of the chain conveyor near the Trim Track Operators station were not guarded to prevent exposure.
 - l) On and before December 5, 2023, with respect to an establishment located 505 N. Perkins St, Appleton, WI 54914, employees in Building 505 were exposed to potential caught-in and struck by hazards when the Drill Press was not guarded to prevent exposure to the rotating chuck or flying chips.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	June 27, 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.



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.213(i)(1): All portions of the saw blade shall be enclosed or guarded, except for the working portion of the blade between the bottom of the guide rolls and the table. Bandsaw wheels shall be fully encased. The outside periphery of the enclosure shall be solid. The front and back of the band wheels shall be either enclosed by solid material or by wire mesh or perforated metal. Such mesh or perforated metal shall be not less than 0.037 inch (U.S. Gage No. 20), and the openings shall be not greater than three-eighths inch. Solid material used for this purpose shall be of an equivalent strength and firmness. The guard for the portion of the blade between the sliding guide and the upper-saw-wheel guard shall protect the saw blade at the front and outer side. This portion of the guard shall be self-adjusting to raise and lower with the guide. The upper-wheel guard shall be made to conform to the travel of the saw on the wheel.

On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees were exposed to potential struck-by hazards from the unused portion of the Resaw blade when an opening used to check the tracking of the blade was not guarded to prevent exposure.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8,873.00

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

Inspection Number: 1714263
Inspection Date(s): 12/05/2023 - 05/15/2024
Issuance Date: 05/29/2024



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.212(a)(3)(ii): The point of operation of machines whose operation exposes an employee to injury, shall be guarded. The guarding device shall be in conformity with any appropriate standards therefor, or, in the absence of applicable specific standards, shall be so designed and constructed as to prevent the operator from having any part of his body in the danger zone during the operating cycle.

On and before December 14, 2023, with respect to an establishment located 577 N. Perkins St, Appleton, WI 54914, employees in the Recycle Building were exposed to potential struck-by hazards when the point of operation on the Pallet Dismantler was not effectively guarded to prevent contact with the blade.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

June 27, 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.



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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 9 a Type of Violation: **Serious**

29 CFR 1910.213(c)(1): Each circular hand-fed rip saw shall be guarded by a hood which shall completely enclose that portion of the saw above the table and that portion of the saw above the material being cut. The hood and mounting shall be arranged so that the hood will automatically adjust itself to the thickness of and remain in contact with the material being cut but it shall not offer any considerable resistance to insertion of material to saw or to passage of the material being sawed. The hood shall be made of adequate strength to resist blows and strains incidental to reasonable operation, adjusting, and handling, and shall be so designed as to protect the operator from flying splinters and broken saw teeth. It shall be made of material that is soft enough so that it will be unlikely to cause tooth breakage. The hood shall be so mounted as to insure that its operation will be positive, reliable, and in true alignment with the saw; and the mounting shall be adequate in strength to resist any reasonable side thrust or other force tending to throw it out of line.

On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Main Mill, Custom Area, were exposed to potential struck-by hazards when the hood guard for Tablesaw 1 did not completely enclose the portion of the blade above the table and that portion of the saw above the material being cut.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$8,873.00

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: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.213(c)(2): Each hand-fed circular rip saw shall be furnished with a spreader to prevent material from squeezing the saw or being thrown back on the operator. The spreader shall be made of hard tempered steel, or its equivalent, and shall be thinner than the saw kerf. It shall be of sufficient width to provide adequate stiffness or rigidity to resist any reasonable side thrust or blow tending to bend or throw it out of position. The spreader shall be attached so that it will remain in true alignment with the saw even when either the saw or table is tilted. The provision of a spreader in connection with grooving, dadoing, or rabbeting is not required. On the completion of such operations, the spreader shall be immediately replaced.

- a) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Main Mill, Custom Area, were exposed to potential struck-by hazards when Tablesaw 1 was not equipped with a spreader to prevent material being cut from being thrown back into the direction of the operator.
- b) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Main Mill, Custom Area, were exposed to potential struck-by hazards when Tablesaw 2 was not equipped with a spreader to prevent material being cut from being thrown back into the direction of the operator.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

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: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.213(c)(3): Each hand-fed circular rip saw shall be provided with nonkickback fingers or dogs so located as to oppose the thrust or tendency of the saw to pick up the material or to throw it back toward the operator. They shall be designed to provide adequate holding power for all the thicknesses of materials being cut.

- a) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Main Mill, Custom Area, were exposed to potential struck-by hazards when Tablesaw 1 was not equipped with nonkickback fingers or dogs to prevent material being cut from being thrown back into the direction of the operator.
- b) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Main Mill, Custom Area, were exposed to potential struck-by hazards when Tablesaw 2 was not equipped with nonkickback fingers or dogs to prevent material being cut from being thrown back into the direction of the operator.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

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

29 CFR 1910.219(c)(4)(i): Projecting shaft ends shall present a smooth edge and end and shall not project more than one-half the diameter of the shaft unless guarded by nonrotating caps or safety sleeves.

On or about December 14, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to potential entanglement hazards when a projecting shaft end of the waterfall conveyor section leading to the Woodcraft Notcher did not present a smooth edge and projected more than one-half the diameter of the shaft.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8,873.00



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.219(f)(3): Sprockets and chains. All sprocket wheels and chains shall be enclosed unless they are more than seven (7) feet above the floor or platform. Where the drive extends over other machine or working areas, protection against falling shall be provided. This subparagraph does not apply to manually operated sprockets.

- a) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to potential caught-in hazards when the guard for the in running nip point of the chain and sprocket drive of the Resaw Infeed Operator platform had been removed and allowed operators to access the hazard area during photo eye adjustments.
- b) On and before December 14, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to potential caught-in hazards when the guard for the in running nip point of the chain and sprocket drive of the Multi-saw conveyor did not fully enclose the hazard area.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$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: 1714263
Inspection Date(s): 12/05/2023 - 05/15/2024
Issuance Date: 05/29/2024



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.253(b)(4)(i): Oxygen cylinders shall not be stored near highly combustible material, especially oil and grease; or near reserve stocks of carbide and acetylene or other fuel-gas cylinders, or near any other substance likely to cause or accelerate fire; or in an acetylene generator compartment.

On or about December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to potential fire and explosion hazards when cylinders of compressed Oxygen and cylinders of Acetylene were stored together.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8,873.00

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: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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 1910.303(b)(7)(i): Unused openings in boxes, raceways, auxiliary gutters, cabinets, equipment cases, or housings shall be effectively closed to afford protection substantially equivalent to the wall of the equipment.

- a) On and before December 14, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to potential burn hazards when the electrical box behind the Rough Mill Multi-saw was not effectively closed to protect the live electrical components inside the box.
- b) On and before December 14, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to potential burn hazards when the Campbell Electrical Panel near operator station of Rough Mill Multisaw when missing knockouts had not been replaced.

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



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.305(g)(1)(iv)(A): Unless specifically permitted otherwise in paragraph (g)(1)(ii) of this section, flexible cords and cables may not be used as a substitute for the fixed wiring of a structure.

- a) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to potential shock hazards when multiple flexible cords were used as a substitute for the fixed wiring and were run under, through and around the Resaw Infeed Sweep and the Resaw Conveyor to the waterfall.
- b) On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to potential shock hazards when multiple flexible cords were used as a substitute for the fixed wiring and were found wrapped around metal raceways and handrails near the Resaw Stacker control panel.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

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: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.28(b)(6)(i):(i) Each employee less than 4 feet (1.2 m) above dangerous equipment is protected from falling into or onto the dangerous equipment by a guardrail system or a travel restraint system, unless the equipment is covered or guarded to eliminate the hazard.

On and before December 5, 2023, with respect to an establishment located 616 N. Perkins St, Appleton, WI 54914, employees in the Rough Mill were exposed to fall hazards around dangerous equipment when the Operator platform of Rough Mill Multi-stacker was not provided with fall protection to prevent falls onto or under the Multi-saw Stacker.

Konz Wood Products, Inc. was previously cited for a Serious violation of this occupational safety and health standard, which was contained in OSHA inspection number 1452010, citation number 1, item number 1 and was affirmed as a final order on April 28, 2020, with respect to a workplace located at 616 N. Perkins St, Appleton, WI 54914.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$17,747.00



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

Citation 2 Item 2 Type of Violation: **Repeat - 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 and before December 5, 2023, employees working in the Rough Mill were exposed to machine hazards associated with moving parts when they engaged in unjamming activities on the Resaw Stacker. The employer did not ensure that employees implemented energy control application steps or equivalent protective measures prior to allowing them to remove jammed boards in the Stacker carriage area. The machine was not deenergized prior to employees engaging in the servicing / maintenance activity.
- b) On and before December 5, 2023, employees working in the Main Mill were exposed to machine hazards associated with moving parts when they engaged in Preventative Maintenance activities on Viking Nailer 1. The employer did not ensure that employees implemented energy control application steps or equivalent protective measures prior to allowing them to perform part evaluation and replacement activities which required them to go past guards. The machine was not deenergized prior to employees engaging in the servicing / maintenance activity.
- c) On and before December 4, 2023, employees conducting cleaning activities on and around machinery were exposed to machine hazards associated with moving parts when they engaged in cleaning activities in the Rough Mill, Main Mill, South Mill, and Recycle Buildings. The employer did not ensure that employees implemented energy control application steps or equivalent protective measures prior to allowing them to clean behind guards. The machines were not deenergized prior to employees engaging in the servicing / maintenance activities.

As a result, the remaining applicable energy control elements, involving machine isolation [1910.147(d)(3)], lockout/tagout device application [1910.147(d)(4)], dissipation of residual energy [1910(d)(5)(i)], and verification of isolation [1910.147(d)(6)] were not implemented to protect employees from machine hazards.

Konz Wood Products, Inc. was previously cited for a Serious violation of this occupational safety and health standard, which was contained in OSHA inspection number 1452010, citation number 1, item number 2/a and was affirmed as a final order on April 28, 2020, with respect to a workplace located at 616 N. Perkins St, Appleton, WI 54914.

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: 1714263
Inspection Date(s): 12/05/2023 - 05/15/2024
Issuance Date: 05/29/2024




Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

June 27, 2024
\$24,842.00



Robert J. Borack
Area Director

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

<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.



Robert J. Bonack

Area Director

May 29, 2024

Date

**Este documento es muy importante. Si ud. No habla inglés,
busque un traductor o llame al (920) 734-4521.**

U.S. Department of Labor Occupational Safety and Health Administration
1648 Tri Park Way
Appleton, WI 54914
Phone: (920) 734-4521 Fax: (920) 734-2661




May 29, 2024

Dear Tyler Karner,

On 12/05/2023, an OSHA compliance officer met with you or your representative as part of an inspection at 616 N. Perkins St, Appleton, WI 54914. This letter includes the citations for the violations that were found (see summary below). Please choose one of the three options from the box to the right and complete the associated steps found on the following page **within 15 working days**. Please call us if you have any questions about the enclosed citation and/or penalties; we are here to help you choose the best option to resolve your citation as quickly as possible.

Sincerely,


Robert J. Bonack, Area Director

Your Citation Summary

Konz Wood Products, Inc.
Inspection Number: 1714389

Total Amount Due: \$21,294.00
**Payment Due Date: 15 working days
after receipt of
this letter**

You must correct each violation by the date listed in the Citation and Notification of Penalty. Please see the violations and the correction deadline for each violation starting on page 6.

Total Number of Violations: 3

**Your First Correction Deadline is:
June 27, 2024**

Step 1 – Choose a Response Option and Act within 15 working days

Respond now before you lose the ability to discuss potential adjustments to penalty amounts and/or due dates. Please choose one option below and complete the steps on the next page.

Option #1 – Discuss with OSHA

I would like to discuss the citation with an OSHA representative. This may lead to changes in the penalty amount, due date or correction deadlines (if appropriate).

Option #2 – Correct and Pay

I agree with the citation, penalties, and correction deadlines, and do not contest.

Option #3 – Contest the Citation

I do not agree with the citation, penalties, and/or correction deadlines, and would like to contest.

Questions or Concerns?

If you have any questions or concerns regarding the citation, penalties, and/or correction deadlines, please call us at (920) 734-4521.

Step 2 – Complete One Option Checklist

Please post a copy of the citation at or near the place where each violation occurred, even if you plan to contest. You can use the checklist to the right to help plan your next steps. Please do not send in your checklist.

Option #1 – Discuss with OSHA

I will complete by:

1. Call: Robert J. Bonack, Area Director, at (920) 734-4521 as soon as possible to schedule a meeting with an OSHA representative that must occur **within 15 working days** of receiving this citation. Bring supporting documentation of existing conditions and corrections done thus far. If necessary, you can still contest the citation after this meeting. ****This meeting does NOT extend your 15 working day deadline to contest the citation.****
2. Fill in and post the attached “Notice to Employees OSHA Informal Conference” after scheduling meeting.

___ / ___

___ / ___

Option #2 – Correct Violations and Pay Penalty

I will complete by:

1. Correct violations, then complete and mail the attached “Certification of Corrective Action Worksheet” along with the appropriate evidence of repair (e.g. photos, purchase orders, etc.) to the OSHA office listed on the first page, **postmarked within 10 calendar days after each violation's correction deadline and include any required evidence. If these documents are transmitted by means other than mailing, the date the Agency received the documents is the date of submission.**
2. Pay the **Total Penalty** by using one of the following methods:
****Include your Inspection Number (see first page) on the payment.****

___ / ___

___ / ___

Pay Online: Search “OSHA” on www.pay.gov and complete the “OSHA Penalty Payment Form.” Pay by debit, credit or Automated Clearing House (ACH) **within 15 working days.** Penalties over \$25,000 must be paid by ACH and require a Transaction ID (Call 202-693-2170 to obtain one).

Pay by Check: Mail check or money order payable to “DOL-OSHA” for the Total Penalty to the OSHA office listed on the first page **within 15 working days.**

Option #3 – Contest the Citation

I will complete by:

Mail a letter of intent to legally contest to the OSHA office listed on the first page, postmarked within **15 working days.**

___ / ___

U.S. Department of Labor Occupational Safety and Health Administration
1648 Tri Park Way
Appleton, WI 54914



05/29/2024

Konz Wood Products, Inc.
and its successors
616 N. Perkins St
Appleton, WI 54914

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 (920) 734-4521.

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 "Robert J. Bonack". The signature is written in a cursive style with a large initial "R".

Robert J. Bonack
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
1648 Tri Park Way
Appleton, WI 54914



Citation and Notification of Penalty

To:
Konz Wood Products, Inc.
and its successors
616 N. Perkins St
Appleton, WI 54914

Inspection Number: 1714389
Inspection Date(s): 12/05/2023 - 05/15/2024
Issuance Date: 05/29/2024

Inspection Site:
616 N. Perkins St
Appleton, WI 54914

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 (920) 734-4521. 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 05/29/2024. The conference will be held by telephone or at the OSHA office located at 1648 Tri Park Way, Appleton, WI 54914 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1714389

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914
Issuance Date: 05/29/2024

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, 1648 Tri Park Way, Appleton, WI 54914.**

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: 1714389
Inspection Date(s): 12/05/2023 - 05/15/2024
Issuance Date: 05/29/2024



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.22(a)(1): All places of employment, passageways, storerooms, service rooms, and walking-working surfaces are kept in a clean, orderly, and sanitary condition.

On or about December 14, 2023, at the facility located at 616 N Perkins Street Appleton, Wisconsin; the area under the multi-saw between the sawblades and infeed chain was not kept free of sawdust build-up exposing employees to fire hazards.

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: 1714389
Inspection Date(s): 12/05/2023 - 05/15/2024
Issuance Date: 05/29/2024



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

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

29 CFR 1910.106(d)(2)(i): Only approved containers and portable tanks shall be used. Metal containers and portable tanks meeting the requirements of and containing products authorized by chapter I, title 49 of the Code of Federal Regulations (regulations issued by the Hazardous Materials Regulations Board, Department of Transportation), shall be deemed to be acceptable.

On or about and at times prior to December 14, 2023, at the facility located at 616 N Perkins Street Appleton, Wisconsin; in the Rough Mill, the diesel fuel (category 4 flammable liquid) used to lubricate the resaw was not in an approved metal container, exposing employees to fire hazards. The diesel fuel was in a plastic squeeze bottle with a yellow top.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$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: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.1200(f)(6)(ii): Except as provided in paragraphs (f)(7) and (f)(8) of 29 CFR 1910.1200, the employer shall ensure that each container of hazardous chemicals in the workplace is labeled, tagged or marked with product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical.

On or about and at times prior to December 14, 2023, at the workplace located at 616 N. Perkins St, Appleton, Wisconsin; the employer did not ensure that each container of hazardous chemicals was labeled, tagged or marked with product identifier and words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, exposing employees to the hazards associated with hazardous chemicals in the following instances:

- a) In the Rough Mill, the employer did not ensure that a plastic squeeze bottle with a yellow top containing Diesel Fuel was appropriately labeled, tagged or marked with the product identifier and words, pictures, symbols, or combination thereof. The container had no labeling.
- b) In the Recycle Building, the employer did not ensure that a plastic squeeze bottle with a yellow top containing WD-40 was appropriately labeled, tagged or marked with the product identifier and words, pictures, symbols, or combination thereof. The container had a label with the product name, but it did not contain the other required information.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$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: 1714389
Inspection Date(s): 12/05/2023 - 05/15/2024
Issuance Date: 05/29/2024



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

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

29 CFR 1910.146(c)(1): The employer shall evaluate the workplace to determine if any spaces are permit-required confined spaces:

On or about and at times prior to December 14, 2023, at the facility located at 616 N Perkins Street Appleton, Wisconsin; the employer did not evaluate the workplace to determine if any spaces are permit-required confined spaces, such as but not limited to the Chip Room Reservoir and the mechanical area under the Chip Room Reservoir.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: **June 27, 2024**
Proposed Penalty: **\$8,873.00**

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: 1714389
Inspection Date(s): 12/05/2023 - 05/15/2024
Issuance Date: 05/29/2024



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.146(c)(2): If the workplace contains permit spaces, the employer shall inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces:

On or about and at times prior to December 14, 2023, at the facility located at 616 N Perkins Street Appleton, Wisconsin; the employer did not inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit space of the Chip Room Reservoir or the mechanical area underneath the Chip Room Reservoir.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	June 27, 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.



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

29 CFR 1910.146(c)(4): If the employer decides that its employees will enter permit spaces, the employer shall develop and implement a written permit space program that complies with this section. The written program shall be available for inspection by employees and their authorized representatives:

On or about and at times prior to December 14, 2023, at the facility located at 616 N Perkins Street Appleton, Wisconsin; the employer did not implement a written permit space program that complies with this section when the employer decided maintenance employees would enter the permit required confined space of Chip Room Reservoir to replace the air lock on the dust collection cyclone.

All provisions of 29 CFR 1910.146(d) through (k) must be implemented as part of a permit-required confined space program. Key elements include, but are not limited to:

- 1) Written Permit-Required Confined Space program
- 2) Permit system
- 3) Entry permit
- 4) Employee training
- 5) Duties of entrants, attendants, and supervisors
- 6) Rescue and emergency services

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	June 27, 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: 1714389
Inspection Date(s): 12/05/2023 - 05/15/2024
Issuance Date: 05/29/2024



Citation and Notification of Penalty

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914

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

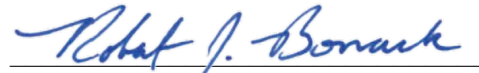
29 CFR 1910.146(g)(1): The employer shall provide training so that all employees whose work is regulated by this section acquire the understanding, knowledge, and skills necessary for the safe performance of the duties assigned under this section:

On or about and at times prior to December 14, 2023, at the facility located at 616 N Perkins Street Appleton, Wisconsin; the employer did not provide training so that Maintenance Mechanics who entered the permit-required confined spaces of the Chip Room Reservoir and the mechanical area underneath the Chip Room Reservoir acquired the understanding, knowledge and skills necessary for the safe entry permit required confined spaces.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

June 27, 2024
\$0.00


Robert J. Borack
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
1648 Tri Park Way
Appleton, WI 54914



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Konz Wood Products, Inc.
Inspection Site: 616 N. Perkins St, Appleton, WI 54914
Issuance Date: 05/29/2024

Summary of Penalties for Inspection Number: 1714389

Citation 1 Item 1, Serious	\$7,098.00
Citation 1 Item 2a, Serious	\$5,323.00
Citation 1 Item 2b, Serious	\$0.00
Citation 1 Item 3a, Serious	\$8,873.00
Citation 1 Item 3b, Serious	\$0.00
Citation 1 Item 3c, Serious	\$0.00
Citation 1 Item 3d, Serious	\$0.00

TOTAL PROPOSED PENALTIES: **\$21,294.00**

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.

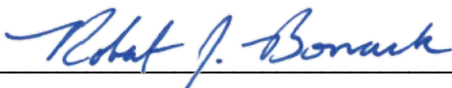
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



Robert J. Bonack

Area Director

May 29, 2024

Date