

U.S. Department of Labor Occupational Safety and Health Administration
100 Tri County Parkway, 3rd Floor North
Cincinnati, OH 45246



11/20/2024

Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
and its successors
838 Campbell Ave.
Portsmouth, OH 45662

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 (513) 841-4132.

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,

Ken E. Montgomery
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
100 Tri County Parkway, 3rd Floor North
Cincinnati, OH 45246



Citation and Notification of Penalty

To:
Appalachian Wood Floors, Inc., dba Graf Custom
Hardwood
and its successors
838 Campbell Ave.
Portsmouth, OH 45662

Inspection Site:
2335 Charles St
Portsmouth, OH 45662

Inspection Number: 1751693
Inspection Date(s): 05/30/2024 - 10/17/2024
Issuance Date: 11/20/2024

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 (513) 841-4132. 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 11/20/2024. The conference will be held by telephone or at the OSHA office located at 100 Tri County Parkway, 3rd Floor North, Cincinnati, OH 45246 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1751693

Company Name: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662
Issuance Date: 11/20/2024

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, 100 Tri County Parkway, 3rd Floor North, Cincinnati, OH 45246.**

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

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

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

a) On or about May 30, 2024, in the Dimensions Department, the employer did not ensure that the flexible power cables running to the Rip Saw PROFIRIP340 were not laid on the floor in the Rip Saw #1 area. Employees walking to and from that area were exposed to trip and fall hazards when stepping over the cables.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

December 17, 2024
\$13,690.00



Citation and Notification of Penalty

Company Name: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

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

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

29 CFR 1910.147(c)(4)(i): Procedures shall be developed, documented and utilized for the control of potentially hazardous energy when employees are engaged in the activities covered by this section.

- a) On or about May 28, 2024, the employer did not ensure energy control procedures were utilized by each authorized employee assigned to perform servicing and maintenance activities to include troubleshooting on the Rip Saw #2.
- b) On or about May 24, 2024 the employer did not ensure energy control procedures were utilized by each authorized employee assigned to perform servicing and maintenance activities to include blade changes on the Rip Saw #1 and Rip Saw #2.
- c) On or about October 1, 2024, in the Glue Department, the employer did not ensure that the energy control procedure was utilized to control electrical energy when employees were cleaning glue from the two rollers on Double Glue Line Coater. Employees wiping roller surfaces had their hands and fingers exposed to caught-in hazards of the rotating parts.
- d) On or about July 26, 2024, in the Pre-Finish Department, the employer did not ensure that the energy control procedure was utilized to control electrical energy when employees were cleaning the eight sections (H, I, D, O, T, Z, JJ, QQ) of the Pre-Finish Line for color change-overs. Employees wiping roller surfaces had their hands and fingers exposed to caught-in hazards of the rotating parts.

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

e) On or about October 1, 2024, in the Engineered Department, the employer did not ensure that the energy control procedure was utilized to control electrical and pneumatic energies when the operator was setting up Kentwood Moulder for product size changeover. Operators were exposed to caught-in hazards of the rotating parts such as, but not limited to moulder heads.

The Appalachian Wood Floors, Inc. DBA Graf Custom Hardwood was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(c)(4)(i), which was contained in OSHA inspection number 1626768, citation number 1, item number 3 and was affirmed as a final order on March 4, 2024, with respect to a workplace located at 838 Campbell Ave Portsmouth, OH 45662.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 17, 2024
Proposed Penalty:	\$31,939.00

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

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

29 CFR 1910.147(d): Application of control. The established procedures for the application of energy control (the lockout or tagout procedures) shall cover the following elements and actions and shall be done in the following sequence:

- (d)(1) Preparation for shutdown. Before an authorized or affected employee turns off a machine or equipment, the authorized employee shall have knowledge of the type and magnitude of the energy, the hazards of the energy to be controlled, and the method or means to control the energy.
- (d)(2) Machine or equipment shutdown. The machine or equipment shall be turned off or shut down using the procedures established for the machine or equipment. An orderly shutdown must be utilized to avoid any additional or increased hazard(s) to employees as a result of the equipment stoppage.
- (d)(3) Machine or equipment isolation. All energy isolating devices that are needed to control the energy to the machine or equipment shall be physically located and operated in such a manner as to isolate the machine or equipment from the energy source(s).
- (d)(4) Lockout or tagout device application. Lockout or tagout devices shall be affixed to each energy isolating device by authorized employees.
- (d)(5) Stored energy. Following the application of lockout or tagout devices to energy isolating devices, all potentially hazardous stored or residual energy shall be relieved, disconnected, restrained, and otherwise rendered safe.
- (d)(6) Verification of isolation. Prior to starting work on machines or equipment that have been locked out or tagged out, the authorized employee shall verify that isolation and deenergization of the machine or equipment have been accomplished.

a) On or about May 28, 2024 the employer did not ensure employees controlled the hazardous energy of Rip Saw #2 utilizing sequence (d)(1) through (d)(6) while conducting troubleshooting, exposing employees to the point of operation of the saw.

b) On or about May 24, 2024 the employer did not ensure employees controlled the hazardous energy of Rip Saw #1 and Rip Saw #2 utilizing sequence (d)(1) through (d)(6) while changing blades, exposing employees to the point of operation of the saw.

c) On or about October 1, 2024, in the Glue Department, the employer did not ensure that the energy control sequence (d)(1), (d)(2), (d)(3), (d)(4), (d)(5), and (d)(6) was applied to control electrical energy when employees were cleaning glue from the two rollers on Double Glue Line Coater. Employees wiping roller surfaces had their hands and fingers exposed to caught-in hazards of the rotating parts.

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

d) On or about July 26, 2024, in the Pre-Finish Department, the employer did not ensure that the energy control sequence (d)(1), (d)(2), (d)(3), (d)(4), (d)(5), and (d)(6) was applied to control electrical energy when employees were cleaning the eight sections (H, I, D, O, T, Z, JJ, QQ) of the pre-finish line for color change-over. Employees wiping roller surfaces had their hands and fingers exposed to caught-on hazards of the rotating parts.

e) On or about October 1, 2024, in the Engineered Department, the employer did not ensure that the energy control sequence (d)(1), (d)(2), (d)(3), (d)(4), (d)(5), and (d)(6) was applied to control electrical and pneumatic energies when the operator was setting up Kentwood Moulder for product size changeover. Operators were exposed to caught-in hazards of the rotating parts such as, but not limited to Moulder heads.

The Appalachian Wood Floors, Inc. DBA Graf Custom Hardwood was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(d), which was contained in OSHA inspection number 1626768, citation number 1, item number 4b and was affirmed as a final order on March 4, 2024, with respect to a workplace located at 838 Campbell Ave Portsmouth, OH 45662.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 17, 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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

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

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

29 CFR 1910.147(c)(4)(ii): Energy Control Procedure. 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, but not limited to, the following:

- (c)(4)(ii)(A) A specific statement of the intended use of the procedure;
- (c)(4)(ii)(B) Specific procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy;
- (c)(4)(ii)(C) Specific procedural steps for the placement, removal and transfer of lockout devices or tagout devices and the responsibility for them; and
- (c)(4)(ii)(D) Specific requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other energy control measures.

a) On or about May 24, 2024, in the Dimensions Department, the employer did not ensure that the machine-specific lockout procedure for the Rip Line was adequate in that it did not address:

- pneumatic as an energy source for the pressure rollers;
 - a specific scope and purpose statement for Rip Saw #1 and Rip Saw #2 blade changes as servicing and maintenance activity;
 - the correct sequence of lockout with specific steps for shutdown, isolation of each energy source, application of lockout devices at energy isolating devices, and release of any stored energy; and,
 - clear and specific verification steps identifying the controls for attempting to start the equipment after isolation.
- Employees were changing blades on Rip Saw #1 and Rip Saw #2 and had their hands and fingers exposed to contact with rotating blades.

b) On or about October 1, 2024, in the Glue Department, the employer did not ensure that the machine-specific lockout procedure for the Double Glue Line Rollcoater was adequate in that it did not address:

- gravity as an energy source for the raising of the doors on both sides of the machine;
 - a specific scope and purpose statement including the rollers' cleaning as servicing and maintenance activity;
 - the correct sequence of lockout with specific steps for shutdown, isolation of the energy source, application of a lockout device at the energy isolating device, and release of any stored energy; and,
 - clear and specific verification steps identifying the controls for attempting to start the equipment after isolation.
- Employees were cleaning glue from the two energized rollers and had their hands and fingers exposed to caught-on hazards of the rotating parts.

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

c) On or about July 26, 2024, in the Pre-finish Department, the employer did not ensure that the machine-specific lockout procedures for the eight color sections H, I, D, O, T, Z, JJ, QQ, of the Pre-finish Line were adequate in that they did not address:

- specific scope and purpose statements including the rollers' cleaning and color change-overs as servicing and maintenance activities;
 - the correct sequence of lockout with specific steps for shutdown, isolation of the energy source, application of a lockout device at the energy isolating device, and release of any stored energy; and,
 - clear and specific verification steps identifying the controls for attempting to start the equipment after isolation.
- Employees were cleaning the eight sections of the Pre-Finish Line for color change-overs and had their hands and fingers exposed to caught-on hazards of the rotating parts.

d) On or about October 1, 2024, in the Engineered Department, the employer did not ensure that the machine-specific lockout procedure for the Kentwood Moulder was adequate in that it did not address:

- a specific scope and purpose statement including setup for product size changeovers as servicing and maintenance activity;
 - the correct sequence of lockout with specific steps for shutdown, isolation of each energy source, application of lockout devices at energy isolating devices, and release of any stored energy; and,
 - clear and specific verification steps identifying the controls for attempting to start the equipment after isolation.
- Employees were setting up energized equipment for product size changeover and were exposed to caught-in hazards of the rotating parts such as, but not limited to moulder heads.

The Appalachian Wood Floors, Inc. DBA Graf Custom Hardwood was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(c)(4)(ii), which was contained in OSHA inspection number 1626768, citation number 1, item number 4a and was affirmed as a final order on March 4, 2024, with respect to a workplace located at 838 Campbell Ave Portsmouth, OH 45662.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 17, 2024
Proposed Penalty: \$31,939.00

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

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

29 CFR 1910.147(c)(6)(i): Periodic inspection. 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 May 30, 2024, the employer did not conduct periodic inspections of the energy control procedure of the Rip Line including Rip Saw #1 and Rip Saw #2 to ensure the procedure was adequate and the requirements of the standard were being followed during blade changes and blade, troubleshooting of the Weinig Profirip rip saw.

b) On or about October 1, 2024, in the Glue Department, the employer did not ensure that the periodic inspection of the machine-specific energy control procedure for the Double Glue Line Coater was conducted. Employees were cleaning glue from the two energized rollers and had their hands and fingers exposed to caught-in hazards of the rotating parts.

c) On or about October 1, 2024, in the Engineered Department, the employer did not ensure that the periodic inspection of the machine-specific energy control procedure for the Kentwood Moulder was conducted. Employees were setting up energized equipment for product size changeover and were exposed to caught-in hazards of the rotating parts such as, but not limited to moulder heads.

The Appalachian Wood Floors, Inc. DBA Graf Custom Hardwood was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(c)(6)(i), which was contained in OSHA inspection number 1626768, citation number 1, item number 5 and was affirmed as a final order on March 4, 2024, with respect to a workplace located at 838 Campbell Ave Portsmouth, OH 45662.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 17, 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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

Citation 2 Item 3 Type of Violation: **Repeat - Serious**

29 CFR 1910.147(c)(7)(i)(A): Training and Communication. Each authorized employee shall 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 and control.

- a) On or about May 24, 2024, and on May 28, 2024, in the Dimensions Department, the employer did not ensure that each employee assigned to change blades and troubleshoot on the energized Rip Saw #1 and Rip Saw #2 was trained as a lockout authorized employee on the methods and means necessary for electrical energy isolation and control prior to starting work. Employees had their hands and fingers exposed to caught-on hazards of the rotating parts likely to result in serious injury because they were not familiar with how to lockout for these tasks.

- b) On or about October 1, 2024, in the Glue Department, the employer did not ensure that each operator assigned to clean the energized Double Glue Line Coater was trained as a lockout authorized employee on the methods and means necessary for electrical energy isolation and control prior to starting work. Employees wiping roller surfaces had their hands and fingers exposed to caught-in hazards of the rotating parts likely to result in serious injury because they were not familiar with how to lockout for this task.

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

c) On or about July 26, 2024 in the Pre-Finish Department, the employer did not ensure that each operator assigned to clean and change-over colors on the eight sections (H, I, D, O, T, Z, JJ, QQ) of the energized Pre-Finish Line was trained as a lockout authorized employee on the methods and means necessary for electrical energy isolation and control. Employees wiping roller surfaces had their hands and fingers exposed to caught-in hazards of the rotating parts likely to result in serious injury because they were not familiar with when and how to lockout for this task.

The Appalachian Wood Floors, Inc. DBA Graf Custom Hardwood was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.147(c)(7)(i)(A), which was contained in OSHA inspection number 1626768, citation number 1, item number 6a and was affirmed as a final order on March 4, 2024, with respect to a workplace located at 838 Campbell Ave Portsmouth, OH 45662.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 17, 2024
Proposed Penalty:	\$31,939.00

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

Citation 2 Item 4 Type of Violation: **Repeat - Serious**

29 CFR 1910.213(b)(6): Machine controls and equipment. Each operating treadle shall be protected against unexpected or accidental tripping.

a) On or about May 30, 2024, the three operating treadles at the Hoist Feed Deck were not protected by inverted U-shape covers or other means against unexpected activation or accidental tripping. The left pedal operated the unguarded chain and sprocket located approximately 28 inches from the operator location.

The Appalachian Wood Floors, Inc. DBA Graf Custom Hardwood was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.213(b)(6), which was contained in OSHA inspection number 1626768, citation number 1, item number 8 and was affirmed as a final order on March 4, 2024, with respect to a workplace located at 838 Campbell Ave Portsmouth, OH 45662.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 17, 2024
Proposed Penalty:	\$13,688.00

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

Citation 2 Item 5 Type of Violation: **Repeat - Serious**

29 CFR 1910.213(r)(4): Miscellaneous woodworking machines. The mention of specific machines in paragraphs (a) thru (q) and this paragraph (r) of this section, inclusive, is not intended to exclude other woodworking machines from the requirement that suitable guards and exhaust hoods be provided to reduce to a minimum the hazard due to the point of operation of such machines.

a) On or about May 28, 2024, in the Dimensions Department, the employer did not ensure that Rip Saw #2 had its point-of-operation adequately guarded. Operators were taking measurements in the danger zone and had their hands and fingers exposed to contact with rotating blades likely to result in serious injury because access to the danger zone was permitted when opening the hood with a bypassed safety interlocking device.

b) On or about July 30, 2024, in Engineered Department, the employer did not ensure that Cantek-PCS18 Chop Saw #1 and Chop Saw #2 had their points-of-operations adequately guarded. Operators had their hands and fingers exposed to contact with cycling saw blades likely to result in serious injury because access to the danger zone was permitted from the discharge ends where they were placing their hands to catch the cut boards.

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: 1751693
Inspection Date(s): 05/30/2024 - 10/17/2024
Issuance Date: 11/20/2024



Citation and Notification of Penalty

Company Name: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

c) On or about July 30, 2024, in Pre-Finish Department, the employer did not ensure the Pre-Finish machine, section H, had its point-of-operation adequately guarded. Operators had their hands and fingers exposed to the in-going nip points of the rotating rollers likely to result in serious injury because the covers were kept in the up and opened positions during normal production.

The Appalachian Wood Floors, Inc. DBA Graf Custom Hardwood was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.213(r)(4), which was contained in OSHA inspection number 1626768, citation number 1, item number 10 and was affirmed as a final order on March 4, 2024, with respect to a workplace located at 838 Campbell Ave Portsmouth, OH 45662.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

December 17, 2024
\$31,939.00

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

Citation 2 Item 6 Type of Violation: **Repeat - Other**

29 CFR 1910.213(a)(9): All belts, pulleys, gears, shafts, and moving parts shall be guarded in accordance with the specific requirements of 1910.219.

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.

- a) On or about May 30, 2024, the tilt hoist in the Dimensions Department did not have its chain and sprocket adequately guarded where the cut-out in the enclosure permitted access to the rotating parts. Operators had their hands exposed to caught-in pinch point hazards of the running chain and sprocket when working in the area.
- b) On or about July 30, 2024, the nesting conveyor belt in the Engineering Department did not have its chain and sprocket adequately guarded where the physical barrier was pulled away leaving an approximate 8 in. x 4 in. wide access opening. Operators had their hands exposed to caught-in pinch point hazard on the running chain and rotating sprocket when reaching nearby to pull wood boards.

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

c) On or about July 30, 2024, the in-feeder conveyor in the Solid Department did not have its chains and sprockets adequately guarded where the cut-outs in the black enclosure permitted access to the rotating parts. Operators had their hands exposed to caught-in pinch point hazards of the running chain and rotating sprockets when pulling wooden sticks on the adjacent belt conveyor below.

The Appalachian Wood Floors, Inc. DBA Graf Custom Hardwood was previously cited for a violation of its equivalent Occupational Safety and Health Standard 29 CFR 1910.219(f)(3), which was contained in OSHA inspection number 1626768, citation number 2, item number 4 and was affirmed as a final order on March 4, 2024, with respect to a workplace located at 838 Campbell Street Portsmouth, OH 45662.

The Appalachian Wood Floors, Inc. DBA Graf Custom Hardwood was previously cited for a violation of its equivalent Occupational Safety and Health Standard 29 CFR 1910.219(f)(3), which was contained in OSHA inspection number 1607293, citation number 1, item number 2 and was affirmed as a final order on September 27, 2022, with respect to a workplace located at 2335 Charles Street Portsmouth, OH 45662.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 17, 2024
Proposed Penalty: \$4,562.00

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

Citation 3 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.178(l)(2)(ii): Training Program Implementation. Training shall consist of a combination of formal instruction (e.g., lecture, discussion, interactive computer learning, video tape, written material), practical training (demonstrations performed by the trainer and practical exercises performed by the trainee), and evaluation of the operator's performance in the workplace.

a) On or about May 30, 2024, in the Dimensions Department, the employer did not ensure that each powered industrial truck operator received forklift training that consisted of formal instruction, practical training and an evaluation of the operator's performance prior to operating the Toyota forklift.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 17, 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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662

Citation 3 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.178(m)(5)(iii): Truck Operations. When the operator of an industrial truck is dismounted and within 25 ft. of the truck still in his view, the load engaging means shall be fully lowered, controls neutralized, and the brakes set to prevent movement.

a) On or about May 30, 2024, employees working in the Dimensions building were exposed to struck-by and tripping hazards due to a forklift operator dismounting the Toyota forklift without fully lowering the forks and setting the brake to prevent movement.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 17, 2024
Proposed Penalty: \$0.00

Ken E. Montgomery
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
100 Tri County Parkway, 3rd Floor North
Cincinnati, OH 45246



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 2335 Charles St, Portsmouth, OH 45662
Issuance Date: 11/20/2024

Summary of Penalties for Inspection Number: 1751693

Citation 1 Item 1, Serious	\$13,690.00
Citation 2 Item 1a, Repeat - Serious	\$31,939.00
Citation 2 Item 1b, Repeat - Serious	\$0.00
Citation 2 Item 2a, Repeat - Serious	\$31,939.00
Citation 2 Item 2b, Repeat - Serious	\$0.00
Citation 2 Item 3, Repeat - Serious	\$31,939.00
Citation 2 Item 4, Repeat - Serious	\$13,688.00
Citation 2 Item 5, Repeat - Serious	\$31,939.00
Citation 2 Item 6, Repeat - Other	\$4,562.00
Citation 3 Item 1, Other-than-Serious	\$0.00
Citation 3 Item 2, Other-than-Serious	\$0.00

TOTAL PROPOSED PENALTIES: \$159,696.00

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

House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

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

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

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

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

November 20, 2024

Ken E. Montgomery

Area Director

Date

U.S. Department of Labor Occupational Safety and Health Administration
100 Tri County Parkway, 3rd Floor North
Cincinnati, OH 45246



11/20/2024

Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
and its successors
838 Campbell Ave.
Portsmouth, OH 45662

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 (513) 841-4132.

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,

Ken E. Montgomery
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
100 Tri County Parkway, 3rd Floor North
Cincinnati, OH 45246



Citation and Notification of Penalty

To:

Appalachian Wood Floors, Inc., dba Graf Custom
Hardwood
and its successors
838 Campbell Ave.
Portsmouth, OH 45662

Inspection Site:

838 Campbell Ave.
Portsmouth, OH 45662

Inspection Number: 1752706

Inspection Date(s): 05/30/2024 - 10/17/2024

Issuance Date: 11/20/2024

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 (513) 841-4132. 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 11/20/2024. The conference will be held by telephone or at the OSHA office located at 100 Tri County Parkway, 3rd Floor North, Cincinnati, OH 45246 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1752706

Company Name: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 838 Campbell Ave., Portsmouth, OH 45662
Issuance Date: 11/20/2024

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, 100 Tri County Parkway, 3rd Floor North, Cincinnati, OH 45246.**

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 838 Campbell Ave., Portsmouth, OH 45662

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 1910.36(c)(2): Exit discharge. The street, walkway, refuge area, public way, or open space to which an exit discharge leads must be large enough to accommodate the building occupants likely to use the exit route.

a) On or about June 25, 2024, through July 30, 2024, in the Glue Department, the employer did not ensure that the outside area to which the marked exit door on the north wall discharged was large enough to accommodate evacuees from the adjacent work areas in the event of an emergency. The outside space consisted of an approximate 21 inch vertical drop to the lower level from the door's edge, and an approximate 29 inch horizontal distance to the retaining wall opposite of the door. Employees were exposed to hazards associated with limited space at the exit discharge affecting expeditious evacuation efforts.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 05, 2024
Proposed Penalty:	\$15,970.00

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 838 Campbell Ave., Portsmouth, OH 45662

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

29 CFR 1910.36(g)(2): An exit route must meet minimum height and width requirements. An exit access must be at least 28 inches (71.1 cm) wide at all points. Where there is only one exit access leading to an exit or exit discharge, the width of the exit and exit discharge must be at least equal to the width of the exit access.

a) On or about May 30, 2024, in the Solid Department, the employer did not maintain an at least 28 in. wide path of exit travel where it was reduced to approximately 17 inches wide and 21 inches wide in some locations due to the presence of wooden pallets, products, materials, and other objects. Employees were exposed to hazards associated with limited space of the exit route affecting expeditious evacuation efforts.

b) On or about July 30, 2024, in the Glue Department, the employer did not maintain an at least 28 inch wide path of exit travel where it was reduced to approximately 25 inches wide at the wooden stairway due to the presence of wooden pallets, products, materials, and other objects. Employees were exposed to hazards associated with limited space of the exit route affecting expeditious evacuation efforts.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 05, 2024
Proposed Penalty: \$0.00



Citation and Notification of Penalty

Company Name: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 838 Campbell Ave., Portsmouth, OH 45662

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

29 CFR 1910.37(a)(3): Exit routes must be free and unobstructed. No materials or equipment may be placed, either permanently or temporarily, within the exit route. The exit access must not go through a room that can be locked, such as a bathroom, to reach an exit or exit discharge, nor may it lead into a dead-end corridor. Stairs or a ramp must be provided where the exit route is not substantially level.

- a) On or about June 25, 2024, in the Glue Department, the employer did not maintain an unobstructed path of exit travel where the north wall exit door had a piece of wood used to prop it open for ventilation. Employees utilizing this door were exposed to trip hazards affecting expeditious evacuation efforts.
- b) On or about July 30, 2024, in the Glue Department, the employer did not ensure that stairs or a ramp were provided at the outside portion of the exit route from the north wall exit door (discharge). The outside area was not substantially level as there was an approximate 21 inch vertical drop to the lower level from the door's edge, and approximate 29 inch horizontal distance to the retaining wall opposite of that door. Employees exiting into this area were exposed to hazards affecting expeditious evacuation efforts.
- c) On or about September 6, 2024, in the Solid Department, the employer did not maintain an unobstructed outside path of exit travel where the area outside of the exit door nearest to the Chop Saw was partially blocked by the permanently installed grinding system.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 05, 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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 838 Campbell Ave., Portsmouth, OH 45662

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

29 CFR 1910.22(c): Access and egress. The employer must provide, and ensure each employee uses, a safe means of access and egress to and from walking-working surfaces.

a) On or about June 25, 2024, in the Solid Department, the employer had not provided and ensured a safe means of access and egress to the far end of the chain deck conveyor across from their designated work stations. Employees were exposed to trip and fall hazards when climbing onto and walking on top of the running chain deck conveyor to get to the lumber boards that they could not reach from their workstations.

b) On or about June 25, 2024, in the Solid Department, the employer had not provided and ensured a safe means of access and egress to chop saw #2, in that the employees had to climb onto and walk on the running chain deck conveyor feeding the chop saws to exit and access their designated chop saw #2 work station, exposing employees to trip and fall hazards.

The Appalachian Wood Floors, Inc. DBA Graf Custom Hardwood was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.22(c), which was contained in OSHA inspection number 1626768, citation number 2, item number 1 and was affirmed as a final order on March 4, 2024, with respect to a workplace located at 838 Campbell Avenue, Portsmouth, OH 45662.

The Appalachian Wood Floors, Inc. DBA Graf Custom Hardwood as previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.22(c), which was contained in OSHA inspection number 1597921, citation number 1, item number 1a and was affirmed as a final order on July 20, 2022, with respect to a workplace located at 838 Campbell Avenue, Portsmouth, OH 45662.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 05, 2024
Proposed Penalty: \$57,044.00

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 838 Campbell Ave., Portsmouth, OH 45662

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

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables. identification, splices, and terminations. Flexible cords and cables shall be connected to devices and fittings so that strain relief is provided that will prevent pull from being directly transmitted to joints or terminal screws.

- a) On or about May 30, 2024, in the Banding room at the garage door, the employer did not ensure that the hanging garage door opener device was provided with an effective strain relief to prevent the energized wires from being pulled away from the top cap. Forklift operators were exposed to contact with exposed live wires when using the controller to press buttons for opening and closing of the doors.

- b) On or about June 25, 2024, in the Solid Department, at the ground level below the Hasko saw on the tongue side of the end matcher, the employer did not ensure that flexible cords and cables were connected to devices and fittings so that effective strain relief was provided. The black plastic enclosure was damaged and pulled away exposing employees to contact with live wires in the area where they were working and cleaning around the electrical cabinet.

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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 838 Campbell Ave., Portsmouth, OH 45662

c) On or about July 30, 2024, in the Solid Department at the Hydromat 1000 Moulder lift, the employer did not ensure that flexible cords and cables were connected to devices and fittings so that an effective strain relief was provided. The four-gang electrical box located on the floor had energized exposed wires pulled out from both side openings exposing employees to contact with those wires when employees were working/walking in that area.

The Appalachian Wood Floors, Inc. DBA Graf Custom Hardwood was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.305(g)(2)(iii), which was contained in OSHA inspection number 1626768, citation number 2, item number 6, and was affirmed as a final order on March 4, 2024, with respect to a workplace located at 838 Campbell Ave, Portsmouth, OH 45622.

The Appalachian Wood Floors, Inc. DBA Graf Custom Hardwood was previously cited for a violation of this Occupational Safety and Health Standard 29 CFR 1910.305(g)((2)(iii), which was contained in OSHA inspection number 1597921, citation number 1, item number 4b and was affirmed as a final order on July 20, 2022, with respect to a workplace located at 838 Campbell Ave., Portsmouth, OH 45662.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	December 05, 2024
Proposed Penalty:	\$22,818.00

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: 1752706
Inspection Date(s): 05/30/2024 - 10/17/2024
Issuance Date: 11/20/2024



Citation and Notification of Penalty

Company Name: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 838 Campbell Ave., Portsmouth, OH 45662

Citation 3 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.303(g)(2)(ii): In locations where electric equipment is likely to be exposed to physical damage, enclosures or guards shall be so arranged and of such strength as to prevent such damage.

a) On or about July 30, 2024 in the Solid Department at the Hydromat 1000 Moulder lift, the four gang electrical box located on the floor was exposed to physical damage in that it had knockouts pushed-in creating access openings for employees working in the area.

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: December 05, 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: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 838 Campbell Ave., Portsmouth, OH 45662

Citation 3 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.305(b)(1)(i): Conductors entering cutout boxes, cabinets, or fittings shall be protected from abrasion, and openings through which conductors enter shall be effectively closed.

a) On or about July 30, 2024, in the Solid Department, at the Grading Table, the employer did not ensure that the exposed energized wires were protected from abrasions at the handy electrical box's conduit opening and at the end of the conduit that was separated from that box. Employees were working in the area and placing conductive items nearby the exposed energized wires.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

Ken E. Montgomery
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
100 Tri County Parkway, 3rd Floor North
Cincinnati, OH 45246



INVOICE / DEBT COLLECTION NOTICE

Company Name: Appalachian Wood Floors, Inc., dba Graf Custom Hardwood
Inspection Site: 838 Campbell Ave., Portsmouth, OH 45662
Issuance Date: 11/20/2024

Summary of Penalties for Inspection Number: 1752706

Citation 1 Item 1a, Serious	\$15,970.00
Citation 1 Item 1b, Serious	\$0.00
Citation 1 Item 1c, Serious	\$0.00
Citation 2 Item 1, Repeat - Serious	\$57,044.00
Citation 2 Item 2, Repeat - Serious	\$22,818.00
Citation 3 Item 1, Other-than-Serious	\$0.00
Citation 3 Item 2, Other-than-Serious	\$0.00

TOTAL PROPOSED PENALTIES: **\$95,832.00**

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.

Ken E. Montgomery

Area Director

November 20, 2024

Date