U.S. Department of Labor Occupational Safety and Health Administration 6393 Oak Tree Blvd, Suite 203 Independence, OH 44131 Phone: 216-447-4194 Fax: 216-520-1624



05/23/2016

Pro Armament Company LLC. 2427 Front Street Cuyahoga Falls, OH 44221

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) revised 1990, 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.

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, the date they were completed, and send me 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 8 of the booklet, you may request an informal conference with me during the 15working-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 schedule it early enough to allow time to contest, 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 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.

U.S. Department of Labor Occupational Safety and Health Administration 6393 Oak Tree Blvd, Suite 203

Independence, OH 44131

Phone: 216-447-4194 Fax: 216-520-1624



May 24, 2016

Pro Armament Company LLC. 2427 Front Street Cuyahoga Falls, OH 44221

#### 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) revised 1990, 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.

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 the date 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 8 of the booklet, you may request an informal conference with me during the 15-workingday notice of contest period. During 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 the Electronic Freedom of Information Act. The information related to your inspection will be available 30 calendar days after the Citation Issuance Date. You are encouraged to review the information concerning your establishment at <a href="https://www.osha.gov">www.osha.gov</a>. If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,

Howard B. Eberts

Area Director

Enclosures

Occupational Safety and Health Administration 6393 Oak Tree Blvd Suite 203 Independence, OH 44131

Phone: 216-447-4194 Fax: 216-520-1624



# Citation and Notification of Penalty

To:

Pro Armament Company LLC. and its successors 2427 Front Street Cuyahoga Falls, OH 44221

**Inspection Site:** 2427 Front Street

Cuyahoga Falls, OH 44221

**Inspection Number:** 1108541

**Inspection Date(s)**: 11/25/2015 - 03/14/2016

**Issuance Date:** 05/23/2016

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. 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. <u>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.</u>

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 on <a href="https://www.pay.gov">www.pay.gov</a>. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on OSHA Penalty Payment Form. 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.

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on
05/23/2016. The conference will be held by telephone or at the OSHA office located at 6393
Oak Tree Blvd, Suite 203, Independence, OH 44131 onat
Employees and/or representatives of employees have a right to attend an
informal conference

#### CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

**Inspection Number: 1108541** 

Company Name: Pro Armament Company LLC.

Inspection Site: 2427 Front Street, Cuyahoga Falls, OH 44221

Issuance Date: 05/23/2016

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, 6393 Oak Tree Blvd, Suite 203, Independence, OH 44131

	_ was corrected on
Citation Number and Item Number By (Method of Abatement):	was corrected on
Citation Number and Item Number By (Method of Abatement):	_ was corrected on
	was corrected on
By (Method of Abatement):	was corrected on
By (Method of Abatement):	was corrected on
I certify that the information contained in this do representatives have been informed of the abate	ocument is accurate and that the affected employees and their ment.
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

Occupational Safety and Health Administration Inspection Date(s): 11/25/2015 - 03/14/2016

**Inspection Number:** 1108541

**Issuance Date:** 05/23/2016



#### Citation and Notification of Penalty

Company Name: Pro Armament Company LLC.

Inspection Site: 2427 Front Street, Cuyahoga Falls, OH 44221

Citation 1 Item 1 Type of Violation: Serious

29 CFR 1910.134(g)(1)(i)(A): Respirators with tight-fitting facepieces were worn by employees who had facial hair that came between the sealing surface of the facepiece and the face or that interfered with valve function:

On or about November 25, 2015, employees who were required to wear half-face tight fitting respirators 3 M Model 5301 while cleaning the shooting range (i.e. sweeping brass, lead dust and paper targets), had facial hair that interfered with the seal between the facepiece and the face.

#### ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/27/2016

Proposed Penalty:

Occupational Safety and Health Administration Inspection Date(s): 11/25/2015 - 03/14/2016

**Inspection Number:** 1108541

**Issuance Date:** 05/23/2016



#### Citation and Notification of Penalty

**Company Name:** Pro Armament Company LLC.

Inspection Site: 2427 Front Street, Cuyahoga Falls, OH 44221

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 1910.1025(c)(1): Employee(s) were exposed to lead at concentrations greater than fifty micrograms per cubic meter of air averaged over an eight-hour period:

On February 23, 2016, an employee cleaning the gun range was exposed to lead at an 8-hour timeweighted average (TWA) of 0.119 mg/m3, which is approximately 2.38 times the permissible exposure limit (PEL) of 0.05 mg/m3, for 109 minutes. The exposure level is derived from 2 samples collected for over a 109 minutes period of time, and zero exposure is assumed for the time not sampled.

#### ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/10/2016

Proposed Penalty:

Occupational Safety and Health Administration Inspection Date(s): 11/25/2015 - 03/14/2016

**Inspection Number:** 1108541

**Issuance Date:** 05/23/2016



#### Citation and Notification of Penalty

**Company Name:** Pro Armament Company LLC.

**Inspection Site:** 2427 Front Street, Cuyahoga Falls, OH 44221

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

29 CFR 1910.1025(e)(1)(i): For any employees exposed to lead above the permissible exposure limit for more than 30 days per year the employer did not implement engineering and work practice controls (including administrative controls) were not implemented to reduce and maintain employee exposure to lead:

On February 23, 2016, an employee cleaning the gun range was exposed to lead at an eight-hour timeweighted average (TWA) of 0.119 mg/m3, which is approximately 2.38 times the permissible exposure limit (PEL) of 0.05 mg/m3. This limit was established to prevent adverse health effects. The exposure level is derived from 2 samples collected over a 109 minute period of time, and assuming zero exposure for the time not sampled.

General methods of control applicable in this circumstance include, but are not limited to the following:

- 1) Re-evaluate, maintain, upgrade or otherwise install ventilation system(s) to improve air movement/ensure capture lead dust generated while cleaning the range;
- 2) Clean the gun range and adjacent areas using proper cleaning procedures including, but not limited to. HEPA vacuuming (or other portable dust collection system with local exhaust ventilation) and wet sweeping;
- 3) Re-evaluate the existing work practices during the cleaning of the range and eliminate dry-sweeping. Use an engineered brass ammunition broom(s) or similar devices to retrieve spent ammunition shells and cartridges; to reduce the worker exposures to the airborne lead dust;
- 4) Implement adequate decontamination procedures of PPE and Equipment;
- 5) Provide range employees responsible engaged in housekeeping and range cleaning with showers to wash; lockers to keep separate street and work clothing (which must be cleaned and/or replaced regularly);

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

Occupational Safety and Health Administration Inspection Date(s): 11/25/2015 - 03/14/2016

**Inspection Number:** 1108541

**Issuance Date: 05/23/2016** 



#### Citation and Notification of Penalty

Company Name: Pro Armament Company LLC.

Inspection Site: 2427 Front Street, Cuyahoga Falls, OH 44221

- 6) Designate clean rooms (lunchrooms) to avoid take-home and hand-to-mouth contamination;
- 7) Limit the length of time employees spend in the range for cleaning activities by rotating assignments and/or changing schedules.

#### ABATEMENT NOTE:

STEP 1: An effective respiratory protection program shall be implemented and used by the affected employee(s) as an interim measure of protection.

Abatement Date: 5 calendar days from the issuance date

STEP 2: A written detailed plan of abatement shall be submitted to the Area Director outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to lead as referenced in this citation. This plan shall include, at a minimum, target dates for the following actions, which must be consistent with the dates required by this citation:

- (1) Evaluation of engineering / administrative controls;
- (2) Selection of optimum control methods and completion of design;
- (3) Procurement, installation and operation of selected control measures;
- (4) Testing and acceptance or modification /redesign of controls.

All proposed control measures shall be evaluated for each particular use by a competent industrial hygienist or other technically qualified person(s). 15-day progress reports to OSHA are required during the abatement period.

Abatement Date: 30 calendar days from the issuance date

STEP 3: Abatement shall have been completed by the implementation of feasible engineering and/or administrative controls upon verification of their effectiveness in achieving compliance.

Abatement Date: 60 calendar days from the issuance date

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

Occupational Safety and Health Administration Inspection Date(s): 11/25/2015 - 03/14/2016

**Inspection Number:** 1108541

**Issuance Date:** 05/23/2016



#### Citation and Notification of Penalty

Company Name: Pro Armament Company LLC.

Inspection Site: 2427 Front Street, Cuyahoga Falls, OH 44221

Plan06/25/2016 **Engineering Controls07/25/2016** PPE05/31/2016

#### ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/25/2016

Occupational Safety and Health Administration Inspection Date(s): 11/25/2015 - 03/14/2016

**Inspection Number:** 1108541

**Issuance Date: 05/23/2016** 



#### Citation and Notification of Penalty

Company Name: Pro Armament Company LLC.

Inspection Site: 2427 Front Street, Cuyahoga Falls, OH 44221

Citation 1 Item 3 Type of Violation: Serious

29 CFR 1910.1025(d)(8)(i): Within fifteen working days after the receipt of exposure monitoring results, each employee was not notified in writing or by posting the results in an appropriate location of the results which represented that employee's exposure to lead:

On or about November 25, 2015, the employer did not provide the air sampling results from the previous inspection (990237) that was sent to the employer on October 14, 2014 for employees found to be exposed to lead.

#### ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/27/2016

Proposed Penalty:

Occupational Safety and Health Administration Inspection Date(s): 11/25/2015 - 03/14/2016

**Inspection Number:** 1108541

**Issuance Date:** 05/23/2016



#### Citation and Notification of Penalty

Company Name: Pro Armament Company LLC.

Inspection Site: 2427 Front Street, Cuyahoga Falls, OH 44221

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

29 CFR 1910.1025(h)(2)(ii): Shoveling, sweeping or brushing methods were used to remove lead accumulations where vacuuming or other equally effective methods were available and feasible:

On or about November 25, 2015, the employer did not ensure that staff employee(s) did not clean the gun range of spent ammunition shells, casings and paper targets using dry-sweeping methods. Employee(s) dry-swept lead contaminated gun range of brass, casings and paper targets using brooms or squeegees.

#### ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: Proposed Penalty:

06/10/2016

Occupational Safety and Health Administration

**Inspection Number:** 1108541

**Inspection Date(s):** 11/25/2015 - 03/14/2016

**Issuance Date:** 05/23/2016



#### Citation and Notification of Penalty

Company Name: Pro Armament Company LLC.

Inspection Site: 2427 Front Street, Cuyahoga Falls, OH 44221

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 5 a Type of Violation: Serious

29 CFR 1910.1025(i)(2)(i): Clean change rooms were not provided for employees exposed to lead in excess of the permissible exposure limit (PEL), without regard to the use of respirators:

On February 23, 2016, an employee cleaning the gun range was exposed to lead at at an 8-hour time-weighted average (TWA) of 0.119 mg/m3, which is approximately 2.38 times the permissible exposure limit (PEL) of 0.05 mg/m3, for 109 minutes. The exposure level is derived from 2 samples collected for over a 109 minutes period of time, and zero exposure is assumed for the time not sampled. The employer did not provide a clean change room.

#### ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/10/2016

Proposed Penalty:

Occupational Safety and Health Administration Inspection Date(s): 11/25/2015 - 03/14/2016

**Inspection Number: 1108541** 

**Issuance Date:** 05/23/2016



#### Citation and Notification of Penalty

Company Name: Pro Armament Company LLC.

Inspection Site: 2427 Front Street, Cuyahoga Falls, OH 44221

Citation 1 Item 5 b Type of Violation: Serious

29 CFR 1910.1025(i)(3)(i): Employee(s) exposed to lead in excess of the permissible exposure limit (PEL), without regard to the use of respirators, were not required to shower at the end of the work shift:

On February 23, 2016, an employee cleaning the gun range was exposed to lead at at an 8-hour timeweighted average (TWA) of 0.119 mg/m3, which is approximately 2.38 times the permissible exposure limit (PEL) of 0.05 mg/m3, for 109 minutes. The exposure level is derived from 2 samples collected for over a 109 minutes period of time, and zero exposure is assumed for the time not sampled. The employee did not shower at the end of the work shift before leaving the site.

#### ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/10/2016

Occupational Safety and Health Administration

**Inspection Number:** 1108541

**Inspection Date(s):** 11/25/2015 - 03/14/2016

**Issuance Date:** 05/23/2016



#### Citation and Notification of Penalty

Company Name: Pro Armament Company LLC.

Inspection Site: 2427 Front Street, Cuyahoga Falls, OH 44221

Citation 1 Item 6 Type of Violation: Serious

29 CFR 1910.1025(j)(1)(i): A medical surveillance program was not instituted for all employee(s) who were, or could be exposed to lead above the action level for more that thirty days per year:

On or about November 25, 2015, the employer did not institute a medical surveillance program for employees who were exposed to lead above the action level when cleaning the front of the range and trap.

### ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

Proposed Penalty:

06/10/2016 \$2800.00

Occupational Safety and Health Administration Inspection Date(s): 11/25/2015 - 03/14/2016

**Inspection Number:** 1108541

**Issuance Date: 05/23/2016** 



#### Citation and Notification of Penalty

Company Name: Pro Armament Company LLC.

**Inspection Site:** 2427 Front Street, Cuyahoga Falls, OH 44221

Citation 2 Item 1 Type of Violation: Repeat

29 CFR 1910.1025(d)(2): An initial determination was not made to determine if any employee may be exposed to lead at or above the action level:

On or about November 25, 2015, the employer did not do an initial determination to determine if gun range employees were exposed at or above the action level for lead when performing tasks including but not limited cleaning up the trap, range, when instructing a concealed weapons course, or providing assistance to customers using the range.

Pro Armament Company LL., was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.1025(d)(2), which was contained in OSHA inspection number 990237, citation number 1, item number 2(a) and was affirmed as a final order on November 4, 2014, with respect to a workplace located at 2427 Front St. Cuyahoga Falls, Ohio 44221.

Date By Which Violation Must be Abated:

Corrected During Inspection \$5600.00

Proposed Penalty:

Occupational Safety and Health Administration

**Inspection Number:** 1108541

Inspection Date(s): 11/25/2015 - 03/14/2016

**Issuance Date:** 05/23/2016



#### Citation and Notification of Penalty

Company Name: Pro Armament Company LLC.

Inspection Site: 2427 Front Street, Cuyahoga Falls, OH 44221

Citation 2 Item 2 Type of Violation: Repeat

29 CFR 1910.1025(h)(1): All surfaces were not maintained as free as practicable of accumulations of lead:

On or about November 25, 2015, wipe samples collected from area including but not limited to were taken from surfaces in the gun range and cash register area. Analytical results indicated the presence of lead, as follows:

Cash Register: 180.7 ug/ft2

Surfaces were not maintained as free as practicable from accumulations of lead.

Pro Armament Company LLC., was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.1025(h)(1), which was contained in OSHA inspection number 990237, citation number 1, item number 2(b) and was affirmed as a final order on November 4, 2014, with respect to a workplace located at 2427 Front St. Cuyahoga Falls, Ohio 44221.

Date By Which Violation Must be Abated:

Proposed Penalty:

Corrected During Inspection \$4000.00

Howard B Eberts
Area Director

Occupational Safety and Health Administration 6393 Oak Tree Blvd Suite 203

Independence, OH 44131

Phone: 216-447-4194 Fax: 216-520-1624



# INVOICE / DEBT COLLECTION NOTICE

**Company Name:** 

Pro Armament Company LLC.

**Inspection Site:** 

2427 Front Street, Cuyahoga Falls, OH 44221

**Issuance Date:** 

05/23/2016

**Summary of Penalties for Inspection Number** 

1108541

Citation 1, Serious

\$16800.00

Citation 2, Repeat

\$9600.00

TOTAL PROPOSED PENALTIES

\$26400.00

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 on <a href="https://www.pay.gov">www.pay.gov</a>. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on <a href="https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334">OSHA Penalty Payment Form</a>. The direct link is <a href="https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334">https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334</a>. 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 2 times.

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

<u>Interest</u>: 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.

<u>Delinquent Charges</u>: 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.

Howard B Eberts

Area Director

5/23/16

Date