

U.S. Department of Labor
Occupational Safety and Health Administration
1141 Montlamar Drive
Suite 1006
Mobile, AL 36609
Phone: 251-441-6131 Fax: 251-441-6396



Citation and Notification of Penalty

To:
MPV Morganton Pressure Vessels North Carolina,
LLC, dba Morganton Pressure Vessels, LLC
2440 S US Hwy 31
Bay Minette, AL 36507

Inspection Number: 1266870
Inspection Date(s): 09/28/2017 - 11/06/2017
Issuance Date: 01/30/2018

Inspection Site:
2440 S US Hwy 31
Bay Minette, AL 36507

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. 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 on www.pay.gov. 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.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 01/30/2018. The conference will be held by telephone or at the OSHA office located at 1141 Montlimar Drive, Suite 1006, Mobile, AL 36609 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Company Name: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC **Inspection Number: 1266870**
Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507
Issuance Date: 01/30/2018

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, 1141 Montlimar Drive, Suite 1006, Mobile, AL 36609**

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: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC

Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm including injuries from crushing or tip over of racks and stored items to employees in that employees were exposed to crush by or falling object hazards from storage racks not being secured to the concrete floor.

a) Paint Area: On or about September 28, 2017 and at times prior to, the employer exposed employees to crushing hazards and injuries from storage racks not being secured or bolted to concrete floor.

b) Hydro Area: On or about September 28, 2017 and at times prior to, the employer exposed employees to crushing hazards and injuries from storage racks not being secured or bolted to concrete floor.

c) Hydro Area: On or about September 28, 2017 and at times prior to, the employer exposed employees to crushing hazards and injuries from storage racks not being secured or bolted to concrete floor.

Among others, a feasible means of abatement would be to follow the recommendations of ANSI MH16.1: 2008 Specification for the Design, Testing and Utilization of Industrial Steel Storage Racks.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$10975.00



Citation and Notification of Penalty

Company Name: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC
Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm including injuries from crushing or amputation hazards to employees in that employees were exposed to crush by or falling object hazards from improperly secured compressor tanks hanging from conveyor/monorail hooking systems.

a) Paint Area: On or about September 28, 2017 and at times prior to, the employer exposed employees to struck by hazards from improperly secured compressor tanks hanging from threaded attachment method.

b) Paint Area: On or about September 28, 2017 and at times prior to, the employer exposed employees to struck by hazards from improperly secured compressor tanks hanging from main C-Hook with three hanger hooks attachment method.

Among others, a feasible means of abatement would be to use an attachment that will not allow compressors to fall from the conveyor during transit.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/07/2018
Proposed Penalty:	\$12805.00



Citation and Notification of Penalty

Company Name: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC

Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm including severe burns, to employees in that employees were exposed to a dust explosion, deflagration, or other fire hazards from combustible powder paint dust created from electrostatic painting operation that was connected to a cyclone and a Silvi & C. srl, model IMP/POLV, SN 32 16 2298 dust filter box that are all located inside the building in the spray finishing area. Ignition sources inside the building at the paint area include dryer ovens, Wagner manual guns with an output voltage of 100, 0 KV, automatic powder guns inside the booth, and spark from metal compressor tanks striking concrete floor.

a) Electrostatic Powder Paint spray finishing operation area: On or about September 28, 2017 and at times prior to, employees were exposed to combustible powder paint dust with a KsT value of 17.76 bar meters per second and a class II dust from dust collection system to include cyclone and filter box being located inside of the building with ignition sources such as dryer ovens, wagner paint guns and sparks from tanks striking concrete floor.

Among others, a feasible means of abatement would be to follow the recommendation of The National Fire Protection Association standard (NFPA) - Number 654 Standard for Prevention of Fire and Dust Explosions from the Manufacturing, Processing and Handling of Combustible Particulate Solids 2006 Edition - Chapter 7 - Process Equipment, 7.13 Air-Material Separators (Air Separation Devices) states in 7.13.1.1.1 Where an explosion hazard exists, air-material separators shall be located outside of buildings.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/07/2018

Proposed Penalty:

\$12805.00

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: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC

Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm including severe burns, to employees in that employees were exposed to a dust explosion, deflagration, or other fire hazards from combustible powder paint dust created from electrostatic painting operation that was connected to a cyclone and a Silvi & C. srl, model IMP/POLV, SN 32 16 2298 dust filter box that do not have deflagration venting separating each part of the system. Ignition sources inside the building at the paint area include dryer ovens, Wagner manual guns with an output voltage of 100, 0 KV, automatic powder guns inside the booth, and spark from metal compressor tanks striking concrete floor.

a) Electrostatic Powder Paint spray finishing operation area: On or about September 28, 2017 and at times prior to, employees were exposed to combustible powder paint dust with a KsT value of 17.76 bar meters per second and a class II dust from dust collection system to include cyclone and filter box that do not have deflagration venting separating each parts of the system with ignition sources such as dryer ovens, wagner paint guns and sparks from tanks striking concrete floor.

Among others, a feasible means of abatement would be to follow The National Fire Protection Association Standard (NFPA) Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids 2006 Edition, NFPA 654 - Chapter 6 Facility and Systems Design, 6.1 General states in 6.1.1 Those portions of the process and facility where a dust deflagration hazard exists shall be protected from the effects of dust deflagration in accordance with Sections 6.2, 6.3 and 6.4 and Chapter 7.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/07/2018

Proposed Penalty:

\$12805.00

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: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC

Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507

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 1910.107(l)(2)(ii): Powder was released to the outside atmosphere:

- a) Powder Coating Paint Booth Area: On or about September 28, 2017 and at times prior to, the employer exposed employees to fire and explosion hazards by releasing powders in the powder coating spraying booth to the outside atmosphere.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/07/2018

Proposed Penalty:

\$12805.00

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: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC
Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507

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

29 CFR 1910.107(l)(4)(i): All areas were not kept free of the accumulation of powder coating dust:

- a) Powder Coating Paint Booth Area: On or about September 28, 2017 and at times prior to, the employer exposed employees to fire and explosion hazards by not keeping areas free from accumulations of powder coating dust in the powder coating spraying booth area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/07/2018



Citation and Notification of Penalty

Company Name: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC

Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507

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

29 CFR 1910.107(h)(12): Fire protection. All areas used for spraying, including the interior of the booth, were not protected by an automatic sprinklers or other approved automatic extinguishing equipment.

a) Spray Paint Booth and Filter System: On or about September 28, 2017 and at times prior to, the employer exposed employees to fire and explosion hazards by not having sprinklers on the downstream and upstream side of the filters while performing powder spray finishing operations.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/07/2018

Proposed Penalty:

\$12805.00

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: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC

Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507

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

29 CFR 1910.145(c)(2)(i): Caution signs were not used to warn against potential hazards or to caution against unsafe practices:

- a) Paint area and dust collection system: On or about September 28, 2017 and at times prior to, the employer exposed employees to fire and explosion hazards by failing to post signs to warn or caution potential hazards or unsafe actions such as but not limited to: notifying of restricted access to authorized employees, grounding equipment that is conductive, not smoking or burning an open flames or spark producing device in the area, and designating the area as having fire or explosion hazards.

Date By Which Violation Must be Abated:

02/07/2018

Proposed Penalty:

\$5488.00

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

Inspection Number: 1266870
Inspection Date(s): 09/28/2017 - 11/06/2017
Issuance Date: 01/30/2018



Citation and Notification of Penalty

Company Name: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC

Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507

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

29 CFR 1910.179(g)(1)(v): Pendant control box(es) were not clearly marked for identification of functions:

a) **Paint and Assembly Area:** On or about September 28, 2017 and at time prior to, the employer exposed employees to struck-by hazards by not ensuring the pendant control for the Harrington half ton overhead hoist conveyor had all the required buttons labeled.

Date By Which Violation Must be Abated:
Proposed Penalty:

02/07/2018
\$7317.00

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: 1266870
Inspection Date(s): 09/28/2017 - 11/06/2017
Issuance Date: 01/30/2018



Citation and Notification of Penalty

Company Name: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC
Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507

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

29 CFR 1910.243(c)(1): Abrasive wheel(s) were used on portable grinder(s) which were not provided with safety guard(s) meeting the requirements specified in 29 CFR 1910.243(c)(1) through (c)(4):

a) Welding and Fabrication area: On or about September 28, 2017 and at times prior to, the employer exposed employees to amputation and laceration injuries from a Milwaukee electrical portable grinder that did not have a guard in place.

Date By Which Violation Must be Abated:
Proposed Penalty:

Quick Fix Applied
\$7775.00

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: 1266870
Inspection Date(s): 09/28/2017 - 11/06/2017
Issuance Date: 01/30/2018



Citation and Notification of Penalty

Company Name: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC

Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507

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

29 CFR 1910.253(b)(2)(ii): Assigned storage spaces for cylinders was not located away from elevators, stairs, or gangways where cylinders could not be knocked over or damaged by passing or falling objects, or subject to tampering by unauthorized persons:

a) Shop area: On or about September 28, 2017 and at times prior to, the employer exposed employees to fire, burns and struck by hazards by not securing propane tanks.

Date By Which Violation Must be Abated:
Proposed Penalty:

Quick Fix Applied
\$6220.00

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: 1266870
Inspection Date(s): 09/28/2017 - 11/06/2017
Issuance Date: 01/30/2018



Citation and Notification of Penalty

Company Name: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC

Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507

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

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

a) **Paint Booth Area:** On or about September 28, 2017 and at times prior to, the employer exposed employees to health hazards in that employees were allowed to wear N-95 respirators without first being provided with the information in Appendix D as required by the standard.

Date By Which Violation Must be Abated:

02/07/2018

Proposed Penalty:

\$0.00

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

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

Inspection Number: 1266870
Inspection Date(s): 09/28/2017 - 11/06/2017
Issuance Date: 01/30/2018



Citation and Notification of Penalty

Company Name: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC

Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507

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

29 CFR 1910.305(b)(2)(i): Pull boxes, junction boxes, and fittings were not provided with covers approved for the purpose:

a) Warehouse Area : On or about September 28, 2017 and at times prior, the employer exposed employees to electrical burns, and shock hazards, in that the 110 volt wall outlet was not covered exposing employees to electrical hazards.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

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



Citation and Notification of Penalty

Company Name: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC

Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507

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

29 CFR 1910.1200(g)(8): The employer did not ensure that material safety data sheets were readily accessible to the employees in their work area during each work shift:

a) Bay Minette, AL location, facility wide: On or about September 28, 2017 and at times prior to, the employer exposed employees to chemicals without maintaining Safety Data Sheets available to employees on site to include combustible dust powder paint with a kst value of 17.76 bar meters per second and classified as a combustible dust by the manufacturer including but not limited to: Sherwin Williams POWDURA TGIC Polyester Powder Coating COMPRESSOR BLUE powder paint.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00



Joseph Roesler
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1141 Montlimar Drive
Suite 1006
Mobile, AL 36609
Phone: 251-441-6131 Fax: 251-441-6396



INVOICE / DEBT COLLECTION NOTICE

Company Name: MPV Morganton Pressure Vessels North Carolina, LLC, dba Morganton Pressure Vessels, LLC
Inspection Site: 2440 S US Hwy 31, Bay Minette, AL 36507
Issuance Date: 01/30/2018

Summary of Penalties for Inspection Number	1266870
Citation 1, Serious	\$101800.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$101800.00

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 www.pay.gov. 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 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.

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.



Joseph Roesler
Area Director

1/30/2015
Date