

U.S. Department of Labor
Occupational Safety and Health Administration
1033 La Posada
Suite 375
Austin, TX 78752



Citation and Notification of Penalty

To:
C & C Sage, Inc., dba True Blue Granite
and its successors
11102 Bluff Bend Drive
Austin, TX 78753

Inspection Number: 1468553
Inspection Date(s): 03/06/2020 - 08/10/2020
Issuance Date: 08/13/2020

Inspection Site:
11102 Bluff Bend Dr.
Austin, TX 78753

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 512-374-0271. 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 08/13/2020. The conference will be held by telephone or at the OSHA office located at 1033 La Posada, Suite 375, Austin, TX 78752 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1468553

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753
Issuance Date: 08/13/2020

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, 1033 La Posada, Suite 375, Austin, TX 78752**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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

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

Inspection Number: 1468553
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Issuance Date: 08/13/2020



Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

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

29 CFR 1910.22(a)(2): The floor of each workroom was not maintained in a clean and, to the extent feasible, in a dry condition. When wet processes are used, drainage must be maintained and, to the extent feasible, dry standing places, such as false floors, platforms, and mats must be provided.

On or about March 6th, 2020, and at times prior thereto, water accumulated on the production floor from polishing tools and blasting machinery. Proper drainage was not maintained, exposing employees to the hazard of slipping and falling.

Date By Which Violation Must be Abated:
Proposed Penalty:

09/30/2020
\$4453.00

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

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Issuance Date: 08/13/2020



Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

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

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

- a) On or about March 25th, 2020, an employee using a handheld angle grinder on a stone product was not wearing eye protection, exposing the employee to the hazard of being struck by flying particles.
- b) On or about March 25th, 2020, employees utilized compressed air to dry and clean stone products without the use of eye protection, exposing employees to the hazard of being struck by flying particles.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/25/2020
\$4453.00

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

Inspection Number: 1468553
Inspection Date(s): 03/06/2020 - 08/10/2020
Issuance Date: 08/13/2020



Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

29 CFR 1910.178(a)(6): The employer did not ensure that all nameplates or markings were maintained in a legible condition:

On or about March 26th, 2020, and at times prior thereto, the capacity plate ratings and markings on a Toyota forklift were illegible due to wear, exposing employees to the hazard of tipping over a forklift.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$7422.00

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

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Issuance Date: 08/13/2020



Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

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

29 CFR 1910.178(m)(5)(i): When a powered industrial truck is left unattended, load engaging means were not fully lowered, controls were not neutralized, power was not shut off, and brakes set:

On or about March 26th, 2020, a forklift was left unattended while still having the load engaging means and attachments raised, exposing employees to the hazard of being struck by the vehicle or load engaging means.

Date By Which Violation Must be Abated:

09/09/2020

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

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Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

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

29 CFR 1910.178(o)(1): The employer did not ensure that only stable or safely arranged loads were handled:

On or about February 28th, 2020, and at times prior thereto and thereafter, employees utilized a clamp connected to a forklift boom attachment to move stone slabs. The slabs were unstable and not safely secured, exposing employees to the hazards of being struck by the load.

- a) The clamp was not secured and shifted on stone slabs due to product inconsistencies.
- b) The clamp was worn with damaged and degraded grip pads that reduced stability of the load.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/30/2020
Proposed Penalty:	\$10390.00

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
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Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

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

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

On or about March 6th, 2020, and at times prior thereto, employees worked near the moving parts of a Titan 2800 CNC routing machine, exposing employees to the hazard of getting caught in moving parts.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8906.00

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

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Inspection Date(s): 03/06/2020 - 08/10/2020
Issuance Date: 08/13/2020



Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

Citation 1 Item 6 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):

On or about March 25th, 2020, a handheld angle grinder was used without a guard while cutting stone products, exposing employees to the hazard of contact with moving parts and flying debris.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/25/2020
\$4453.00

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: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

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

29 CFR 1910.1053(c): The employer did not ensure that no employee was exposed to an airborne concentration of respirable crystalline silica in excess of 50 ug/m³, calculated as an 8-hour TWA:

On or about March 26, 2020, employee exposures exceeded the 8-hour time weighted average (TWA) permissible exposure limit (PEL) of 50 ug/m³ for respirable crystalline silica.

- a) Employee(s) dry grinding stone products were exposed to a TWA of 86.4 ug/m³, approximately 1.7 times the PEL, for samples collected over a 480-minute period.
- b) Employee(s) wet-polishing stone products were exposed to a TWA of 56.0 ug/m³, approximately 1.1 times the PEL. The exposure was derived from samples collected over a 468-minute period and zero exposure was assumed for the 12 minutes not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/30/2020
Proposed Penalty:	\$10390.00

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

Inspection Number: 1468553
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Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

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

29 CFR 1910.1053(j)(3)(i): The employer did not ensure that each employee covered by this section could demonstrate knowledge and understanding of the health hazards associated with exposure to respirable crystalline silica; specific tasks in the workplace that could result in exposure to respirable crystalline silica; specific measures the employer has implemented to protect employees from exposure to respirable crystalline silica; the contents of this section; and the purpose and a description of the medical surveillance program required by paragraph (i) of this section:

Employees performing dry grinding stone and wet-polishing stone did not receive training to ensure they had knowledge of the hazards of silica dust and the protective measures to control the dust, exposing employees to the health hazards associated with respirable crystalline silica.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/09/2020
Proposed Penalty:	\$10390.00

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

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Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

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

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

29 CFR 1910.1200(g)(1): Employers did not have a safety data sheet in the workplace for each hazardous chemical which they use:

On or about March 6th, 2020, and at times prior thereto, employees used hazardous chemicals for which no safety data sheet existed at the jobsite, such as acetone, exposing employees to fire, irritation, inhalation, ingestion and absorption hazards of chemicals.

Date By Which Violation Must be Abated:
Proposed Penalty:

09/09/2020
\$4453.00

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

Inspection Number: 1468553
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Issuance Date: 08/13/2020



Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

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

29 CFR 1910.1200(h)(2)(iii): The employer did not provide information to the employees as to the location and availability of the written hazard communication program, and safety data sheets required by 29 CFR 1910.1200:

On or about March 6th, 2020, and at times prior thereto, employees that used hazardous chemicals were unaware of the location of Safety Data Sheets (SDS), exposing employees to fire, irritation, inhalation, ingestion and absorption hazards of chemicals.

Date By Which Violation Must be Abated:

09/30/2020

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: 1468553
Inspection Date(s): 03/06/2020 - 08/10/2020
Issuance Date: 08/13/2020



Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

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

29 CFR 1910.1200(h)(3)(ii): Employee training did not include the physical and health hazards of the chemicals in the work area:

On or about March 6th, 2020, and at times prior thereto, employees were not trained on the hazardous characteristics of chemicals in the workplace, such as acetone, exposing employees to fire, irritation, inhalation, ingestion and absorption hazards of chemicals.

Date By Which Violation Must be Abated:

09/30/2020

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: 1468553
Inspection Date(s): 03/06/2020 - 08/10/2020
Issuance Date: 08/13/2020



Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

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

29 CFR 1910.1053(g)(2): Where respirator use was required by this section, the employer did not institute a respiratory protection program in accordance with 29 CFR 1910.134:

For the Dry Fabrication Area: On or about March 6th, 2020, and at times prior thereto, employees dry cutting granite products were required to wear a respirator without the implementation of a written respiratory protection program including medical evaluations, fit testing, training, and ensuring a proper seal, exposing employees to the hazards of undue physiological burden and silica inhalation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/30/2020
Proposed Penalty:	\$103901.00

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: 1468553
Inspection Date(s): 03/06/2020 - 08/10/2020
Issuance Date: 08/13/2020



Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

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

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

29 CFR 1910.178(a)(4): Modifications and additions which affect capacity and safe operation of powered industrial trucks were performed by the employer without the manufacturer's prior written approval:

On or about March 6th, 2020, and at times prior thereto, employees operated Nissan and Toyota forklifts equipped with a boom attachment without the manufacturer's written approval, exposing employees to the hazards of unstable loads, tipping the forklift and being struck by the load or equipment.

C & C Sage, Inc., DBA True Blue Granite was previously cited for a violation of this occupational safety and health standard, 1910.178(a)(4), which was contained in OSHA inspection number 1413192, citation number 1, item number 2a, and was affirmed as a final order on January 23rd, 2020, with respect to a workplace located at 3626 Binz-Engleman Rd., San Antonio, TX 78219.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/30/2020
Proposed Penalty:	\$20781.00

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: 1468553
Inspection Date(s): 03/06/2020 - 08/10/2020
Issuance Date: 08/13/2020



Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

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

29 CFR 1910.178(a)(5): The powered industrial truck was equipped with front-end attachments other than factory installed attachments, however the employer did not request that the truck be marked to identify the attachments and show the approximate weight of the truck and attachment combination at maximum elevation with load laterally centered:

On or about March 6th, 2020, and at times prior thereto, employees operated Toyota and Nissan forklifts with boom attachments and did not update capacity plates that reflected the attachment, exposing employees to the hazards of unstable loads, tipping the forklift and being struck by the load or equipment.

C & C Sage, Inc., DBA True Blue Granite was previously cited for a violation of this occupational safety and health standard, 1910.178(a)(5), which was contained in OSHA inspection number 1413192, citation number 1, item number 2b, and was affirmed as a final order on January 23rd, 2020, with respect to a workplace located at 3626 Binz-Engleman Rd., San Antonio, TX 78219.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/30/2020

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
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Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

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

29 CFR 1910.242(b): Compressed air used for cleaning purposes was not reduced to less than 30 p.s.i. and effective chip guarding and personal protective equipment was not used.

On or about March 6th, 2020, and at times prior thereto, employees used compressed air at pressures greater than 30 p.s.i. and without chip guarding to clean manufactured stone products and employee bodies and clothing, exposing employees to the hazards of being struck by flying debris, eye damage and air embolism.

C & C Sage, Inc., DBA True Blue Granite was previously cited for a violation of this occupational safety and health standard, 1910.242(b), which was contained in OSHA inspection number 1414203, citation number 1, item number 2, and was affirmed as a final order on January 23rd, 2020, with respect to a workplace located at 3626 Binz-Engleman Rd., San Antonio, TX 78219.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8906.00

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

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Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
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Citation 3 Item 3 Type of Violation: **Repeat**

29 CFR 1910.1053(d)(1): The employer did not assess the exposure of each employee who was or may reasonably be expected to be exposed to respirable crystalline silica at or above the action level in accordance with either the performance option in paragraph (d)(2) or the scheduled monitoring option in paragraph (d)(3) of this section:

On or about March 6th, 2020, and at times prior thereto, the employer did not conduct silica air sampling for employees that cut and polish stone countertops, exposing employees to the hazard of inhaling silica dust.

C & C Sage, Inc., dba True Blue Granite was previously cited for a violation of this occupational safety and health standard, 1910.1053(d)(1), which was contained in OSHA inspection number 1414203, citation number 1, item number 3, and was affirmed as a final order on January 23rd, 2020, with respect to a workplace located at 3626 Binz-Engleman Rd., San Antonio, TX 78219.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/09/2020
Proposed Penalty:	\$20781.00

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

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Citation and Notification of Penalty

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753

Citation 4 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.157(e)(3): Portable fire extinguishers were not subjected to an annual maintenance check:

On or about March 6th, 2020, and at times prior thereto, fire extinguishers at the jobsite had not received maintenance checks within 365 days, exposing employees to the hazard of fire.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

A handwritten signature in cursive script that reads "R. Casey Perkins".

R. Casey Perkins, CSP
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1033 La Posada
Suite 375
Austin, TX 78752



INVOICE / DEBT COLLECTION NOTICE

Company Name: C & C Sage, Inc., dba True Blue Granite
Inspection Site: 11102 Bluff Bend Dr., Austin, TX 78753
Issuance Date: 08/13/2020

Summary of Penalties for Inspection Number	1468553
Citation 1, Serious	\$65310.00
Citation 2, Willful	\$103901.00
Citation 3, Repeat	\$50468.00
Citation 4, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$219679.00

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 two percent (2%). 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.



R. Casey Perkins, CSP

Area Director

8-13-2020

Date