Occupational Safety and Health Administration 40 Western Avenue Room G26 Augusta, ME 04330 Phone: 207-626-9160 Fax: 207-622-8213



Citation and Notification of Penalty

To

Formed Fiber Technologies, LLC and its successors P.O. Box 1300 Auburn, ME 04211

Inspection Site: 125 Allied Road Auburn, ME 04211 **Inspection Number: 988715**

Inspection Date(s): 09/04/2014 - 01/29/2015

Issuance Date: 01/30/2015

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 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 \$50,000 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 cit	tation(s)	issue	d on
01/30/2015. The conference will be held by telephone or at the OSHA of	fice loca	ted at	40
Western Avenue, Room G26, Augusta, ME 04330 on	_ at .	is .	
Employees and/or representatives of employees ha	ve a rigl	ıt to a	ittend an
informal conference.			

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 988715

Company Name: Formed Fiber Technologies, LLC Inspection Site: 125 Allied Road, Auburn, ME 04211

Issuance Date: 01/30/2015

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, 40 Western Avenue, Room G26, Augusta, ME 04330

Citation Number By (Method of Abat	and Item Number ement):	was corrected on	
Citation Number By (Method of Abat	ement):	was corrected on	
By (Method of Abate	and Item Number ement):	was corrected on	
By (Method of Abate	ement):	was corrected on	
Citation Number	and Item Number ement):	was corrected on	
Citation Number By (Method of Abate	and Item Number	was corrected on	, ·
	rmation contained in this been informed of the aba	document is accurate and that the affitement.	ected employees and their
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): 09/04/2014 - 01/29/2015

Inspection Number: 988715

Issuance Date: 01/30/2015



Citation and Notification of Penalty

Company Name: Formed Fiber Technologies, LLC Inspection Site: 125 Allied Road, Auburn, ME 04211

Citation 1 Item 1 Type of Violation: Serious

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to struck by hazards from contact with robots:

In the Molding and Assembly Department the Pretrim Robots, P2, K4, K3, and K2 had the capability of reaching beyond the perimeter pressure sensitive safety mats, striking operators and other employees outside the safeguarded space.

One feasible means of abatement would be to follow the requirements of the American National Standards Institute/Robotic Industries Association (ANSI/RIA) Standard R15.06-1999, Safety Requirements for Industrial Robots and Robot Systems, clause 7.5, which provides options for selecting the appropriate safeguarding method for controlling hazards, including specific hazards (7.4) and either: a) installing safeguards required in clause 8, and installing them in accordance with clause 10, or b) conducting a comprehensive risk assessment per clause 9, and installing the safeguards determined to be appropriate in accordance with clause 10.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/05/2015

Proposed Penalty:

\$5500.00

Inspection Number: 988715

Occupational Safety and Health Administration Inspection Date(s): 09/04/2014 - 01/29/2015

Issuance Date: 01/30/2015



Citation and Notification of Penalty

Company Name: Formed Fiber Technologies, LLC Inspection Site: 125 Allied Road, Auburn, ME 04211

Citation 1 Item 2 Type of Violation: Serious

29 CFR 1910.147(c)(6)(i)(C): Where lockout was used for energy control, the periodic inspection did not include a review, between the inspector and each authorized employee, of that employee's responsibilities under the energy control procedure being inspected:

Nonwoven Lines - Periodic inspections of the nonwoven lines did not include a representative number of observed employees. The last two inspection cycles of the nonwoven lines included approximately 352 observations. The same employee was observed in all but two observations. The nonwoven department has approximately 45 operators.

Date By Which Violation Must be Abated: Proposed Penalty:

04/05/2015 \$5500.00

Occupational Safety and Health Administration Inspection Date(s): 09/04/2014 - 01/29/2015

Inspection Number: 988715

Issuance Date: 01/30/2015



Citation and Notification of Penalty

Company Name: Formed Fiber Technologies, LLC Inspection Site: 125 Allied Road, Auburn, ME 04211

Citation 1 Item 3 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:

- a) 5 Line, Second Loom, East End The ingoing nip at the interface of the infeed rolls was not guarded.
- b) 5 Line, Second Loom, West End The ingoing nip at the interface of the infeed rolls was not guarded.
- c) Maintenance Shop The rotating chuck on the "old" Bridgeport drill press was not guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: Proposed Penalty:

04/05/2015 \$5500.00

Occupational Safety and Health Administration

Inspection Number: 988715

Inspection Date(s): 09/04/2014 - 01/29/2015

Issuance Date: 01/30/2015



Citation and Notification of Penalty

Company Name: Formed Fiber Technologies, LLC Inspection Site: 125 Allied Road, Auburn, ME 04211

Citation 1 Item 4 Type of Violation: Serious

29 CFR 1910.215(b)(9): The distance between the abrasive wheel periphery(s) and the adjustable tongue or the end of the safety guard peripheral member at the top exceeded one fourth inch:

Maintenance Shop - The tongue guards on the Dayton Pedestal Grinder were greater than one fourth of an inch from the abrasive wheel peripheries.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/05/2015

Proposed Penalty:

\$5500.00

Occupational Safety and Health Administration Inspection Date(s): 09/04/2014 - 01/29/2015

Inspection Number: 988715

Issuance Date: 01/30/2015



Citation and Notification of Penalty

Company Name: Formed Fiber Technologies, LLC Inspection Site: 125 Allied Road, Auburn, ME 04211

Citation 1 Item 5 Type of Violation: Serious

29 CFR 1910.219(d)(1): Pulley(s) with part(s) seven feet or less from the floor or work platform were not guarded in accordance with the requirements specified in 29 CFR 1910.219(m) and (o):

Maintenance Shop - The belt/pulley assembly on a Bridgeport drill press was not guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/05/2015

Proposed Penalty:

\$4400.00

Inspection Number: 988715

Occupational Safety and Health Administration Inspection Date(s): 09/04/2014 - 01/29/2015

Issuance Date: 01/30/2015



Citation and Notification of Penalty

Company Name: Formed Fiber Technologies, LLC Inspection Site: 125 Allied Road, Auburn, ME 04211

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

Citation 2 Item 1 a Type of Violation: Repeat

29 CFR 1910.147(c)(4)(ii): Procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance including, but not limited to, 29 CFR 1910.147(c)(4)(ii)(A), (c)(4)(ii)(B), (c)(4)(ii)(C) and (c)(4)(ii)(D):

- a) Molding & Assembly The machine specific lockout/tagout procedure for performing maintenance and cleaning activities on jet cell 5 did not include isolating the electrical energy and applying a lock.
- b) Molding & Assembly The machine specific lockout/tagout procedure for performing maintenance and cleaning activities on jet cell 6 did not include isolating the electrical energy and applying a lock.
- c) Molding & Assembly The machine specific lockout/tagout procedure for performing maintenance and cleaning activities on jet cell A did not include isolating the electrical energy and applying a lock.

Formed Fiber Technologies, Inc. was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 902258, citation number 2, item number 2 and was affirmed as a final order on 11/7/13, with respect to a workplace located at 1630 Ferguson Ct., Sidney, Ohio.

Formed Fiber Technologies, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.147(c)(4)(ii)(D), which was contained in OSHA inspection number 315717926, citation number 1, item number 1a and was affirmed as a final order on 10/6/11, with respect to a workplace located at 125 Allied Road, Auburn, Maine.

Occupational Safety and Health Administration Inspection Date(s): 09/04/2014 - 01/29/2015

Inspection Number: 988715

Issuance Date: 01/30/2015



Citation and Notification of Penalty

Company Name: Formed Fiber Technologies, LLC Inspection Site: 125 Allied Road, Auburn, ME 04211

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

Proposed Penalty:

04/05/2015 \$55000.00

Occupational Safety and Health Administration Inspection Date(s): 09/04/2014 - 01/29/2015

Inspection Number: 988715

Issuance Date: 01/30/2015



Citation and Notification of Penalty

Company Name: Formed Fiber Technologies, LLC Inspection Site: 125 Allied Road, Auburn, ME 04211

Citation 2 Item 1 b Type of Violation: Repeat

29 CFR 1910.147(c)(4)(ii)(D): The energy control procedures did not clearly and specifically outline the requirements for testing a machine or equipment to determine and verify the effectiveness of lockout devices, tagout devices, and other energy control measures:

In the following instances the written machine specific lockout/tagout procedures were not specific in that:

- 1. Each procedure required that the isolation of power be verified by attempting to start the equipment, when such an attempt was not possible for some of the equipment due to the loss of power to the control screens; and
- 2. Each procedure provided instruction to verify that display indicators at the console are powered down. Due to the possibility of a single console malfunction becoming a false reading of absence of voltage, an additional method of verification is necessary. An additional method could include, but is not limited to, a visual verification of the absence of voltage on at least one other display powered by the same isolated energy source; or visual verification of a light which is activated by the absence of voltage to the console.
- a) Nonwoven Lines
- b) Molding and Assembly, Thermoformer's

Formed Fiber Technologies, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.147(c)(4)(ii), which was contained in OSHA inspection number 902258, citation number 2, item number 2 and was affirmed as a final order on 11/7/13, with respect to a workplace located at 1630 Ferguson Ct., Sidney, Ohio.

Formed Fiber Technologies, Inc. was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 315717926, citation number 1, item number 1a and was affirmed as a final order on 10/6/11, with respect to a workplace located at 125 Allied Road, Auburn, Maine.

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): 09/04/2014 - 01/29/2015

Inspection Number: 988715

Issuance Date: 01/30/2015



Citation and Notification of Penalty

Company Name: Formed Fiber Technologies, LLC Inspection Site: 125 Allied Road, Auburn, ME 04211

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

04/05/2015

Occupational Safety and Health Administration Inspection Date(s): 09/04/2014 - 01/29/2015

Inspection Number: 988715

Issuance Date: 01/30/2015



Citation and Notification of Penalty

Company Name: Formed Fiber Technologies, LLC Inspection Site: 125 Allied Road, Auburn, ME 04211

Citation 2 Item 2 Type of Violation: Repeat

29 CFR 1910.147(d): The established procedure for the application of energy control (the lockout or tagout procedures) did not cover the actions listed in and was not done in sequence as required by 29 CFR 1910.147(d)(1)-(6):

In the following instances electrical energy was not isolated and lockout devices were not affixed to energy isolation devices:

- a) While working on or cleaning the back side of jet cell 5.
- b) While working on or cleaning the back side of jet cell 6.
- c) While working on or cleaning the back side of jet cell A.

In the following instances energy isolating devices needed to control the energy were not isolated, lockout devices were not affixed, and energy isolation and deenergization was not verified:

- d) While cleaning the front side of jet cell 3.
- e) While cleaning the front side of jet cell 4.
- f) While cleaning the front side of jet cell 5.
- g) While cleaning the front side of jet cell 6.
- h) While cleaning the front side of jet cell 7.
- i) While cleaning the front side of jet cell 8.
- j) While cleaning the front side of jet cell 9.
- k) While cleaning the front side of jet cell 10.
- 1) While cleaning the front side of jet cell A.

Formed Fiber Technologies, Inc. was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 902258, citation number 1, item number 4 and was affirmed as a final order on 11/7/13, with respect to a workplace located at 1630 Ferguson Ct., Sidney, Ohio.

Occupational Safety and Health Administration Inspection Date(s): 09/04/2014 - 01/29/2015

Inspection Number: 988715

Issuance Date: 01/30/2015



Citation and Notification of Penalty

Company Name: Formed Fiber Technologies, LLC Inspection Site: 125 Allied Road, Auburn, ME 04211

Date By Which Violation Must be Abated: Proposed Penalty:

Corrected During Inspection \$27500.00

Maryann Medeiros Area Director

Occupational Safety and Health Administration 40 Western Avenue Room G26

Augusta, ME 04330

Phone: 207-626-9160 Fax: 207-622-8213



INVOICE / DEBT COLLECTION NOTICE

Company Name:

Formed Fiber Technologies, LLC

Inspection Site:

125 Allied Road, Auburn, ME 04211

Issuance Date:

01/30/2015

Summary of Penalties for Inspection Number

988715

Citation 1, Serious

\$26400.00

Citation 2, Repeat

\$82500.00

TOTAL PROPOSED PENALTIES

\$108900.00

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 \$50,000 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.

<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.

<u>Administrative Costs</u>: 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.

Maryann Medeiros

Area Director

January 31, 2015