

U.S. Department of Labor

Occupational Safety and Health Administration
2296 Henderson Mill Road
Suite 200
Atlanta, GA 30345
Phone: 770-493-6644 Fax: 770-493-7725



Citation and Notification of Penalty

To:
OLDCASTLE LAWN & GARDEN, INC.
and its successors
24814 GA HWY 83N
Shady Dale, GA 31085

Inspection Number: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018

Inspection Site:
24814 GA HWY 83N
Shady Dale, GA 31085

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 05/03/2018. The conference will be held by telephone or at the OSHA office located at 2296 Henderson Mill Road, Suite 200, Atlanta, GA 30345 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1280876

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085
Issuance Date: 05/03/2018

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, 2296 Henderson Mill Road, Suite 200, Atlanta, GA 30345**

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

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Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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

29 CFR 1910.23(b)(8): The employer did not ensure ladders were used only for the purposes for which they were designed:

a) Maintenance department: On or about December 14, 2017, and at times prior to, employees used a step ladder in the closed position when going into the Peterson 6700B horizontal grinder to perform maintenance, exposing them to falls.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$6097.00

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: 1280876
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Citation and Notification of Penalty

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Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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

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

29 CFR 1910.23(b)(9): Ladders were not inspected before the initial use in each work shift, or more frequently as necessary, to identify any visible defects that could cause injury:

On or about November 7, 2017, and at times prior to:

a) Maintenance department: The employer did not ensure ladders were inspected before they were used or at the beginning of each shift. Employees were exposed to fall hazards when working from the portable ladder with bent components.

b) Hopper Line 1: The employer did not ensure that ladders were inspected before they were used or at the beginning of each shift. Employees were exposed to fall hazards while they worked from the portable ladder with bent components.

c) Hopper Line 2: The employer did not ensure that ladders were inspected before they were used or at the beginning of each shift. Employees were exposed to fall hazards while they worked from the portable ladder with bent components.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$8130.00

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: 1280876
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Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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

29 CFR 1910.23(b)(10): The employer did not ensure any ladder with structural or other defects was immediately tagged "Dangerous: Do Not Use" or with similar language in accordance with 1910.145 and removed from service until repaired in accordance with 1910.22(d), or replaced:

a) Maintenance Department: On or about November 17, 2017, and at times prior to, employees who used ladders to store and retrieve items on racks were exposed to fall hazards while they worked from a portable ladder with bent components that was not tagged and removed from service.

b) Hopper Line 1: On or about November 17, 2017, and at times prior to, employees used ladders were exposed to fall hazards while they worked from a portable ladder with bent components that was not tagged and removed from service.

c) Hopper Line 2: On or about November 17, 2017, and at times prior to, employees used ladders were exposed to fall hazards while they worked from a portable ladder with bent components that was not tagged and removed from service.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:

Corrected During Inspection

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: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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

29 CFR 1910.23(c)(8) The employer did not ensure that the top cap and the top step of a step ladder were not used as steps.

a) Maintenance department: On or about December 14, 2017, and at times prior to, employees used the last step of the ladder to reach into Peterson 6700B horizontal grinder, exposing them to falls.

b) Line 3: On or about November 17, 2017, and at times prior to, employees used the last step of the step ladder to reach into the Amadas Open Mouth Bagger to remove product that had become stuck.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$6097.00

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Company Name: OLDCASTLE LAWN & GARDEN, INC.
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Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.25(c)(2): The employer did not ensure standard stairs had a maximum riser height of 9.5 inches (24 cm):

a) Manual Line: On or about November 17, 2017, and at times prior to, employees at the Amada Open Mouth Bagger Conveyor used the steps to the platform connected to the conveyor to stack bags of mulch. The steps did not have uniform riser height. The first riser was approximately 15.375-inches from the floor and the second riser was approximately 15.25 inches between the first and second steps, exposing employees to trip and fall hazards.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$6097.00

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Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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

29 CFR 1910.28(b)(1)(i): Each employee on a walking/working surface having an unprotected side or edge which was four feet (1.2m) or more above a lower level was not protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems:

Incoming Docking Area - On or about November 7, 2017, and at times prior to:

- a) at the loading dock adjacent to the emergency exit door, employees operating forklifts, packing pallet trucks, and moving boxes were exposed to a fall of approximately four feet and four inches where a single chain was installed across the dock door opening. The chain did not provide adequate protection to prevent employees from falling from the dock to the concrete below.
- b) at the loading dock where the dumpster was placed, employees discarding trash, packing pallet trucks, and moving boxes were exposed to a fall of approximately four feet and four inches where no guardrails were installed across the dock door opening.
- c) at the Sahara Coloring Machine: Employees performing maintenance on the Sahara Coloring Machine were exposed to falls in that a mid-rail was not installed on the platform above the machine. The distance between the existing top rail and the platform was approximately 36 inches.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$12195.00

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: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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 6 a Type of Violation: **Serious**

29 CFR 1910.37(a)(4): Safeguard(s) designed to protect employees during an emergency (e.g., sprinkler systems, alarm systems, fire doors, exit lighting), were not in proper working order at all times:

a) Throughout the facility: On or about November 7, 2017, and at times prior to, the employer did not ensure that emergency exit lighting was provided and in working order. In case of fire or other emergency requiring evacuation, employees were exposed to entrapment, burns, and smoke inhalation hazards.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$12934.00

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: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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

29 CFR 1910.37(b)(6): Each exit sign was not illuminated to a surface value of at least five foot-candles (54 lux) by a reliable light source and be distinctive in color:

a) Throughout the facility: On or about November 7, 2017, and at times prior to, the employer did not ensure that emergency exit signs were illuminated and in working condition. In case of fire or other emergency requiring evacuation, employees were exposed to entrapment, burns, and smoke inhalation hazards.

Date By Which Violation Must be Abated:

Corrected During Inspection

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: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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 7 a Type of Violation: **Serious**

29 CFR 1910.101(b): The in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks were not in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in CFR 1910.6: (3.3.8 - Where caps were provided for valve protection, such caps were not kept on cylinders in storage)

On or about November 7, 2017 and at times prior to, employees were exposed to struck-by hazards where compressed gas cylinders were stored without their valve caps. Instances include, but are not limited to the following:

a) Storage outside next to green house: A cylinder containing Compressed Gas, N.O.S. (Argon 75%, Carbon Dioxide 25%)

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$8130.00

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: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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

29 CFR 1910.253(b)(2)(iv): Valve protection caps, where cylinders were designed to accept caps, were not always in place, hand-tight, except when cylinders were in use or connected for use:

On or about November 7, 2017 and at times prior to, employees were exposed to struck-by hazards when compressed gas cylinders used for oxy-fuel gas welding were stored without valve caps:

a) Storage outside next to green house: At least six (6) small compressed gas cylinders containing oxygen were stored without valve caps.

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

Date By Which Violation Must be Abated:

05/30/2018

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: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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

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):

On or about November 21, 2017, and at times prior to, employees perform maintenance and servicing on various equipment. Employees were exposed to struck by, caught in and amputation hazards when the specific procedures did not contain enough specificity. Deficiencies included but were not limited to the following:

- a) Soil Mixing Line: The lockout/tagout procedure says, Try to start machine at key pad on bagger. There is no bagger on the soil mixing line. Additionally, the verification step indicates that the machinery is to be returned to the OFF position, however this is not possible due to the blank screen on the key pad.
- b) #4 Bag Machine: The lockout/tagout procedure does not include the specific steps for removal of the energy control devices.
- c) Auto Line 1 Bag Machine; Premier Tech FFS and Amadas VF (includes in-feed conveyor and outside bulk hopper): The lockout/tagout procedure does not include the specific steps for removal of the energy control devices.
- d) Auto Line 2 Bag Machine; Premier Tech FFS and Amadas VF (includes in-feed conveyor and outside bulk hopper): The lockout/tagout procedure does not include the specific steps for removal of the energy control devices.
- e) Pallet Placer AU-2 line #5.5: There are no specific steps to describe the techniques to be utilized for the control of hazardous energy. The section that would contain steps at the lower half of the page is blank.
- f) Air compressor #2: The lockout/tagout procedure says to view photos of isolation devices on the next

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: OLDCASTLE LAWN & GARDEN, INC.
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page, however no second page was provided. The lockout/tagout procedure does not include the specific steps for removal of the energy control devices.

g) Air dryer: The lockout/tagout procedure says to view photos of isolation devices on the next page, however no second page was provided. The lockout/tagout procedure does not include the specific steps for removal of the energy control devices.

h) Air compressor # 1: The lockout/tagout procedure says to view photos of isolation devices on the next page, however no second page was provided. The lockout/tagout procedure does not include the specific steps for removal of the energy control devices.

i) #6 Bag machine : The lockout/tagout procedure says to view photos of isolation devices on the next page, however no second page was provided. The lockout/tagout procedure does not include the specific steps for removal of the energy control devices.

j) Sloom Weg screen: There are no specific steps to describe the techniques to be utilized for the control of hazardous energy. The section that would contain steps at the lower half of the page is blank.

k) Super Sack Bagging Line: The lockout/tagout procedure says to view photos of isolation devices on the next page, however no second page was provided. The lockout/tagout procedure does not include the specific steps for removal of the energy control devices.

l) McT sealer #1, #2, #3, #4, #5, #6: The lockout/tagout procedure says to view pictures of isolation devices; however, no pictures are included in the procedures. The lockout/tagout procedures do not indicate how to isolate and/or protect the employees from the thermal energy; the procedures state if necessary allow the sealer to cool before servicing. The lockout/tagout procedure does not include the specific steps for removal of the energy control devices.

m) Sahara Color Machine: The lockout/tagout procedure, which is typewritten, has handwritten notes that say steps three and four are not needed. The procedure was not revised to eliminate confusion nor was the hazardous energy source addressed in steps three and four removed or otherwise addressed.

n) Pine Processor/ Morbark Screen: The lockout/tagout procedure says to view photos of the locations of isolation devices but no photos are included in the procedures.

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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Occupational Safety and Health Administration

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o) Truck Dump: The lockout/tagout procedure says to view photos of the locations of the isolation devices but no photos are included in the procedures.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$12934.00

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Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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

29 CFR 1910.147(c)(5)(ii)(D): Lockout devices and tagout devices did not indicate the identity of the employee applying the device:

On or about November 17, 2017, and at times prior to, while employees performed servicing and/or maintenance on various equipment throughout the facility, the employer did not ensure that all LOTO locks that were in service had the name and identification of the employees applying the locks. Instances include, but are not limited to the following:

- a) Between Lines 1 and 2: A group LOTO was placed on an electrical panel, one of the locks had the name of the EH&S Coordinator but the second lock had a name written on it but the name was scribbled out and was illegible.
- b) Amadas Open Mouth Bagger: The machine was locked out by maintenance, but the lock placed on the machine did not have the name of the employee who placed the lock.
- c) Coloring machine (Sahara X3): Employees placed a group LOTO on the panel box but the locks that were used did not identify the employees placing either lock.
- d) 6700B Portable Waste Recycler: Employees placed a group LOTO on the Grinder, the locks were not marked to indicate the identity of the person who placed the lock.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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Company Name: OLDCASTLE LAWN & GARDEN, INC.
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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 10 a Type of Violation: **Serious**

29 CFR 1910.157(c)(1): Portable fire extinguishers were not mounted, located and identified so that they were readily accessible without subjecting the employees to injuries:

On or about November 7, 2017, and at times prior to, employees to hazards associated with improperly stored fire extinguishers where the following deficiencies found included, but were not limited to:

- a) Line 3, inside facility: A portable fire extinguisher was located on the floor and was not mounted or its location identified.
- b) Coloring machine, outside facility: The fire extinguisher was not mounted or its location identified.
- c) Hopper line 3, inside facility: The employer did not ensure that the fire extinguisher was properly marked exposing employees to possible smoke inhalation and burns.
- d) Outgoing Dock, inside facility: Access to the fire extinguisher was obstructed by an expandable gate with a sign that said "DANGER WATCH FOR LIFT TRUCKS".

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

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$10163.00

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

Inspection Number: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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

29 CFR 1910.157(c)(4): Portable fire extinguishers were not maintained in a fully charged and operable condition:

On or about November 7, 2017 and at times prior to, the employer did not ensure that fire extinguishers were fully charged and in an operable condition.

a) Coloring machine: The fire extinguisher available for use at the Coloring Machine where the product is colored was not charged. The gauge was showing zero pressure.

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

Date By Which Violation Must be Abated:

05/30/2018

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: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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

29 CFR 1910.157(e)(2): Portable fire extinguishers were not visually inspected at least monthly:

On or about November 7, 2017 and at times prior to throughout the facility, employees engaged in work activities associated with the production of mulch were exposed to hazards associated with portable fire extinguishers that were not inspected on a monthly basis. Deficiencies noted included, but were not limited to fire extinguishers not mounted or located in designated areas, blocked by equipment, not fully charged, and missing annual inspection tags.

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

Date By Which Violation Must be Abated:

05/30/2018

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: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 1 Item 11 Type of Violation: **Serious**

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

a) Throughout the facility: On or about November 26, 2017, and at times prior to, employees used the Toyota sit-down type LP-gas forklift, model 7FGCU25, SN #71854 with a personnel platform to lift employees to perform maintenance tasks. Employees were exposed to falling from distances up to 6-feet to the concrete below. The manufacturer did not approve the use of the platform.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$10163.00

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: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 1 Item 12 Type of Violation: **Serious**

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

a) Throughout the facility: On or about November 7, 2017, and at times prior to, an employee sweeping the floor left the Toyota forklift, serial number: 32187 unattended and out his field of view.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$10163.00

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: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.178(q)(6): Powered industrial trucks were altered so that the relative positions of the various parts were different from what they were when originally received from the manufacturer, by the addition of extra parts not provided by the manufacturer, or by the elimination of any parts without the manufacturer's approval:

On or about November 7, 2017, and at times prior to, employees were exposed to struck-by hazards when the employer made repairs to forklifts and safety related parts were not placed in the same position as located when the forklift was received from the manufacturer:

- a) Toyota forklift, model ZFGU55, serial number: 71854, horn button was installed on the dash of the forklift.
- b) Toyota forklift, model ZFGU55, serial number: 32187, horn button was installed behind the driver requiring him/her to reach behind the seat to use the horn.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 05/30/2018
Proposed Penalty: \$10163.00

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: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 1 Item 14 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 November 7, 2017, and at times prior to,

- a) Amadas Open Mouth bagging machine, SN:A33637: The employer did not ensure that the pinch point of the machine was guarded where employees have to place each bag by hand and fill them up with product. The mouth of the machine expands and contracts, exposing them to amputation hazards.
- b) Amadas Open Mouth bagging machine, SN:A35796: The employer did not ensure that the pinch point of the machine was guarded where employees have to place each bag by hand and fill them up with product. The mouth of the machine expands and contracts, exposing them to amputation hazards.
- c) Palletizer Line 2: The elevator of the palletizer was not guarded. Employees were exposed to being struck-by and/or crushed by the motion of the elevator that automatically stacks material.
- d) Wrapper Line 1: The interlock on the gate to the wrapper was not working properly in that when the gate opened, the wrapper continued to operate. The gate did not fully enclose the machine. There was a gap of approximately 2-feet between the bottom of the gate and the floor. Employees were exposed to being struck by the moving parts of the machine.
- e) Coloring machine (Sahara X3): The employer did not ensure that the in-going nip point between the guide roller and the conveyor belt underneath the conveyor were guarded, exposing employees to caught in and amputation hazards.
- f) Automatic Line: The employer did not ensure that in going nip points of the conveyors were guarded. A conveyor that the moving parts of the rollers on the side of the conveyor are not guarded, as well as the underneath of the conveyor where excess mulch falls. The line consists of several conveyors with exposed nip points. Employees were exposed to amputation hazards.

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: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

g) Manual Amadas Open Mouth Line 4: The employer did not ensure that the guard for the sprocket wheels and chain located on the conveyor was attached to the machine. Employees engaged in work activities related to the production of mulch were exposed to amputations, and caught in hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$12934.00

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: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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 15 a 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):

On or about November 7, 2017, and at times prior to,

a) McT Hot Seal Operator, SN CM 83276: The employer did not ensure the pulleys of the machine were guarded. The operator guides bags of product through the machine to be hot sealed, exposing the employee to amputations and caught in between hazards.

b) McT Hot Seal Operator, SN CM 134584: The employer did not ensure the pulleys of the machine were guarded. The operator guides bags of product through the machine to be hot sealed, exposing the employee to amputations and caught in between hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$10163.00

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: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 1 Item 15 b Type of Violation: **Serious**

29 CFR 1910.219(e)(1)(i): Horizontal belts which had both runs seven feet or less from the floor level were not guarded with a guard that extended to at least fifteen inches above the belt:

On or about November 7, 2017, and at times prior to,

a) McT Hot Seal Operator, SN CM 83276: The employer did not ensure the v-belt of the belt and pulley system was guarded. The operator guides bags of product through the machine to be hot sealed, exposing the employee to amputations and caught in between hazards.

b) McT Hot Seal Operator, SN CM 134584: The employer did not ensure the v-belt of the belt and pulley system was guarded. The operator guides bags of product through the machine to be hot sealed, exposing the employee to amputations and caught in between hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/30/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 1 Item 16 Type of Violation: **Serious**

29 CFR 1910.219(f)(3): Sprocket wheels and chains which were seven 7 feet or less above floors or platforms were not enclosed:

a) Palletizer Line 1: On or about November 7, 2017, and at times prior to, the employer did not ensure that the nip point on a traversing motion sprocket and chain system were guarded where pallets are placed to be stacked with materials. Employees at the palletizer were exposed to amputations and caught in between hazards.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$10163.00

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

Inspection Number: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 1 Item 17 Type of Violation: **Serious**

29 CFR 1910.242(b): Compressed air used for cleaning purposes was not reduced to less than 30 p.s.i.:

a) Line three: On or about November 17, 2017, and at times prior, at 24814 GA HWY 83N Shady Dale, GA 301854:, employees used compress air to clean the residue of wood particles from the Amadas Open Mouth bagger SN: A35796. The pressure measured in excess of 100 psi, exposing employees to embolism hazards and injuries resulting from being struck by flying particles while not wearing any personal protective equipment.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$12934.00

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: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.303(f)(2): Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, was not legibly marked to indicate its purpose, nor located and arranged so the purpose was evident:

Inside the building: On or about November 7, 2017, and at times prior to employees were engaged in work activities including but not limited maintenance and operation of machines receiving power from a panel box controlling equipment such as but not limited to the Super Sack, Shop, Line #1, and Line #5 outlets. The panel box had some breakers labeled, but other breakers were not labeled or the handwriting was illegible.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$6097.00

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: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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 19 a Type of Violation: **Serious**

29 CFR 1910.303(g)(2)(i): Except as elsewhere required or permitted by Subpart S of Part 1910, live parts of electric equipment operating at 50 volts or more were not guarded against accidental contact by use of approved cabinets or other forms of approved enclosures or by any of the means identified in paragraphs (A), (B), (C), and (D) of 29 CFR 1910.303(g)(2)(i):

a) Palletizer machine: On or about November 7, 2017, and at times prior to, employees were exposed to electric shock hazards where the cover for the AC panel L1 was not installed and exposing employees operating the palletizer to electric shock hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/30/2018
Proposed Penalty:	\$12934.00



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 1 Item 19 b Type of Violation: **Serious**

29 CFR 1910.305(b)(1)(ii): Unused openings in boxes, cabinets, or fittings were not effectively closed:

- a) Control panel, Amadas Open Mouth Bagger: On or about November 7, 2017, and at times prior to, employees operating the Open Mouth Bagger were exposed to electric shock hazards where an unused opening in the control panel was not filled.
- b) On or about November 7, 2017, and at times prior to, employees at the Palletizer were exposed to electrical shock hazards when the cover for the AC Panel L1 was not installed. Live copper wiring was exposed.
- c) Diesel Switcher outside: On or about November 21, 2017, and at times prior to, employees working in the area near the Coloring Machine and while refueling from the diesel tank were exposed to electric shock hazards when the junction box had an unused opening that was not filled.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/30/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 1 Item 20 Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(ii): Flexible cords were not used only in continuous lengths without splice or tap:

On or about November 7, 2017, and at times prior to, employees were exposed to electric shock hazards where employees used equipment receiving power from flexible cords that were spliced. Instances include but are not limited to the following:

- a) Line 3: Employees obtained drinking water from a water cooler receiving power from a flexible cord that had a splice. Also one of the manager said that they drink water from the water cooler, he knew it was there and someone placed the tape on the wire and knew it was wrong
- b) Coloring Machine: Flexible cord coming from the panel box at the Coloring Machine was spliced and connected using wire nuts. The cord provides power to the water compressor which, provides water to the coloring machine. The cord was located outdoors and was partially buried. The splice was partially covered with tape.
- c) Coloring machine: The light located on top of the control panel of the Coloring Machine received power from a flexible cord that had been cut and the outer insulation removed to expose conductors. The conductors were spliced together.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$12934.00

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: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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

29 CFR 1910.147(c)(5)(ii): Lockout devices and tagout devices were not used for lockout and tagout purposes only:

a) Between Line 1 and Line 2: On or about November 17, 2017, and at times prior to, the employer did not ensure that locks were only used for lockout tagout purposes only when an electrical panel was removed from service by securing with locks that were used for lockout tagout.

No abatement certification or documentation is required for this item.

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.

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

Inspection Number: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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

29 CFR 1910.147(c)(7)(i)(A): Authorized employee(s) did not receive training in the recognition of applicable hazardous energy sources, the type and magnitude of the energy available in the workplace, and the methods and means necessary for energy isolation:

a) Amadas Open Mouth Bagger : On or about November 7, 2017, and at times prior to, an employee assigned as an operator and not on the authorized employee list performed LOTO in order to perform tasks such as but not limited to clearing jams. The operator was not trained as an authorized employee.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$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: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

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

29 CFR 1910.157(e)(3): The date of the annual maintenance check of portable fire extinguishers was not recorded:

a) Hopper Line 3: On or about November 7, 2017, and at times prior to, the employer did not ensure that the date of annual maintenance was recorded, when a fire extinguisher did not have the yellow maintenance record attached.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$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: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 2 Item 4 Type of Violation: **Other-than-Serious**

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

On or about November 7, 2017 and at times prior to, a relocatable power taps (power strips) and metal junction box were not used in accordance with their listing or labeling:

a) Line 3, Open Mouth Amadas Machine: A relocatable power tap (RLPT) mounted to the metal pallet stacker was receiving power from a pendant cord and providing power to equipment including, but not limited to fans, a water cooler, and another RLPT. The RLPT was not used in according to its listing and labeling.

b) Individual Wrapper: The wrapper was receiving power from a metal junction box with pre-punched knockouts as a pendant, which was not in accordance with its listing and labeling.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$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: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 2 Item 5 Type of Violation: **Other-than-Serious**

29 CFR 1910.303(g)(1): Sufficient access and working space was not provided and maintained about all electric equipment (operating at 600 volts, nominal, or less to ground) to permit ready and safe operation and maintenance of such equipment:

On or about November 7, 2017, and at times prior to, employees were engaged in work activities including but not limited maintenance and operations of machines related to mulch production where:

- a) Panel box between Lines 1 and 2: The panel was not easily accessible due to the storage of bags placed in front of the panel boxes.
- b) Panel box and switch on Line 2: A green metal wagon was stored in front of the electrical panel and electrical switch.
- c) Line 3, Amadas Open Mouth Bagger: A metal rod designed for energy isolation was left in place while the line was in operation, such that the door to the electrical panel could not be immediately opened.

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

Date By Which Violation Must be Abated:

05/30/2018

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: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 2 Item 6 Type of Violation: **Other-than-Serious**

29 CFR 1910.305(e)(1): Cabinets, cutout boxes, fittings, boxes, and panelboard enclosures in damp or wet locations were not installed to prevent moisture or water from entering and accumulating within the enclosures:

On or about November 7, 2017, and at times prior to, employees were exposed to electric shock hazards where the water compressor was receiving power from an electrical installation outdoors. The cover to the junction box was not effectively closed and the electrical wiring was exposed to the elements.

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

Date By Which Violation Must be Abated:
Proposed Penalty:

05/30/2018
\$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: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 2 Item 7 Type of Violation: **Other-than-Serious**

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and/or cables were used as a substitute for the fixed wiring of a structure:

On or about November 7, 2017, and at times prior to, employees were exposed to electric shock hazards where employees used equipment receiving power from flexible cords that were spliced. Instances include but are not limited to the following:

a) Line three: On or about November 7, 2017, and at times prior to, employees were exposed to hazards associated with the use of extension cords in lieu of permanent wiring. The extension cord was used to provide power equipment including but not limited to, phones and other equipment used throughout the day.

No abatement certification or documentation is required for this item.

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.

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

Inspection Number: 1280876
Inspection Date(s): 11/07/2017 - 12/15/2017
Issuance Date: 05/03/2018



Citation and Notification of Penalty

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085

Citation 2 Item 8 Type of Violation: **Other-than-Serious**

29 CFR 1910.305(g)(1)(iv)(D): Flexible cords and cables were attached to building surfaces:

Line three: On or about November 7, 2017, and at times prior to, employees were exposed to hazards associated with the use of extension cords attached to the frame of the elevated platform . The extension cord was used to provide power to equipment used throughout the day.

No abatement certification or documentation is required for this item.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00


for William C. Fulcher
Area Director

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
2296 Henderson Mill Road
Suite 200
Atlanta, GA 30345
Phone: 770-493-6644 Fax: 770-493-7725



INVOICE / DEBT COLLECTION NOTICE

Company Name: OLDCASTLE LAWN & GARDEN, INC.
Inspection Site: 24814 GA HWY 83N, Shady Dale, GA 31085
Issuance Date: 05/03/2018

Summary of Penalties for Inspection Number	1280876
Citation 1, Serious	\$204359.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$204359.00

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

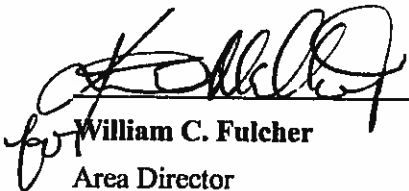
account, the bank will attempt to make the transfer up to 2 times.

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.



William C. Fulcher
Area Director

05/03/2018

Date