

U.S. Department of Labor

Occupational Safety and Health Administration
10810 Executive Center Drive
Danville Bldg. 2, Suite 206
Little Rock, AR 72211
Phone: 501-224-1841 Fax: 501-224-2697



Citation and Notification of Penalty

To:

SHERMAN BROTHERS TRUCKING INC., dba
TEAM TRANSPORT INC.
and its successors
32921 Diamond Hill Drive
Harrisburg, OR 97446

Inspection Site:

2201 Highway 82 West
Crossett, AR 71635

Inspection Number: 903056

Inspection Date(s): 04/29/2013 - 04/30/2013

Issuance Date: 10/28/2013

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.

OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements 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 10/28/2013. The conference will be held by telephone or at the OSHA office located at 10810 Executive Center Drive, Danville Bldg. 2, Suite 206, Little Rock, AR 72211 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 903056

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.

Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

Issuance Date: 10/28/2013

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, 10810 Executive Center Drive, Danville Bldg. 2, Suite 206, Little Rock, AR 72211**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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

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

Inspection Number: 903056
Inspection Date(s): 04/29/2013 - 04/30/2013
Issuance Date: 10/28/2013



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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 1 a Type of Violation: **Serious**

29 CFR 1910.23(a)(8)(ii): Every floor hole into which persons can accidentally walk were not guarded by a floor hole cover of standard strength and construction:

On or about April 29, 2009, and at times prior thereto, at the west side of the tank wash bay area, the employer did not take precautions to ensure that employees walking/working in the area did not accidentally trip, slip or fall into the floor holes where metal grates were absent.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/04/2013
Proposed Penalty:	\$7000.00

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: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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

29 CFR 1910.23(e)(3)(iv): The anchoring of posts and framing of members for railings of all types was not of such construction that the completed structure was not capable of withstanding a load of at least 200 pounds applied in any direction at any point on the top rail:

On or about April 29, 2013, and at times prior thereto, at the truck tank wash east bay, the employer did not ensure the anchoring of posts and framing of members for railings on the cantilever platform to the fixed ladder was capable of withstanding an applied load. This condition exposed employees to fall hazards at heights greater than 13 feet to the finished surface below.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/04/2013

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

Inspection Number: 903056
Inspection Date(s): 04/29/2013 - 04/30/2013
Issuance Date: 10/28/2013



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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 1910.134(c)(1): A written respiratory protection program that included the provisions in 29 CFR 1910.134(c)(1)(i) - (ix) with worksite specific procedures was not established and implemented for required respirator use:

On or about April 29, 2013, for the benefit and protection of employees required to wear full-face respirators with organic vapor cartridges performing such as, but not limited to interior truck tank trailer cleaning activities, the employer did not establish and implement a written respiratory protection program with worksite-specific procedures.

Date By Which Violation Must be Abated:
Proposed Penalty:

11/04/2013
\$5500.00

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: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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

29 CFR 1910.134(c)(3): The employer did not designate a program administrator who was qualified by appropriate training or experience to administer or oversee the respiratory protection program and to conduct the required evaluations of program effectiveness:

On or about March 4, 2013, at the job site, the employer did not have a designated program administrator who was qualified by appropriate training or experience to administer or oversee the respiratory protection of employees required to wear full-face respirators while performing interior cleaning activities on various truck trailer tanks which contained hazardous chemical vapors and to conduct required evaluations of program effectiveness.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/04/2013

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

Inspection Number: 903056
Inspection Date(s): 04/29/2013 - 04/30/2013
Issuance Date: 10/28/2013



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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

29 CFR 1910.134(h)(1)(i): Respirators issued for the exclusive use of an employee were not cleaned and disinfected as often as necessary to be maintained in a sanitary condition:

On or about April 29, 2013, at the truck trailer tank wash bay area, respirators issued for use by tank washers were being stored in the open on the metal tank wash platform shelving and floor, exposing them to any airborne contaminants, dust, dirt and water.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/04/2013
Proposed Penalty:	\$3300.00

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: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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 4 a Type of Violation: **Serious**

29 CFR 1910.146(d)(4)(viii): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not ensure that employees properly used rescue and emergency equipment needed to comply with 29 CFR 1910.146(d)(9):

On or about April 29, 2013, and at times prior thereto, at the jobsite, the employer did not ensure that employees properly used rescue and emergency equipment. Employees were entering tank trailers to perform cleaning activities without donning with rescue and emergency equipment for quick retrieval in case of an emergency. This created an asphyxiation hazard to employees inside the tank.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/04/2013
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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

29 CFR 1910.146(d)(9): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not develop and implement procedures for summoning rescue and emergency services, for rescuing entrants from permit spaces, for providing necessary emergency services to rescued employees, and for preventing unauthorized personnel from attempting a rescue:

On or about April 29, 2013, and at times prior thereto, at the jobsite, for employees required to work in or near permit-confined spaces the employer did not develop and implement program measures for rescuing entrants from permit spaces, providing emergency services with information about rescue retrieval equipment required to perform rescue and for preventing unauthorized personnel from attempting a rescue. This created a condition to a delay in rescue.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/04/2013



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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

29 CFR 1910.146(k)(3)(i): Each authorized entrant did not use a chest or full body harness, with a retrieval line attached at the center of the entrant's back near shoulder level, or above the entrant's head. NOTE: Wristlets may be used in lieu of the chest or full body harness if the employer can demonstrate that the use of a chest or full body harness is infeasible or creates a greater hazard and that the use of wristlets is the safest and most effective alternative.

On or about April 29, 2013, and at times prior thereto, at the job site, the employer did not ensure that employees entering the tank trailers to perform cleaning were adorned with retrieval equipment including but not limited to chest or full body harness, with retrieval line attached or wristlets for quick retrieval in case of an emergency. This created a condition to hazards of asphyxiation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/04/2013



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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

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

29 CFR 1910.146(d)(6): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not provide at least one attendant outside the permit space into which entry was authorized for the duration of entry operations:

On or about April 29, 2013, and at times prior thereto, at Truck tank trailer T2175, the employer did not enforce that at least one attendant remain outside the permit space before and during the periods in which the authorized employee is inside the permit space. An employee was performing cleaning activities inside a tank trailer when the attendant at the outer dome of the tank went over to the main rack to get the sprayer and relocate it to end of the tank trailer.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/12/2013
Proposed Penalty:	\$7000.00



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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

29 CFR 1910.146(d)(8): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not designate the persons who were to have active roles in entry operations, identify the duties of each such employee, and did not provide each such employee with the training required by paragraph (g) of this section:

On or about April 29, 2013, and at times prior thereto, at truck tank trailer T2175, the employer did not designate the persons who are to have active roles in testing or monitoring the atmosphere, entrance and rescue in a permit required confined space or provide each such employee with the required training necessary to perform such tasks. As a result an untrained employee entered the confined space and was overcome by the hazardous atmosphere, the attendant had left the confined space unattended and there was a delay in rescue operations due to untrained personnel available to affect the rescue.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/04/2013



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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

29 CFR 1910.146(g)(1): The employer shall provide training so that all employees whose work is regulated by this section acquire the understanding, knowledge, and skills necessary for the safe performance of the duties assigned under this section.

On or about April 29, 2013, and at times prior thereto, at truck tank trailer T2175, the employer did not designate the persons who are to have active roles as, attendants, entrants, rescue, and in testing or monitoring the atmosphere in a permit space, and provide each such employee with the required training necessary to perform such tasks. As a result, the attendant did not remain outside the space while it was occupied, an employee standing outside the dome of the tank trailer was not trained on the duties involved in entry of permit-required confined space, neither the entrant or the attendant were trained in atmospheric monitoring and testing equipment use, and an employee was allowed to enter the confined space to perform cleaning activities without prior monitoring and testing of the interior atmospheric conditions.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/04/2013

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

Inspection Number: 903056
Inspection Date(s): 04/29/2013 - 04/30/2013
Issuance Date: 10/28/2013



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

Citation 1 Item 6 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):

On or about April 29, 2009, and at times prior thereto, in the Tank Wash office, the employer did not ensure that circuit breaker panel had approved enclosures and that all missing covers were replaced. This created a condition for employees to be exposed to hazards of electrical shock or burns.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

11/04/2013
\$7000.00

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: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

On or about April 29, 2013, and at times prior thereto, at the job site, the employer did not develop, implement, and maintain a written hazard communication program for hazardous chemicals/products including but not limited to Cajun Brown; Phenolic Plywood Resin, Modified and Crude tall oils, exposing employees to respiratory system and dermal hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/04/2013
Proposed Penalty:	\$5500.00



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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

29 CFR 1910.1200(h)(3): The employee training did not include the requirements of 29 CFR 1910.1200(h)(3)(i) through (h)(3)(iv):

On or about April 29, 2009, and at times prior thereto, at the job site, the employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial training.

Instance a: Employees performing truck tank trailer job / task had not received effective information and training on employer methods and observations used to detect the presence or release of a hazardous chemicals inside the tank such as monitoring conducted by the employer, continuous monitoring devices, odor of hazardous chemicals.

Instance b: Employees performing truck tank trailer job / task had not received effective information and training which included recognition of the physical and health hazards of the chemicals in the work area.

Instance c: Employees performing truck tank trailer job / task had not received effective information and training on the details of a hazard communication program by the employer, including an explanation of the labeling system and the safety data sheet, and how employees can use the appropriate hazard information.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/04/2013



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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: **Willful**

29 CFR 1910.146(d)(4)(i): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not ensure that testing and monitoring equipment needed to comply with 29 CFR 1910.146(d)(5) was maintained properly:

On or about April 29, 2013, and at times prior thereto, at the job site, the employer did not ensure that the testing and monitoring equipment required to comply with a permit-confined space program was maintained properly. Employees entering tank trailers to perform cleaning activities were unable to test and monitor the internal atmospheric conditions of the tank. This created an asphyxiation hazard to employees inside the tank.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/04/2013
Proposed Penalty:	\$70000.00



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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

29 CFR 1910.146(d)(5)(i): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not evaluate permit space conditions when entry operations were conducted by testing conditions in the permit space to determine if acceptable entry conditions exist before entry is authorized to begin:

On or about April 29, 2013, and at times prior thereto, at the job site, the employer did not ensure employees were conducting testing of the tank trailers prior to authorizing entry to perform tank cleaning activities. Employees were entering tank trailers to perform cleaning activities without conducting atmospheric testing for hazardous levels of oxygen, flammable gases and vapors and potential toxic air contaminants. This created a condition to hazards of asphyxiation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/04/2013



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

Citation 3 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.146(g)(4): The employer did not make the training certifications required by 29 CFR 1910.146(g)(1) through 29 CFR 1910.146(g)(3) available for inspection by employees and their authorized representatives:

On or about April 29, 2013, and at times prior thereto, at the job site, employees enter permit-required confined space to routinely clean chemical residue from the interior of truck tank trailers. The employer did not ensure that each affected employee received effective confined space training and acquired the understanding knowledge and skills necessary to perform their duties. The employer did not provide certification including, but not limited to employee's name, the signatures or initials of the trainers, and the dates of training. The certification was not made available for inspection by employees and their authorized representatives.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/04/2013
Proposed Penalty:	\$1100.00

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

Inspection Number: 903056
Inspection Date(s): 04/29/2013 - 04/30/2013
Issuance Date: 10/28/2013



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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

29 CFR 1910.1200(f)(5)(i): Identity of the hazardous chemical(s) contained therein; and,

On or about April 29, 2013, and at times prior thereto, at tank wash bay area, the employer did not ensure that containers, totes, and/or drums containing chemicals and other substances, including but not limited to resin, crude tall oil, etc. were labeled to indicate their contents.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/04/2013
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.



Citation and Notification of Penalty

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635

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

29 CFR 1910.1200(f)(5)(ii): Appropriate hazard warnings, or alternatively, words, pictures, symbols, or combination thereof, which provide at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical.

On or about April 29, 2013, and at times prior thereto, at tank wash bay area, the employer failed to have appropriate hazard warnings for containers, totes, and/or drums containing chemicals and other substances, including but not limited to resin, crude tall oil, etc. with labeling to indicate their contents.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

11/04/2013

Proposed Penalty:

\$0.00

A handwritten signature in black ink, appearing to read "C. M. Reynolds".

Carlos M. Reynolds
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
10810 Executive Center Drive
Danville Bldg. 2, Suite 206
Little Rock, AR 72211
Phone: 501-224-1841 Fax: 501-224-2697



INVOICE / DEBT COLLECTION NOTICE

Company Name: SHERMAN BROTHERS TRUCKING INC., dba TEAM TRANSPORT INC.
Inspection Site: 2201 Highway 82 West, Crossett, AR 71635
Issuance Date: 10/28/2013

Summary of Penalties for Inspection Number	903056
Citation 1, Serious	\$42300.00
Citation 2, Willful	\$70000.00
Citation 3, Other-than-Serious	\$1100.00
TOTAL PROPOSED PENALTIES	\$113400.00

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.

OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order 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.



Carlos M. Reynolds

Area Director



Date