

U.S. Department of Labor Occupational Safety and Health Administration
William Cotter Federal Building,
135 High Street, Suite 361
Hartford, CT 06103
Phone: 860-240-3152 Fax: 860-240-3155



May 9, 2016

U.S. Chutes Corporation
715 Park of Commerce Drive
Boca Raton, FL 33487

Dear Employer,

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000) revised 1990, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

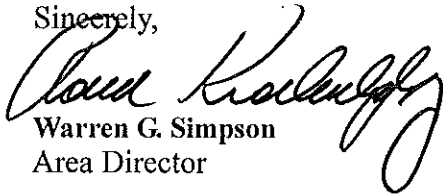
As indicated on page 8 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 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 the citation. The running of this contest period is not interrupted by an informal conference. You must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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.

Sincerely,

A handwritten signature in black ink, appearing to read "Warren G. Simpson". The signature is written in a cursive style with a large, looping initial "W".

Warren G. Simpson
Area Director

Enclosures

U.S. Department of Labor
Occupational Safety and Health Administration
William Cotter Federal Building
135 High Street, Suite 361
Hartford, CT 06103
Phone: 860-240-3152 Fax: 860-240-3155



Citation and Notification of Penalty

To:
U.S. Chutes Corporation
and its successors
715 Park of Commerce Drive
Boca Raton, FL 33487

Inspection Number: 1107207
Inspection Date(s): 11/19/2015 - 11/19/2015
Issuance Date: 05/09/2016

Inspection Site:
607 Bantam Road
Bantam, CT 06750

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 05/09/2016. The conference will be held by telephone or at the OSHA office located at William Cotter Federal Building, 135 High Street, Suite 361, Hartford, CT 06103 on

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1107207

Company Name: U.S. Chutes Corporation
Inspection Site: 607 Bantam Road, Bantam, CT 06750
Issuance Date: 05/09/2016

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, William Cotter Federal Building, 135 High Street, Suite 361, Hartford, CT 06103**

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: 1107207
Inspection Date(s): 11/19/2015 - 11/19/2015
Issuance Date: 05/09/2016



Citation and Notification of Penalty

Company Name: U.S. Chutes Corporation
Inspection Site: 607 Bantam Road, Bantam, CT 06750

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

29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use:

PIV BATTERY CHARGING STATION:

On or about November 19, 2015, no eye wash or quick-drenching shower was available for employees responsible for adding water to the batteries of powered industrial vehicles (PIVs).

Date By Which Violation Must be Abated:
Proposed Penalty:

06/24/2016
\$2,200.00

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: 1107207
Inspection Date(s): 11/19/2015 - 11/19/2015
Issuance Date: 05/09/2016



Citation and Notification of Penalty

Company Name: U.S. Chutes Corporation
Inspection Site: 607 Bantam Road, Bantam, CT 06750

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

29 CFR 1910.305(e)(2): Switches, circuit breakers and switchboards installed in wet locations were not enclosed in weatherproof enclosures:

PAINTING DEPARTMENT:

On or about January 6, 2016, employees were exposed to electrocution hazards as a result of an emergency eye wash that had been installed immediately below light switches that energized the lights in the paint spray booths.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/24/2016
Proposed Penalty:	\$2,200.00

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: 1107207
Inspection Date(s): 11/19/2015 - 11/19/2015
Issuance Date: 05/09/2016



Citation and Notification of Penalty

Company Name: U.S. Chutes Corporation
Inspection Site: 607 Bantam Road, Bantam, CT 06750

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

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables were not connected to devices and fittings so that strain relief was provided that would prevent pull from being directly transmitted to joints or terminal screws:

PIV BATTERY CHARGING STATION:

On or about November 19, 2015, the employer did not protect employees from fire by ensuring that flexible cords were connected to devices and fittings such that tension cannot be transmitted to joints or terminal screws. The outer insulation of a flexible cord was pulled from the plug end.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$2,200.00

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: U.S. Chutes Corporation
Inspection Site: 607 Bantam Road, Bantam, CT 06750

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

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:

PRODUCTION AREA NEAR LOADING DOCK DOOR:

- A) On or about November 19, 2015, a compressed gas cylinder containing Freon 5034 was not secured and therefore was at risk of being struck by or knocked over by fork trucks and/or metal chutes/tubes or compactors that were manufactured on site (REF: CGA Pamphlet P-1-1965, Section 3.3.8).
- B) On or about January 6, 2016, a compressed gas cylinder containing carbon dioxide was not secured and therefore was at risk of being struck or knocked over by fork trucks and/or metal chutes/tubes or compactors manufactured on site and being shipped out to customers (REF: CGA Pamphlet P-1-1965, Section 3.3.8).

The employer was previously cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 984505, citation number 1, item number 2 and was affirmed as a final order on February 4, 2015, with respect to a workplace located at 607 Bantam Road, Bantam, CT.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$3,520.00



Citation and Notification of Penalty

Company Name: U.S. Chutes Corporation
Inspection Site: 607 Bantam Road, Bantam, CT 06750

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

29 CFR 1910.134(f)(2): Employee(s) using tight-fitting facepiece respirators were not fit tested prior to initial use of the respirator:

WELDING AREAS:

On or about November 19, 2015, employees performing TIG welding were not fit tested prior to required use of tight-fitting particulate respirators.

The employer was previously cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 984505, citation number 2, item number 3 and was affirmed as a final order on February 4, 2015, with respect to a workplace located at 607 Bantam Road, Bantam, CT.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/24/2016
Proposed Penalty:	\$2,640.00



Citation and Notification of Penalty

Company Name: U.S. Chutes Corporation
Inspection Site: 607 Bantam Road, Bantam, CT 06750

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

29 CFR 1910.304(f)(1)(iv): Overcurrent devices for circuits rated 600 volts, nominal, or less, were not readily accessible to each employee or authorized building management personnel:

PRODUCTION AREA:

On or about November 19, 2015, the employer did not ensure that the working space about a 480-volt electrical panel was clear of stored items for a minimum of 42-inches and that the panels were accessible.

A) Access to electrical panel LPL was blocked by a fork truck battery charger that was installed immediately below the panel as well as a guardrail installed 26 inches in front of the panel and forming an enclosure around the battery chargers.

The employer was previously cited for a violation of this occupational safety and health standard which was contained in OSHA inspection number 984505, citation number 1, item number 8 and was affirmed as a final order on February 4, 2015, with respect to a workplace located at 607 Bantam Road, Bantam, CT.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 06/24/2016
Proposed Penalty: \$3,520.00

A handwritten signature in black ink, appearing to read "Warren G. Simpson".

Warren G. Simpson
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
William Cotter Federal Building
135 High Street, Suite 361
Hartford, CT 06103
Phone: 860-240-3152 Fax: 860-240-3155



INVOICE / DEBT COLLECTION NOTICE

Company Name: U.S. Chutes Corporation
Inspection Site: 607 Bantam Road, Bantam, CT 06750
Issuance Date: 05/09/2016

Summary of Penalties for Inspection Number	1107207
Citation 1, Serious	\$6,600.00
Citation 2, Repeat	\$9,680.00
TOTAL PROPOSED PENALTIES	\$16,280.00

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

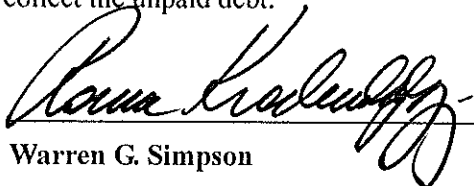
account, the bank will attempt to make the transfer up to 2 times.

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.



Warren G. Simpson
Area Director

5/9/16

Date

U.S. Department of Labor
Occupational Safety and Health Administration
William Cotter Federal Building
135 High Street, Suite 361
Hartford, CT 06103
Phone: 860-240-3152 Fax: 860-240-3155



Notification of Failure to Abate Alleged Violations

To:
U.S. Chutes Corporation
and its successors
715 Park of Commerce Drive
Boca Raton, FL 33487

Original Inspection Number: 984505
Original Inspection Date: 07/10/2014 - 09/29/2014

Inspection Number: 1107207
Inspection Date(s): 11/19/2015 - 11/19/2015
Issuance Date: 05/09/2016

Inspection Site:
607 Bantam Road
Bantam, CT 06750

The violation(s) described in this Notification of Failure to Abate Alleged Violations is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

After the original inspection, a Citation(s) was issued to you in accordance with the provisions of the Occupational Safety and Health Act of 1970 (the Act), notifying you of certain violations of the Act and the dates by which they were to be abated. Based upon re-inspection, it is alleged that you have failed to abate the violation(s) listed below within the time prescribed, and the following additional penalties are proposed. The additional penalty is computed by multiplying a daily penalty times the number of days the violation(s) remained unabated. You are to notify the Area Director in writing of the date and nature of the corrective action taken. If you do not abate the violation(s), further penalties may be proposed and other enforcement action to compel abatement may be taken under section 11(b) of the Act.

Notification of Corrective Action - For each violation which you do not contest, you are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of OSHA office issuing the citation and identified above. The certification **must** be sent by you within **10 calendar days** of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations states the abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certificate is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

You are further notified that you must pay the ADDITIONAL PENALTY unless you inform the Area Director in writing that you intend to contest the Notification or the Additional Penalty within 15 working days (excluding weekends and Federal holidays) from your receipt of this notification. If you do not contest within 15 working days after receipt, the Notification and the additional penalties will become the final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency. Issuance of this Notification 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 the Notification is affirmed by the Review Commission.

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.

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 the OSHA to discuss the Notification of Failure to Abate Alleged Violations issued on 05/09/2016. The conference will be held by telephone or at the OSHA office located at William Cotter Federal Building, 135 High Street, Suite 361, Hartford, CT 06103 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Original Inspection Number: 984505

Company Name: U.S. Chutes Corporation
Inspection Site: 607 Bantam Road, Bantam, CT 06750
Issuance Date: 05/09/2016

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, William Cotter Federal Building, 135 High Street, Suite 361, Hartford, CT 06103**

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.

NAME OF COMPANY OFFICIAL

DATE

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.



Notification of Failure to Abate Alleged Violation

Original Inspection: 984505

Inspection Number: 1107207

Original Inspection Dates: 07/10/2014 - 09/29/2014

Inspection Date(s): 11/19/2015 - 11/19/2015

Issuance Date: 05/09/2016

Company Name: U.S. Chutes Corporation

Inspection Site: 607 Bantam Road, Bantam, CT 06750

Citation 1 Item 3

29 CFR 1910.134(c)(1): The respiratory protection program was not updated as necessary to reflect those changes in workplace conditions that affected respirator use:

SPRAY BOOTHS and WELDING AREAS:

On or about July 10, 2014, the employer had not updated the written Respiratory Protection Program that they had developed in 2009.

A. At the time the program was developed all respirator use was voluntary. Respirators are now required to be used by employees when exposed to respiratory hazards during welding or spray painting.

B. Several employees are assigned responsibilities by name in the existing program and, with the exception of the owner of the company, none of them (including the designated supervisors, medical surveillance administrator, and training coordinator) are currently employed at the facility.

Additional Penalty: \$ 48000.00



Notification of Failure to Abate Alleged Violation

Original Inspection: 984505

Inspection Number: 1107207

Original Inspection Dates: 07/10/2014 - 09/29/2014

Inspection Date(s): 11/19/2015 - 11/19/2015

Issuance Date: 05/09/2016

Company Name: U.S. Chutes Corporation

Inspection Site: 607 Bantam Road, Bantam, CT 06750

Citation 1 Item 7

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:

In the following locations, electrical equipment was improperly used or installed:

A) WELDING AREA NEAR ELECTRICAL PANEL RP22: On or about July 22, 2014, a Hevi-Duty transformer that was installed between the overhead buss bar and Panel RP22, a 120/208 circuit breaker panel, was installed with conduit entering the top of the transformer enclosure instead of using the opening provided by the manufacturer.

B) OFFICE AREA: On or about July 10, 2014, a GE refrigerator was energized by a relocatable power tap mounted to the wall.

C) OFFICE AREA: On or about July 10, 2014, three relocatable power taps were connected in series. Each was also used to energize computer and telephone peripherals.

Additional Penalty:

\$ 16000.00



Notification of Failure to Abate Alleged Violation

Original Inspection: 984505

Inspection Number: 1107207

Original Inspection Dates: 07/10/2014 - 09/29/2014

Inspection Date(s): 11/19/2015 - 11/19/2015

Issuance Date: 05/09/2016

Company Name: U.S. Chutes Corporation

Inspection Site: 607 Bantam Road, Bantam, CT 06750

Citation 1 Item 9

29 CFR 1910.1026(d)(1): The employer with a workplace or work operation covered by this standard did not determine the 8-hour time-weighted average exposure for each employee exposed to chromium (VI):

WELDING AREA:

On or about July 10, 2014, the employer had not conducted initial exposure monitoring to determine whether employees involved in welding of stainless steel were exposed to hexavalent chromium (Cr6+) at or above the permissible exposure limit (PEL) of 5 micrograms per cubic meter (ug/m3).

Additional Penalty: \$ 60000.00



Notification of Failure to Abate Alleged Violation

Original Inspection: 984505

Inspection Number: 1107207

Original Inspection Dates: 07/10/2014 - 09/29/2014

Inspection Date(s): 11/19/2015 - 11/19/2015

Issuance Date: 05/09/2016

Company Name: U.S. Chutes Corporation

Inspection Site: 607 Bantam Road, Bantam, CT 06750

Citation 2 Item 1

29 CFR 1910.132(d)(2): The employer did not verify that the required workplace hazard assessment has been performed through a written certification that identifies: the workplace evaluated; the person certifying that the evaluation has been performed; the date(s) of the hazard assessment; and, which identifies the document as a certification of hazard assessment:

PRODUCTION AREAS FACILITY-WIDE:

On or about July 10, 2014, the employer did not have a certified hazard assessment identifying the personal protective equipment indicated for use for each job task. Tasks performed at the facility include, but are not limited to: welding and cutting stainless and galvanized steel; using various machines such as power presses, press brakes, an iron worker, and a shear; and spray painting.

Additional Penalty:

\$ 2400.00

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



Notification of Failure to Abate Alleged Violation

Original Inspection: 984505 **Inspection Number:** 1107207
Original Inspection Dates: 07/10/2014 - 09/29/2014 **Inspection Date(s):** 11/19/2015 - 11/19/2015
Issuance Date: 05/09/2016

Company Name: U.S. Chutes Corporation
Inspection Site: 607 Bantam Road, Bantam, CT 06750

Citation 2 Item 2

29 CFR 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator, before the employee was fit tested or required to use the respirator in the workplace:

SPRAY BOOTHS and WELDING AREAS:

On or about July 22, 2014, the employer required employees to use either half-face, tight-fitting respirators or N-95 filtering facepieces without providing medical evaluations prior to respirator use.

Additional Penalty: \$ 36000.00



Notification of Failure to Abate Alleged Violation

Original Inspection: 984505

Inspection Number: 1107207

Original Inspection Dates: 07/10/2014 - 09/29/2014

Inspection Date(s): 11/19/2015 - 11/19/2015

Issuance Date: 05/09/2016

Company Name: U.S. Chutes Corporation

Inspection Site: 607 Bantam Road, Bantam, CT 06750

Citation 2 Item 7

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

PRODUCTION AREAS COMPANY-WIDE:

On or about July 10, 2014, the employer did not have copies of MSDSs accessible for employees to use during their work shift. Hazardous chemicals used on-site include, but are not limited to: flammable lacquer thinner, irritating mastic, and welding materials that generate hexavalent chromium and/or other toxic welding fumes.

Additional Penalty:

\$ 36000.00



Notification of Failure to Abate Alleged Violation

Original Inspection: 984505

Inspection Number: 1107207

Original Inspection Dates: 07/10/2014 - 09/29/2014

Inspection Date(s): 11/19/2015 - 11/19/2015

Issuance Date: 05/09/2016

Company Name: U.S. Chutes Corporation

Inspection Site: 607 Bantam Road, Bantam, CT 06750

Citation 2 Item 8

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

PRODUCTION AREAS COMPANY-WIDE:

On or about July 10, 2014, the employer did not ensure that employees were formally trained in the physical and health hazards associated with the job tasks that they were responsible for including, but not limited to, welding on galvanized and/or stainless steel as well as using flammable paints and solvents.

Additional Penalty:

\$ 36000.00

A handwritten signature in black ink, appearing to read "Warren G. Simpson". The signature is written in a cursive style and is positioned above a horizontal line.

Warren G. Simpson
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
William Cotter Federal Building
135 High Street, Suite 361
Hartford, CT 06103
Phone: 860-240-3152 Fax: 860-240-3155



INVOICE / DEBT COLLECTION NOTICE

Company Name: U.S. Chutes Corporation
Inspection Site: 607 Bantam Road, Bantam, CT 06750
Issuance Date: 05/09/2016

Summary of Additional Penalties for Inspection Number	984505
Followup Inspection Number	1107207
TOTAL ADDITIONAL PROPOSED PENALTIES	\$ 234400.00

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 full amount due, and will process the payments as if these restrictions or conditions do not exist.

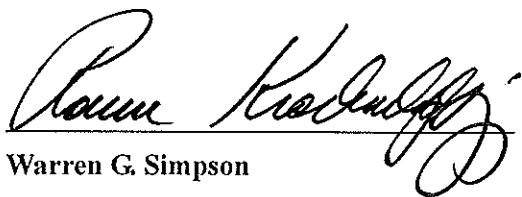
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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 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 to 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 occurring 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.



Warren G. Simpson
Area Director

5/9/16

Date