

## U.S. Department of Labor

Occupational Safety and Health Administration  
1033 La Posada Suite 375  
Austin, TX 78752  
Phone: 512-374-0271 Fax: 512-374-0086



## Citation and Notification of Penalty

**To:**  
Utex Industries, Inc.  
and its successors  
605 Utex Drive  
Weimar, TX 78962

**Inspection Number:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013

**Inspection Site:**  
605 Utex Drive  
Weimar, TX 78962

*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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/09/2013. The conference will be held by telephone or at the OSHA office located at 1033 La Posada, Suite 375, Austin, TX 78752 on \_\_\_\_\_ at \_\_\_\_\_.

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



**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 890856**

Company Name: Utex Industries, Inc.  
Inspection Site: 605 Utex Drive, Weimar, TX 78962  
Issuance Date: 08/09/2013

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

Citation Number 1 Item Number 1 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 2 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 3 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 4 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 5 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 6 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 7a was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 7b was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 8 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 9 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 10a was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 10b was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 10c was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 10d was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 10e was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 11a was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 11b was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 12a was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 12b was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 13a was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 13b was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 14a was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 14b was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 15a was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number 1 Item Number 15b was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number 1 Item Number 16 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number 1 Item Number 17a was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number 1 Item Number 17b was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number 1 Item Number 18 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number 1 Item Number 19a was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number 1 Item Number 19b was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number 1 Item Number 20 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number 1 Item Number 21 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number 1 Item Number 22 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number 1 Item Number 23a was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_  
\_\_\_\_\_

Citation Number 1 Item Number 23b was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 23c was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 24a was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 24b was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 25a was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 25b was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 26a was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 26b was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 27 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 28 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 1 Item Number 29 was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number 2 Item Number 1 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



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to the recognized hazard of being struck by fragments of plastic pipe due to the pipe's potential for explosive shattering when used to transport compressed air.

On or about February 12, 2013, the compressed air system was installed in manufacturing area(s) using polyvinyl chloride (PVC) pipe.

- a. in the mold storage area used to supply air to the paint booth area
- b. in the oven cure area for supplied air respirators.

PVC pipe and fittings do not possess shatter resistant properties and the brittle PVC material can be broken or shattered by external forces and stress. This pipe is designed for transmittal of liquids which do not possess the high amounts of stored energy present in compressed gases. This hazard has been recognized by the manufacturer of this PVC product, the Plastic Pipe Institute, the American National Standards Institute, and OSHA through an official Hazard Information Bulletin.

Among other methods, suitable abatement actions include the complete enclosure, burial, or otherwise guarding of the installation according to specifications approved by a professional consulting engineer, or the installation of the compressed air system using products which have been suitably evaluated and are recommended by the manufacturer for the particular intended service.

Pursuant to 29 CFR 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standards for use of this PVC pipe, including the steps it is taking to ensure that piping used to transport compressed air and other gases is approved for the installation and service.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/12/2013

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:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

Proposed Penalty: \$4000.00

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:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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

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

On or about February 13, 2013, in the rubber mill area, the employer failed to replace damaged racks. The legs of the racks were bent and deformed.

One feasible and acceptable abatement method to correct this hazard includes but is not limited to: develop and implement a program to periodically inspect the storage racks and ensure damage is promptly repaired in accordance with ANSI MH16.1:2008, Section 1.4.9 Rack Damage.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that damaged storage racks are not permitted to be used until properly repaired.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$4000.00





**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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

29 CFR 1910.22(a)(1): All places of employment, passageways, storerooms or service rooms were not kept clean and orderly or in a sanitary condition:

Carbon black and grime covered the safety warning signs provided in the following areas, creating a fire hazard to employees.

- a. On or about April 10, 2013 the warning signs on cure ovens located in the cure oven room could not be read.
- b. On or about February 12, 2013 the warning signs on the boiling rubber mixer were obscured by carbon black and dust, located in the Rubber Department, Mixing Mezzanine.
- c. On or about February 13, 2013 the booth used for grinding rubber coating on aluminum impellers: explosive rubber dust from grinding operation is allowed in excessive accumulations that are cleaned only once a week.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that places of employment are kept clean.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$5000.00



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

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

29 CFR 1910.22(a)(2): Where wet processes were used, drainage was not maintained, and false floors, platforms, mats, or other dry standing places were not provided when practicable.

On or about February 12, 2013, the area under and around the 480 volt electrical panels was covered with water from the autoclave process. The panels including, but not limited to high voltage panel 429, were located along the South wall of the extruder room. This condition created an electrical hazard to workers. Autoclave condensation was pooling on the floor under electrical panel boxes.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that area around electrical panels are kept dry.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$4000.00

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

**Inspection Number:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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

29 CFR 1910.23(a)(8): Every floor hole into which persons can accidentally walk were not guarded:

On or about February 12, 2013 the drain cover was missing from a floor drain in the center of the boiler room. This left a round 8 inch by 2 inch deep hole in the floor where a scissor lift wheel could fall into upsetting the lift used to access the many overhead lights and pipes. This condition was a fall hazard to workers in the boiler room.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that every floor hole into which persons can walk is guarded.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$3000.00

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:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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

29 CFR 1910.23(d)(1): Every flight of stairs having four or more risers was not equipped with standard stair railings or standard handrails as specified in paragraphs (d)(1)(i) through (v) of this section, the width of the stair to be measured clear of all obstructions except handrails:

On or about February 12, 2013 the stairs leading to the entrance of the press department from the parking lot did not have stair rails, exposing employees to a fall hazard when entering the establishment.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that standard stair railings are provided on stairways.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$3000.00

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:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

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 1910.37(b)(2): Each exit was not clearly visible and marked by a sign reading "Exit":

On or about February 13, 2013 the following exits were not marked, creating a fire hazard to employees:

- a. Exit to the parking lot from the shipping department was not marked.
- b. Exit to outside in the rubber mill area was not marked.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that all exits are marked.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$3000.00

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

**Inspection Number:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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

29 CFR 1910.37(b)(5): Each doorway or passage along an exit access that could be mistaken for an exit must be marked "Not an Exit" or similar designation, or be identified by a sign indicating its actual use (e.g., closet).

On or about February 12, 2013, the door leading to the chiller room was not identified with a sign "not an exit". This condition exposed workers to a fire hazard in the chiller room area.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that "not an exit" signs are posted on doors or passageways likely to be mistaken for exits.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013

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:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

**Citation 1 Item 8** 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 tank cars, 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:

On or about February 12, 2013, the following inhalation, fire and explosion hazards were identified:

- a. Paragraph 3.2.1 Where removable caps are provided for valve protection, such caps should be kept on cylinders at all times except when cylinders are in use. A nitrogen cylinder was located near an exit doorway and a freon cylinder was located in the boiler room without caps.
- b. Paragraph 3.6.4 Use poison gases in cylinder sizes that will insure complete usage of the cylinder content in a reasonable amount of time. The cylinders were located in the loading dock area and had been there for months.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that valve protection caps on kept on cylinders and that they are removed as soon as possible after they are no longer needed.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$4000.00



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

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

29 CFR 1910.106(e)(2)(ii): "Containers." Flammable liquids were not stored in tanks or closed containers.

On or about February 12, 2013, open containers of flammable liquids were found in the following areas, creating a fire hazard:

- a. Plastic bottles of MEK and a safety can containing MEK with defective lid, located in injection molding, Plastic Extrusion Department.
- b. Open containers of MEK and paint, located in the hot room, Rubber Extruding Department.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that flammable liquid containers are kept closed.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$4000.00





**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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 1910.107(b)(5)(i): Visible gauges or audible alarms or pressure activated devices were not installed to indicate or insure that the required air velocity is maintained.

On or about February 12, 2013, no gauges or alarms were provided in the following spray booths, exposing employees to a fire hazard.

- a. Dry-filter spray booth used for spray coating rubber parts, located in Metal Prep, Mold Storage [Old Urethane Room].
- b. Dry-filter spray booth Unit E296 used for spray application of flammable coatings, located in the metal prep area.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that paint booths have visible gauges or audible alarms or pressure activated devices to insure that the required air velocity is maintained.

Date By Which Violation Must be Abated: 08/12/2013  
Proposed Penalty: \$5000.00



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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

29 CFR 1910.107(b)(5)(iv): Space within the spray booth on the downstream and upstream sides of filters were not protected with approved automatic sprinklers:

On or about February 12, 2013 the spray booths did not have an automatic sprinkler system, located in the metal prep area, exposing employees to the hazards of fire.

- a. Dry-filter spray booth used for spray coating rubber parts was not equipped with automatic fire suppression, located in Metal Prep, Mold Storage [Old Urethane Room].
- b. Dry-filter spray booth Unit E296 used for spray application of flammable coatings was not equipped with automatic fire suppression.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that paint booths have required automatic extinguishing equipment.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

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

29 CFR 1910.107(b)(5)(vi): Clean filters or filter rolls were not noncombustible or of a type having a combustibility not in excess of class 2 filters as listed by Underwriters' Laboratories, Inc. Filters and filter rolls were alternately used for different types of coating materials, where the combination of materials may be conducive to spontaneous ignition. See also paragraph (g)(6) of this section.

On or about February 12, 2013 common household 3M air filters were being used in spray booth applications, exposing employees to the hazards of fire:

- a. Dry filter spray booth used for spray coating rubber parts, located in Metal Prep, Mold Storage [Old Urethane Room].
- b. Dry filter spray booth Unit E296 used for spray application of flammable coatings, located in the metal prep. area.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that fire proof air filters are used in spray booths.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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

29 CFR 1910.107(b)(9): Spray booths were not so installed that all portions are readily accessible for cleaning. A clear space of not less than 3 feet on all sides was not kept free from storage or combustible construction.

On or about February 12, common combustibles including cardboard boxes, wood tables, fiber barrels, and other items were stored within 3 feet of a spray booth used by employees for spraying parts with flammable coatings, exposing employees to fire hazards.

- a. Dry-filter spray booth used for spray coating rubber parts, located in Metal Prep, Mold Storage [Old Urethane Room].
- b. Dry-filter spray booth Unit E296 used for spray application of flammable coatings located in the Metal Prep department.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that combustible materials are kept clear of paint booths.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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

29 CFR 1910.107(g)(2): All spraying areas were not kept as free from the accumulation of deposits of combustible residues as practical, with cleaning conducted daily if necessary:

On or about February 12, 2013, in the following areas, residue from spraying operations with flammable adhesives accumulated in spray booths, exposing employees to the hazards of fire.

- a. Dry-filter spray booth used for spray coating rubber parts, located in Metal Prep, Mold Storage [Old Urethane Room].
- b. Dry-filter spray booth Unit E296 used for spray application of flammable coatings, located in the metal prep area.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that flammable and combustible residues are not allowed to accumulate in spraying areas.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/12/2013

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

Inspection Number: 890856  
Inspection Date(s): 02/11/2013 - 07/24/2013  
Issuance Date: 08/09/2013



### Citation and Notification of Penalty

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

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 11 a      Type of Violation: **Serious**

29 CFR 1910.157(d)(2): Portable fire extinguishers for use on Class A fires were not distributed so that the travel distance for employees to any extinguisher was 75 feet or less:

On or about February 12, 2013, workers were exposed to fire hazards involving Class A combustible materials, in that, a class A fire extinguisher was not provided in the following areas:

- a. The mixing mezzanine.
- b. The metal prep, mold storage (old Urethane Room) .
- c. On top of the string tower, located in the braiding department.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that class A fire extinguishers are available for use.

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$3000.00

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:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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

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

On or about February 12, 2013 the last inspection date on a FIREMASTER, Model SY 2014, Serial#KP-00078216 was September 2011. The fire extinguisher was located in the North side Quansa Hut Lean-to where LP, acetylene and other gases were stored. This condition created a fire hazard for workers.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that portable fire extinguishers are subject to an annual maintenance check.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/12/2013

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:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



### **Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

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 12 a      Type of Violation: **Serious**

29 CFR 1910.178(a)(6): The employer did not ensure that all nameplates and markings were in place:

On or about February 12, 2013, Crown forklift unit 31 was lacking safety stickers provided on an identical model. The stickers are the type commonly found on forklifts, which explain the requirements to wear seat belts and remain in the operator's seat during a roll over. The forklift was in the friction house area and created a crush by equipment hazard to employees.

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$5000.00

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:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

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

29 CFR 1910.178(p)(1): Powered industrial truck(s) found to be in need of repair, defective, or in any way unsafe had not been taken out of service until restored to safe operating condition:

On or about February 12, 2013, the following defects were found on forklifts located in the production area exposing operators to the hazards of fire and/or being crushed by the forklift in the event of a collision or rollover:

- a. The seat belts on a Crown Forklift #31 forklift had not been replaced. This forklift was used in the friction tower area.
- b. Clark forklift unit number E481 did not have seat belts. This forklift was found in the shipping department.
- c. Yale forklift unit #E899 did not have a fire extinguisher, located in rubber warehouse mold storage area.
- d. Clark forklift unit number E474 did not have seat belts, located in the production area.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that forklifts are maintained in safe working condition.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013

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

**Inspection Number:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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 13 a      Type of Violation: **Serious**

29 CFR 1910.178(q)(5): All parts of industrial trucks requiring replacement were not replaced only by parts equivalent as to safety with those used in the original design.

On or about February 12, 2013 the wire rope clip attaching the load line to a spring of the Hallowell Hustler was installed backwards, exposing employees to the hazards of the failure of the lift system. The lift was located in the shipping department picker area.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that replacement wire rope clips are installed correctly.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$3000.00

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:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



### **Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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

29 CFR 1910.178(q)(6): Industrial trucks were altered so that the relative positions of the various parts are different from what they were when originally received from the manufacturer, or were altered either by the addition of extra parts not provided by the manufacturer or by the elimination of any parts, except as provided in paragraph (q)(12) of this section. Additional counterweighting of fork trucks was done without being approved by the truck manufacturer.

On or about February 12, 2013, located in the material storage area, a 1' by 3' solid steel cylinder was attached to the back of a Yale forklift, Big Bertha E899, as a counterweight, affecting the stability of the forklift, exposing the operator and others to the hazards of being struck by the forklift.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that industrial trucks are not altered such as by adding counterweight to the backs.

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013

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:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

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 14 a      Type of Violation: **Serious**

29 CFR 1910.184(e)(1): Alloy steel sling(s) did not have permanently affixed durable identification stating size, grade, rated capacity, and reach:

On or about February 12, 2013, workers were using job made chain slings that did not have an identification tag on them exposing employees to the hazards of being struck by falling loads.

- a. Spreader bar with a welded chain on each end was used in the Braiding department to lift parts in and out of hot wax dip tanks.
- b. Two and three legged slings located in the sand blast area.
- c. Chain sling used to hold PVC pipe together located in the boiler room.
- d. Job made sling used to lift calenders in place located in the extruding area.
- e. Two legged slings used to lift mold components located in the press department.
- f. Three part chain sling used to move mold components in the press department for the Cutter Hammer Press.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that alloy steel slings are provided with identification tags stating size, grade, rated capacity and reach.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013  
Proposed Penalty: \$3000.00



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

**Citation 1 Item 14 b**      Type of Violation: **Serious**

29 CFR 1910.184(h)(1): Employers did not use only natural and synthetic fiber-rope slings that have permanently affixed and legible identification markings stating the rated capacity for the type(s) of hitch(es) used and the angle upon which it is based, type of fiber material, and the number of legs if more than one.

On or about February 12, 2013 the safety information provided on a nylon sling was not legible, exposing employees to the hazards of being struck by suspended loads. Sling was used for lifting pump parts.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that markings on slings are legible.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/12/2013

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

**Inspection Number:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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 1910.212(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 February 12, 2013 the guard was not replaced on the rubber mill, E187, exposing workers to the hazard of being struck by the moving parts of the mill.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that the guard is in place on the rubber mill.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$5000.00



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

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

29 CFR 1910.212(a)(2): Machine guard(s) on machine(s) were so installed that they offered accident hazards in themselves:

On or about February 12, 2013 in the boiler room, for the guard on boiler, E788, the support holding the belt guard was broken. This caused the guard to slide down and wear on the belts and pulleys that it was guarding, exposing employees to the hazard of being caught in pinch points or struck by broken parts.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that guard is not creating a hazard.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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

29 CFR 1910.212(b): Machine(s) designed for fixed location(s) were not securely anchored to prevent walking or moving:

On or about February 12, 2013 drill presses were not anchored exposing workers to the hazards of being struck by or caught in moving parts the machine shop area.

- a. STERLING Model 914 located on workbench near automatic lathe.
- b. Wilton 15" drill press located on floor near back wall. c. JET Equipment and tool drill press, Serial #3022135.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that machines designed for fixed locations are securely anchored to prevent walking or moving.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$4000.00





**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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 17 a      Type of Violation: **Serious**

29 CFR 1910.213(g)(1): Sliding cutoff saw(s) were not provided with an automatically adjusting hood that completely enclosed the upper half of the saw, the arbor end, and the point of operation at all positions of the saw:

On or about February 12, 2013 a job made radial saw did not have a cover over the inside part of the blade. The saw was located in the packing department and created an amputation hazard to workers cutting gasket materials.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that the guard on the cutting blade completely covers the blade.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$5000.00

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

**Inspection Number:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

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

29 CFR 1910.213(g)(2): Sliding cutoff saw(s) were not provided with an effective device to return the saw automatically to the back of the table when released at any point of its travel:

On or about February 12, 2013 a job made radial arm cut off saw used to cut gasket materials to a required length was not fitted with a device to automatically return the cutting head to the starting position. This condition created an amputation hazard to saw operators in the packing department.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that radial arm saw heads automatically return to their starting position.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013

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

**Inspection Number:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

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

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

On or about February 12, 2013 the tongue guard on the bench grinder used to sharpen knives in the weaving area of the braiding department had a gap of one inch exposing employees to the hazards of being struck by flying wheel fragments in the event of wheel breakage.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that tongue guard is adjusted to within one quarter inch of the abrasive wheel.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$3000.00

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:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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 1910.219(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 February 12, 2013 the following defective belt and pulley guards were found exposing employees to the hazards of being caught in pinch points:

- a. The bottom half of the guard covering the drive belts and pulleys of a lathe was missing located in the shop area.
- b. Back side of Vapor Corporation VA-Power Steam Generator Unit #E788, Model HS2-4626-VHK, S/N 21342, showing exposed belts and pulleys located in the boiler room.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that effective guards are in place.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013  
Proposed Penalty: \$5000.00



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

**Inspection Number:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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

29 CFR 1910.242(a): Hand and portable powered tools or equipment were not kept in safe condition:

On or about February 12, 2013 a shop hammer, pry bar and rods used to punch out pins were found with mushroomed heads exposing employees to the hazards of being struck flying metal fragments. The tools were located in the molding department found in the plastics extrusion building.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that impact tools are free of mushroomed heads.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$3000.00

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:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

**Citation 1 Item 21** 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.:

On or about February 14, 2013, compressed air near or above 100 psi compressed was widely used for cleaning, exposing employees to the hazards of being struck by high pressure air and fragments. This was also a fire hazard as many of the chemicals being mixed have the warning: "Avoid dispersion of dust to reduce fire and explosion potential."

- a. 100 psi measured by press used to release gasket from mold, located in press department.
- b. 80 psi measured in rubber lab used to remove dust.
- c. 110 psi measured in cryogenic room used to blow dust off clothes.
- d. 100 psi measured at press E0387 used to clean and remove pieces located in press dept.
- e. 90 to 115 psi measured in mixing department used to blowing powdered components down mixer.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that compressed air used for cleaning is reduced to 30 psi.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013  
Proposed Penalty: \$4000.00



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

**Citation 1 Item 22** Type of Violation: **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 February 12, 2013 electrical boxes designed to be fixed to a permanent structure were used as job made flexible temporary wiring at the establishment and portable power strips were attached to a conduit for use as permanent wiring. This condition created an electrical and fire hazard.

- a. Two receptacle job made portable outlet with a black cord, located in the rubber extruding area. It was on Unit #E66 calender.
- b. Job made duplex outlet cord used to power a fan, located in the braiding department.
- c. Phillips 110 volt power strip used to energize computers located in the preform area.
- d. Phillips 110 volt power strips used to energize computers, located in the rubber Extruding area.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that electrical equipment is used in conformance with its UL Listing.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013  
Proposed Penalty: \$3000.00





**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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 23 a      Type of Violation: **Serious**

29 CFR 1910.303(b)(1)(v): Safety of equipment was not determined using the consideration of heating effects under all conditions of use:

On or about February 12, 2013, aluminum tape was used to keep employees from turning circuits off in the rubber mill area. This exposed employees to an electrical and fire hazard in that circuit breakers are not designed to be used as switches.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that circuit breakers are not used as switches.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$5000.00

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

**Inspection Number:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

**Citation 1 Item 23 b**      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:

On or about February 12, 2013 electrical circuits were not identified in a 110 volt electrical panel located in the research area. This condition created an electrical and fire hazard to employees.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that each service, feeder, and branch circuit, at its disconnecting means or overcurrent device is legibly marked to indicate its purpose, or located and arranged so the purpose is evident.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/12/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

Citation 1 Item 23 c      Type of Violation: **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 February 12, 2013, the areas around electrical equipment was not kept clear creating an electrical and fire hazard at the establishment.

- a. Materials in cardboard barrels was stored in front of Purkell Mixed disconnect and starter, located in the high tech mixing area.
- b. Overhead transformer was blocked by chain to light fixture, located in shipping department.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that sufficient access and working space is 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.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/12/2013



### Citation and Notification of Penalty

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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 24 a      Type of Violation: **Serious**

29 CFR 1910.304(g)(5): The path to ground from circuits, equipment, and enclosures was not permanent, continuous, and effective:

On or about February 12 and 13, 2013, the lack of equipment grounding conductors in the following areas exposed employees to an electrical and fire hazard.

- a. Temporary light attached to scales, located in the mixing mezzanine area.
- b. EZGO battery charger plug had a missing ground prong, located in the braiding area.
- c. Zhongshuan, model FS-75, pedestal fan, located in the molding area found in the plastic extrusion building.
- d. Aloha Breeze fan, located in metal prep area.
- e. 3 x 110 volt duplex outlet were not grounded, located in the boiler room.
- f. 110 volt duplex electrical outlet, located outside of braiding department in the water pit recovery area.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that electrical equipment is grounded.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$5000.00

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

**Inspection Number:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

**Citation 1 Item 24 b**      Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(i): Flexible cords and cables were not approved or conditions of use and location:

On or about February 13, 2013 SPT-2 Cord was used at the establishment creating an electrical and fire hazard located in the metal prep area. SPT-2 cords are designed for household use and do not have a ground. This cord provided power to a light on the workbench.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that all flexible cords are of the type approved for industrial use.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013

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:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

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 25 a      Type of Violation: **Serious**

29 CFR 1910.305(a)(2)(ix): All lamps for general illumination were not protected from accidental contact or breakage by a suitable fixture or lamp holder with a guard. Brass shell, paper-lined sockets, or other metal-cased sockets may not be used unless the shell is grounded.

- a. On or about February 12, clip on light used to read scales, located in the rubber mill area, near hazardous chemical storage in the area, presenting a fire hazard.
- b. On or about February 12, top of cabs of order pickers, Hallowell Hustler Model H-1000, 460 Volts (unprotected lights 110 volts), located in the order picker area.
- c. On or about February 12, fluorescent light bulbs in fixture, located in overflow storage area near rubber mill were not protected. Measurement with steel tape: 77 inches above floor, 277 Volts.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that lamps are protected from damage.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$3000.00



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

Citation 1 Item 25 b      Type of Violation: **Serious**

29 CFR 1910.305(a)(2)(x): Flexible cords and cables were not protected from accidental damage, as might be caused, for example, by sharp corners, projections, and doorways or other pinch points.

On or about February 12, 2013: Damaged electrical was found at the following locations creating an electrical hazard to workers:

- a. The outer sheath of a yellow, SJTW extension cord energizing a Dayton Model 6K807J motor to a pedestal fan, located in the press department/rubber injection area, near press No. E369.
- b. STAK Lift No. E473, Model 15-56, A/N 394069 had a cord on it with damaged outer sheath, located Press department.
- c. Big Joe, E113, used to lift molds located in the press department. Big Joe had a damaged cord at the machine and the plug was damaged.
- d. 480 volt wires were exposed to damage from the broken conduit that housed them, located on back of the sand blaster box.
- e. 220 volt wires were exposed to damage from the broken conduit containing them, located near oven E516, located in the oven curing room.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that cords are protected from physical damage.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/12/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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 26 a**      Type of Violation: **Serious**

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

On or about February 12, 2013 openings were found in electrical panels creating an electrical and fire hazard to employees:

- a. 2 inch knock out on 220 volts panel for Dustkop Stops Dust collection system, located in the Rubber Mill dust collection area.
- b. Opening in front of a 480 VAC chiller water pump starter, located on the North wall of the rubber mill area.
- c. 1 inch openings on both ends of a 110 Volt duplex outlet under blue cart used to energize fans, located in the Injection Molding, Maxi-Blast Plastic Media Blasting Room.
- d. a 2 inch and a 1 inch opening on th sides of high voltage panel 429 located near the autoclave found in the Rubber Extrusion area.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that all unused openings on electrical panels are closed.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013  
Proposed Penalty: \$5000.00





**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

Citation 1 Item 26 b      Type of Violation: **Serious**

29 CFR 1910.305(b)(2)(i): Pull boxes, junction boxes, and fittings were not provided with covers approved for the purpose:

On or about February 12, 2013, the covers for 220 volt outlets were missing, exposing employees to the hazards of electrical shock and fire.

- a. 220 Volt outlet, located in metal prep grinding room.
- b. 220 Volt outlet, located below Lathe main disconnect, found in the shipping department.
- c. 110 Volt wall outlet by copier, located in sales office.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that pull boxes, junction boxes, and fittings are provided with covers approved for the purpose.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

08/12/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

**Citation 1 Item 27** Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(iii): Flexible cords were not connected to devices and fittings so that tension would not be transmitted to joints or terminal screws:

On or about February 12, 2013 strain relief devices were not provided on the following pieces of electrical equipment creating an electrical and fire hazard at the establishment:

- a. A 110 volt EZGO, Serial #0016694, battery charger located in the Braiding department.
- b. 110 volt job made electrical outlet located on E66 Calender, found in the extruding department.
- c. 110 volt cord to TRINCO, dry blast , Model 40x40 SL, Serial #7971-4 located in metal prep grinding room.
- d. 110 volt cord to clean cut saw, located in packing department.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that flexible cords are connected to devices and fittings so that tension will not be transmitted to joints or terminal screws.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$3000.00

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

**Inspection Number:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

**Citation 1 Item 28** Type of Violation: **Serious**

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location:

On or about February 12, 2013 the conduits attached to the intrinsically safe switches did not have seals to limit volume and to prevent an explosion from traveling throughout the conduit system. The equipment was located in a room where flammable paints were left to dry with their lids open, exposing employees to the hazards of fire and explosion.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that explosion proof wiring includes seal on the conduit.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$5000.00

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:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

---

**Citation 1 Item 29** Type of Violation: **Serious**

29 CFR 1910.335(b)(1): Safety signs, safety symbols, or accident prevention tags were not used where necessary to warn employees about electrical hazards which may endanger them, as required by 1910.145.

On or about February 12, 2013 Warning signs as to the required PPE to protect employees from arc-flash hazards as per NFPA 70E were not posted on the following panels, creating an arc flash hazard.

- a. Panels 231, 432 High voltage, located in the rubber mill area.
- b. Disconnect for Purkell Mixer, located in the high tech mixing area.
- c. Panel 118 low voltage, located in the shipping department.
- d. 480 volt panel 406, located in Maxi-Blast Plastic Media Blasting Room.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that NFPA 70E signs warning of arc-flash hazards are posted.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/12/2013
Proposed Penalty:	\$4000.00

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

**Inspection Number:** 890856  
**Inspection Date(s):** 02/11/2013 - 07/24/2013  
**Issuance Date:** 08/09/2013



**Citation and Notification of Penalty**

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962

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

29 CFR 1910.304(a)(2): Grounded conductors were attached to terminals or leads so as to reverse designated polarity:

On or about February 13, 2013 a 110 volt outlet was wired as to reverse polarity. The outlet was located in the shipping department storage mezzanine and created an electrical and fire hazard to employees.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the date of this citation, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that electrical systems are of the correct polarity.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 08/12/2013  
Proposed Penalty: \$0.00

A handwritten signature in blue ink that reads "R. Casey Perkins".

**R. Casey Perkins, CSP**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1033 La Posada Suite 375  
Austin, TX 78752  
Phone: 512-374-0271 Fax: 512-374-0086



## INVOICE / DEBT COLLECTION NOTICE

---

**Company Name:** Utex Industries, Inc.  
**Inspection Site:** 605 Utex Drive, Weimar, TX 78962  
**Issuance Date:** 08/09/2013

<b>Summary of Penalties for Inspection Number</b>	<b>890856</b>
<b>Citation 1, Serious</b>	<b>\$115000.00</b>
<b>Citation 2, Other-than-Serious</b>	<b>\$0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$115000.00</b>

---

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.



R. Casey Perkins, CSP

Area Director



Date