

**U.S. Department of Labor** Occupational Safety and Health Administration  
310 W. Wisconsin Avenue  
Room 1180  
Milwaukee, WI 53203



06/24/2024

Wikoff Color Corporation  
and its successors  
W223 N6351 Richards Road  
Lisbon, WI 53089

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), 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. Please contact me at (414) 297-3315.

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 3 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 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 the citation. The running of this contest period is not interrupted by an informal conference.

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

Sincerely,

**Dustin Schnipke**  
Area Director

Enclosures

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
310 W. Wisconsin Avenue  
Room 1180  
Milwaukee, WI 53203



## Citation and Notification of Penalty

**To:**  
Wikoff Color Corporation  
and its successors  
W223 N6351 Richards Road  
Lisbon, WI 53089

**Inspection Number:** 1722743  
**Inspection Date(s):** 01/23/2024 - 06/18/2024  
**Issuance Date:** 06/24/2024

**Inspection Site:**  
W223 N6351 Richards Road  
Lisbon, WI 53089

*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 by calling (414) 297-3315. 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 at [www.pay.gov](http://www.pay.gov). At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. 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](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 06/24/2024. The conference will be held by telephone or at the OSHA office located at 310 W. Wisconsin Avenue, Room 1180, Milwaukee, WI 53203 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1722743**

Company Name: Wikoff Color Corporation  
Inspection Site: W223 N6351 Richards Road, Lisbon, WI 53089  
Issuance Date: 06/24/2024

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, 310 W. Wisconsin Avenue, Room 1180, Milwaukee, WI 53203.**

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.



**Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

29 CFR 1910.28(b)(6)(i): Dangerous Equipment. The employer must ensure that each employee less than 4 feet (1.2 m) above dangerous equipment is protected from falling into or onto the dangerous equipment by a guardrail system or a travel restraint system, unless the equipment is covered or guarded to eliminate the hazard.

(a) On or about December 26, 2023, through January 3, 2024, the employer did not ensure that each employee performing work on the blending vessel mezzanine was protected from falling into mixing vessel KD-3 (Bruce) while adding materials or performing other work tasks on the mixing/blending mezzanine with the hinged lid open.

(b) On or about December 26, 2023, through January 3, 2024, the employer did not ensure that each employee performing work on the blending vessel mezzanine was protected from falling into mixing vessel KD-4 while adding materials or performing other work tasks on the mixing/blending mezzanine with the hinged lid open.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 19, 2024  
\$12,676.00





**Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

29 CFR 1910.106(d)(4)(i): Construction. Inside storage rooms shall be constructed to meet the required fire-resistive rating for their use. Such construction shall comply with the test specifications set forth in Standard Methods of Fire Tests of Building Construction and Materials, NFPA 251-1969. Where an automatic sprinkler system is provided, the system shall be designed and installed in an acceptable manner. Openings to other rooms or buildings shall be provided with noncombustible liquid-tight raised sills or ramps at least 4 inches in height, or the floor in the storage area shall be at least 4 inches below the surrounding floor. Openings shall be provided with approved self-closing fire doors. The room shall be liquid-tight where the walls join the floor. A permissible alternate to the sill or ramp is an open-grated trench inside of the room which drains to a safe location.

(a) On or about February 7, 2024, the Class I Division 2 storage room was not constructed to meet the required fire resistive rating for use. The storage room was not at least 4 inches below surrounding floor and had with no sills or ramps at openings to other rooms (or constructed with permissible alternate techniques), walls were not liquid tight, and the fire doors did not meet NFPA 80 requirements (unapproved).

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	August 30, 2024
Proposed Penalty:	\$12,676.00

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

**Inspection Number:** 1722743  
**Inspection Date(s):** 01/23/2024 - 06/18/2024  
**Issuance Date:** 06/24/2024



**Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

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

29 CFR 1910.106(d)(5)(ii): Containers. The storage of flammable liquids in containers or portable tanks shall comply with subdivisions (iii) through (v) of 29 CFR 1910.106(d)(5)(ii).

(a) On or about January 3, 2024, the pile/rack on Rack K in the Class I Division 1 manufacturing area had approximately 4,080 gallons of flammable liquids which was over the allowable amount(s) listed in Table H-14 - Indoor Container Storage, for unprotected storage of Category 2 flammable liquids.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 26, 2024  
\$12,676.00

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:** 1722743  
**Inspection Date(s):** 01/23/2024 - 06/18/2024  
**Issuance Date:** 06/24/2024



**Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

29 CFR 1910.106(d)(5)(v): General Purpose Public Warehouse. Storage shall be in accordance with Table H-14 and H-15 and in buildings or in portions of such buildings cut off by standard firewalls.

(a) On or about January 3, 2024, the pile/rack on Rack K in the Class I Division 1 manufacturing area had approximately 4,080 gallons of flammable liquids which was over the allowable amount(s) listed in Table H-14 - Indoor Container Storage, for unprotected storage of Category 2 flammable liquids.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 26, 2024  
\$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



## **Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

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

29 CFR 1910.106(e)(6)(i): General. Adequate precautions shall be taken to prevent the ignition of flammable vapors. Sources of ignition include but are not limited to open flames; lightning; smoking; cutting and welding; hot surfaces; frictional heat; static, electrical, and mechanical sparks; spontaneous ignition, including heat-producing chemical reactions; and radiant heat.

(a) On or about December 26, 2023, and through January 3, 2024, the employer had not ensured that condition of static spark discharge from human and conductive process equipment interactions, such as the opening of the mixing vessels in the Class I Division 1 manufacturing area containing flammable liquids and their vapors (such as but not limited to vessels KD-5 and CT-1) to add particulate solid additives, was controlled or protected for by ensuring that employees interacting with the mixing vessels were bonded to the system and grounded through means of personnel bonding and grounding (i.e., wrist straps or static dissipative footwear with engineered, conductive flooring systems). This condition exposed employees to explosion, deflagration, flash fire, and/or fire hazards associated with the ignition of flammable vapors from static sparks between employees and the process equipment.

(b) On or about December 26, 2023, and through January 3, 2024, the employer had not ensured that the combustible particulate solid additives charging processes associated with mixing vessels in the Class I Division 1 manufacturing area processing flammable liquids and combustible particulate solids (such as but not limited to vessels KD-5 and CT-1) were protected from a static spark ignition source in that the employer allowed direct, manual dump charging of combustible particulate solid additives into the vessels' lid openings from bags which is a recognized source of potential ignition. This condition exposed employees to explosion, deflagration, flash fire, and/or fire hazards associated with the ignition of flammable vapors from static sparks from the falling particulate materials.

(c) On or about December 26, 2023, and through January 3, 2024, the employer had not ensured that mixing vessels in the Class I Division 1 manufacturing area processing flammable liquids and combustible particulate solids (such as but not limited to vessels KD-5 and CT-1) were protected from a static spark ignition source in that the flexible hoses were used as branch ducts to connect the vessels to the ventilation system's main duct. The branch ducts were made of non-conductive material (plastic) and the internal stiffening wires were not bonded and grounded to the system which is a recognized source of potential ignition. This condition exposed employees to explosion, deflagration, flash fire, and/or fire hazards associated with the ignition of flammable vapors from static sparks from isolated conductors.

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:** 1722743  
**Inspection Date(s):** 01/23/2024 - 06/18/2024  
**Issuance Date:** 06/24/2024



**Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	August 09, 2024
Proposed Penalty:	\$16,131.00

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:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

29 CFR 1910.136(a): General requirements. The employer shall ensure that each affected employee uses protective footwear when working in areas where there is a danger of foot injuries due to falling or rolling objects, or objects piercing the sole, or when the use of protective footwear will protect the affected employee from an electrical hazard, such as a static-discharge or electric-shock hazard, that remains after the employer takes other necessary protective measures.

(a) On or about December 26, 2023, and through January 3, 2024, the employer had not ensured that the condition of static spark discharge from human and conductive process equipment interactions, such as the opening of mixing vessels in the Class I Division 1 manufacturing are containing flammable liquids and their vapors (such as but not limited to vessels KD-5 and CT-1) to add particulate solid additives, was controlled or protected for by ensuring that employees interacting with the mixing vessels were bonded and grounded through the use of static dissipative footwear integrated with engineered, conductive flooring systems. This condition exposed employees to explosion, deflagration, flash fire, and/or fire hazards associated with the ignition of flammable vapor from static sparks between employees and the processing equipment.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: August 09, 2024  
Proposed Penalty: \$0.00



**Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

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

29 CFR 1910.119(d)(1): Information pertaining to the hazards of the highly hazardous chemicals in the process. This information shall consist of at least the elements specified in 29 CFR 1910.119 (d)(1)(i) through (vii).

(a) On or about December 26, 2023, and through January 3, 2024, the employer had not developed process safety information (PSI) required by the standard, including information pertaining to the hazards of the highly hazardous chemicals in the process, for the solvent-based inks manufacturing process within the Class I Division 1 manufacturing area producing flammable liquid inks with flash points below 100 F and in quantities over 10,000 lbs. The covered process includes all processing equipment and flammable materials associated with mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 located within the Class I Division 1 manufacturing area, as well as the ventilation system's dust collector located just outside of the Class I Division 1 manufacturing area.

Note: Information pertaining to the hazards of the highly hazardous chemicals in the process is to include: (i) toxicity information; (ii) permissible exposure limits; (iii) physical data; (iv) reactivity data; (v) corrosivity data; (vi) thermal and chemical stability data; and (vii) hazardous effects of inadvertent mixing of different materials that could foreseeably occur.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: August 09, 2024  
Proposed Penalty: \$16,131.00

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:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

29 CFR 1910.119(d)(2)(i): Information pertaining to the technology of the process shall include at least the elements specified in 29 CFR 1910.119(d)(2)(i)(A) through (E).

(a) On or about December 26, 2023, and through January 3, 2024, the employer had not developed process safety information required by the standard, including information pertaining to the technology of the process, for the solvent-based inks manufacturing process within the Class I Division 1 manufacturing area producing flammable liquid inks with flash points below 100 F and in quantities over 10,000 lbs. The covered process includes all processing equipment and flammable materials associated with mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 located within the Class I Division 1 manufacturing area, as well as the ventilation system's dust collector located just outside of the Class I Division 1 manufacturing area.

Note: Information pertaining to the technology of the process is to include at least the following: (A) a block flow diagram or simplified process flow diagram; (B) process chemistry; (C) maximum intended inventory; (D) safe upper and lower limits for such items as temperatures, pressures, flows or compositions; an evaluation of the consequence of deviations, including those affecting the safety and health of employees.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: August 09, 2024  
Proposed Penalty: \$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.





**Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

29 CFR 1910.119(d)(3)(i): Information pertaining to the equipment in the process shall include the elements specified in 29 CFR 1910.119(d)(3)(i)(A) through (H).

(a) On or about December 26, 2023, and through January 3, 2024, the employer had not developed process safety information required by the standard, including the information pertaining to the equipment in the process, for the solvent-based inks manufacturing process within the Class I Division 1 manufacturing area producing flammable liquid inks with flash points below 100 F and in quantities over 10,000 lbs. The covered process includes all processing equipment and flammable materials associated with mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 located within the Class I Division 1 manufacturing area, as well as the ventilation system's dust collector located just outside of the Class I Division 1 manufacturing area.

Note: Information pertaining to the technology of the equipment in the process is to include: (A) materials of construction; (B) piping and instrument diagrams (P&ID's); (C) electrical classification; (D) relief system design and design basis; (E) ventilation system design; (F) design codes and standards employed; (G) material and energy balances; and (H) safety systems (e.g. interlocks, detection or suppression systems).

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: August 09, 2024  
Proposed Penalty: \$0.00



## **Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

29 CFR 1910.119(d)(3)(ii): The employer shall document that equipment complies with recognized and generally accepted good engineering practices.

(a) On or about December 26, 2023, and through January 3, 2024, the employer had not documented, under required process safety information, that the equipment associated with the solvent-based inks manufacturing process within the Class I Division 1 manufacturing area producing flammable liquid inks with flash points below 100 F and in quantities over 10,000 lbs. complied with recognized and generally accepted good engineering practices (RAGAGEPs) for instances such as but not limited to those listed below:

(i) The employer did not document that the ventilation system's explosion protection system installed on the dust collector servicing covered mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 complied with RAGAGEP. The outdoor Donaldson Torit dry-type cartridge collector was used to convey flammable vapors and combustible dusts from the process vessels. The dust collector's explosion protection design (explosion venting) was based solely on explosibility properties of combustible paint pigment particulate solids and not on hybrid mixtures, including flammable vapors. National Fire Protection Association (NFPA) Standard 91 "Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Particulate Solids, 2020 ed." stipulates that the concentration of flammable vapors or gases shall not exceed 25 percent of the lower flammable limit (LFL) unless designed and protected in accordance with NFPA 68 "Standard on Explosion Protection by Deflagration Venting, 2018 ed.". NFPA 68 requires that the design of explosion protection venting systems handling flammable gases and/or hybrid mixtures be designed with the properties of the flammable gases and/or hybrid mixtures in mind.

(ii) The employer did not document that the ventilation system's fan system installed on the dust collector servicing covered mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 complied with RAGAGEP. The outdoor Donaldson Torit type cartridge collector was used to convey flammable vapors and combustible dusts from the process vessels. The dust collector's fan was not designed with industry recognized spark-resistant construction principles. National Fire Protection Association (NFPA) Standard 91 "Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Particulate Solids, 2020 ed." stipulates that air-moving devices handling flammable or combustible materials greater than or equal to 10 percent of the minimum explosible concentration (MEC) of the dust or the lower flammable limit (LFL) of the vapor be of Type A, B, or C spark-resistant construction per Air Movement & Control Association (AMCA) Standard 99-0401-86 "Classification for Spark Resistant Construction".

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:** Wikoff Color Corporation

**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

(iii) The employer did not document that the ventilation system's dust collector servicing covered mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 complied with RAGAGEP. The outdoor Donaldson Torit dry-type cartridge collector was used to convey flammable vapors and combustible dusts from the process vessels. The dust collector was designed for the purpose of separating combustible particulate solids from the air stream and was not designed for handling flammable gases/vapors. National Fire Protection Association (NFPA) Standard 91 "Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Particulate Solids, 2020 ed." stipulates that the type of separator shall be suitable for the gas, vapor, or mist being separated from the air stream.

(iv) The employer did not document that the ventilation system's dust collector servicing covered mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 complied with RAGAGEP. The outdoor Donaldson Torit dry-type cartridge collector was used to convey flammable vapors and combustible dusts from the process vessels. The dust collector's design basis was not documented to include the operation range of flammable vapors and combustible dusts to be maintained in the system. National Fire Protection Association (NFPA) Standard 91 "Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Particulate Solids, 2020 ed." stipulates that the design of ventilation systems shall be documented, and the documentation shall include information such as the concentration of flammable vapors or gases in the conveyance air stream and the concentration of particulate or dust in the conveyance air stream.

(v) The employer did not document that the ventilation system's cellulose cartridge filters installed in the dust collector servicing covered mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 complied with RAGAGEP. The outdoor Donaldson Torit dry-type cartridge collector was used to convey flammable vapors and combustible dusts from the process vessels. The dust collector's filters were constructed of cellulose and were not demonstrated to be capable of being compatible with the vapors collected in the process. National Fire Protection Association (NFPA) Standard 91 "Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Particulate Solids, 2020 ed." stipulates that the type of separator shall be suitable for the gas, vapor, or mist being separated from the air stream.

(vi) The employer did not document that the ventilation system's branch ducts servicing covered mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 complied with RAGAGEP. The outdoor Donaldson Torit dry-type cartridge collector was used to convey flammable vapors and combustible dusts from the process vessels. The ventilation system's flexible, plastic ducting used as branch duct to connect the vessel to the main duct was non-conductive and not bonded and grounded. National Fire Protection Association (NFPA) Standard 91 "Standard for Exhaust Systems for Air Conveying of Vapors, Gases, Mists, and Particulate Solids, 2020 ed." stipulates that nonconductive system components are not permitted where hybrid mixtures and/or flammable gas/vapor atmospheres are present.

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:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

(vii) The employer did not document that covered mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 ventilation system design complied with RAGAGEP. The mixing vessels had top mounted, hinged lids through which non-liquid ingredients were added which provided for the potential escape of flammable vapors. National Fire Protection Association (NFPA) Standard 30 "Flammable and Combustible Liquids Code, 2021 ed." stipulates that equipment shall be designed and arranged to prevent the unintentional escape of flammable liquids and vapors. In addition, NFPA 30 stipulates that process vessels with flammable liquids above their flash point shall be closed to the room in which it is located and vented to the outside of the building, specifying that if the vessels need to be opened to add ingredients, the room ventilation shall ensure that concentrations of vapors within the area are at or below 25% of the lower flammable limit (LFL).

(viii) The employer did not document that covered mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 particulate solids charging processes complied with RAGAGEP. Manual additions of particulate solids were permitted to be added through direct, open means that could cause displacement of flammable vapors. National Fire Protection Association (NFPA) Standard 654 "Standard fire the Prevention of Fire and Dust Explosions from the Manufacturing, Process, and Handling of Combustible Particulate Solids, 2020 ed." stipulates that particulate solids shall not be manually dumped directly into vessels containing flammable atmospheres or where displacement could cause a flammable atmosphere external to the vessel. Similar requirements can be found in NFPA Standard 77 "Recommended Practice on Static Electricity, 2019 ed.".

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: August 30, 2024  
Proposed Penalty: \$16,131.00

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:** 1722743  
**Inspection Date(s):** 01/23/2024 - 06/18/2024  
**Issuance Date:** 06/24/2024



**Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

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

29 CFR 1910.119(e)(1): The employer shall perform an initial process hazard analysis (hazard evaluation) on processes covered by 29 CFR 1910.119.

(a) On or about December 26, 2023, and through January 3, 2024, the employer had not performed an initial process hazard analysis (PHA) on the solvent-based inks manufacturing process within the Class I Division 1 manufacturing area producing flammable liquid inks with flash points below 100 F and in quantities over 10,000 lbs. The covered process includes all processing equipment and flammable materials associated with mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 located within the Class I Division 1 manufacturing area, as well as the ventilation system's dust collector located just outside of the Class I Division 1 manufacturing area.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: July 19, 2024  
Proposed Penalty: \$16,131.00

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:** 1722743  
**Inspection Date(s):** 01/23/2024 - 06/18/2024  
**Issuance Date:** 06/24/2024



**Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

29 CFR 1910.119(i)(1): The employer shall perform a pre-startup safety review for new facilities and for modified facilities when the modification is significant enough to require a change in the process safety information.

(a) On or about December 26, 2023, and through January 3, 2024, the employer had not performed a pre-startup safety review for the solvent-based inks manufacturing process within the Class I Division 1 manufacturing area producing flammable liquid inks with flash points below 100 F and in quantities over 10,000 lbs. The covered process includes all processing equipment and flammable materials associated with mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 located within the Class I Division 1 manufacturing area, as well as the ventilation system's dust collector located just outside of the Class I Division 1 manufacturing area.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: August 09, 2024  
Proposed Penalty: \$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



**Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

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

29 CFR 1910.119(f)(1): The employer shall develop and implement written operating procedures that provide clear instructions for safely conducting activities involved in each covered process consistent with the process safety information and shall address at least the elements listed in 29 CFR 1910.119(f)(1)(i) through (iv).

(a) On or about December 26, 2023, and through January 3, 2024, the employer had not developed nor implemented written operating procedures that provided clear instructions for safely conducting activities involved in the solvent-based inks manufacturing process within the Class I Division 1 manufacturing area producing flammable liquid inks with flash points below 100 F and in quantities over 10,000 lbs. The covered process includes all processing equipment and flammable materials associated with mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 located within the Class I Division 1 manufacturing area, as well as the ventilation system's dust collector located just outside of the Class I Division 1 manufacturing area.

Note: Written operating procedures are to cover at least the following elements: (i) steps for each operating phase; (ii) operating limits, (iii) safety and hand considerations, and safety systems and their functions. Refer to the standard for more details on the required sub elements.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: August 09, 2024  
Proposed Penalty: \$16,131.00

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:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

29 CFR 1910.119(g)(1)(i): Initial Training. Each employee presently involved in operating a process, and each employee before being involved in operating a newly assigned process, shall be trained in an overview of the process and in the operating procedures as specified in paragraph (f) of 29 CFR 1910.119. The training shall include emphasis on the specific safety and health hazards, emergency operations including shutdown, and safe work practices applicable to the employee's job tasks.

(a) On or about December 26, 2023, and through January 3, 2024, the employer had not provide initial training on operating procedures (to include and overview of the process, compliant operating procedures and with an emphasis on specific safety and health hazards, emergency operations, and safe work practices) for employees required to work in the solvent-based inks manufacturing process within the Class I Division 1 manufacturing area producing flammable liquid inks with flash points below 100 F and in quantities over 10,000 lbs. The covered process includes all processing equipment and flammable materials associated with mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 located within the Class I Division 1 manufacturing area, as well as the ventilation system's dust collector located just outside of the Class I Division 1 manufacturing area.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: August 09, 2024  
Proposed Penalty: \$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



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

**Inspection Number:** 1722743  
**Inspection Date(s):** 01/23/2024 - 06/18/2024  
**Issuance Date:** 06/24/2024



**Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

29 CFR 1910.119(c)(1): Employers shall develop a written plan of action regarding the implementation of the employee participation required by 29 CFR 1910.119(c).

(a) On or about December 26, 2023, and through January 3, 2024, the employer had not developed a written plan of action regarding the implementation of the employee participation for the solvent-based inks manufacturing process within the Class I Division 1 manufacturing area producing flammable liquids inks with flashpoints below 100 F and in quantities over 10,000 lbs. The covered process includes all processing equipment and flammable materials associated with mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-16 located within the Class I Division 1 manufacturing area, as well as the ventilation system's dust collector located just outside of the Class I Division 1 manufacturing area.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: August 09, 2024  
Proposed Penalty: \$0.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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

**Inspection Number:** 1722743  
**Inspection Date(s):** 01/23/2024 - 06/18/2024  
**Issuance Date:** 06/24/2024



**Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

29 CFR 1910.119(j)(2): Written Procedures. The employer shall establish and implement written procedures to maintain the on-going integrity of process equipment.

(a) On or about December 26, 2023, and through January 3, 2024, the employer had not established written procedures to maintain the on-going integrity of process equipment (such as storage tanks, piping systems and components, pumps, ventilation systems, relief systems, emergency shutdown systems, and controls) for the solvent-based inks manufacturing process within the Class I Division 1 manufacturing area producing flammable liquid inks with flash points below 100 F and in quantities over 10,000 lbs. The covered process includes all processing equipment and flammable materials associated with mixing vessels CT-1, KD-5, KD-2, KD-3, KD-4, and CT-6 located within the Class I Division 1 manufacturing area, as well as the ventilation system's dust collector located just outside of the Class I Division 1 manufacturing area.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: August 30, 2024  
Proposed Penalty: \$16,131.00

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:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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 1910.132(a): Protective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers, shall be provided, used, and maintained in a sanitary and reliable condition wherever it is necessary by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation or physical contact.

(a) On or about January 3, 2024, the employer did not provide and ensure the use of flame-resistant clothing (FRC) necessary to protect employees from burns due to potential flash fires associated with flammable liquid vapors and combustible particulate solid hybrid mixtures while an employee was performing tasks such as, but not limited to, the direct, manual dump charging of combustible particulate solid additives from bags into the mixing vessel KD-5 in the Class I Division 1 manufacturing area. Employee uniforms worn were made of a mixed fiber of 65% polyester/ 35% cotton fabric. The hazard of flammable liquid vapor displacement and ignition during the manual dumping of particulate solids into vessels containing flammable atmospheres and the use of protective controls, including FRC, is recognized by industry consensus standards including National Fire Protection Association (NFPA) Standard 654 "Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids" and NFPA Standard 77 "Recommended Practice on Static Electricity".

Note: Appropriate guidance on FRC can be found in the National Fire Protection Association's (NFPA) Standard 2113 "Standard on Selection, Care, Use, and Maintenance of Flame-Resistant Garments for Protection of Industrial Personnel Against Short-Duration Thermal Exposures from Fire, 2020 ed."

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: **July 19, 2024**  
Proposed Penalty: **\$16,131.00**

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:** 1722743  
**Inspection Date(s):** 01/23/2024 - 06/18/2024  
**Issuance Date:** 06/24/2024



**Citation and Notification of Penalty**

**Company Name:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

29 CFR 1910.178(c)(2)(iii): Only approved power-operated industrial trucks designated as EX may be used in atmospheres containing acetone, acrylonitrile, alcohol, ammonia, benzene, benzol, butane, ethylene dichloride, gasoline, hexane, lacquer solvent vapors, naphtha, natural gas, propane, propylene, styrene, vinyl acetate, vinyl chloride, or xylenes in quantities sufficient to produce explosive or ignitable mixtures and where such concentrations of these gases or vapors exist continuously, intermittently or periodically under normal operating conditions or may exist frequently because of repair, maintenance operations, leakage, breakdown or faulty operation of equipment.

(a) On or about January 23, 2024, employees were exposed to explosion and/or deflagration hazards while transferring flammable liquids from a product container to a 55-gallon drum with an EE rated forklift in the Class I Division 1 manufacturing area.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 19, 2024  
\$16,131.00

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:** Wikoff Color Corporation  
**Inspection Site:** W223 N6351 Richards Road, Lisbon, WI 53089

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

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.

(a) On or about January 3, 2024, the employer had not provided employees working with hazardous chemicals such as flammable liquids and combustible particulate solids with effective information and training as outlined in 29 CFR 1910.1200(h)(2) through (h)(3). Information and training was not provided for the following elements:

- (i) The requirements of 29 CFR 1910.1200,
- (ii) Specific operations in their work area where combustible particulate solids (combustible dusts) are utilized,
- (iii) Methods and observations used to detect the presence or release of hazardous chemicals in the work area,
- (iv) The physical and health hazards associated with flammable liquids,
- (v) The physical and health hazards associated with combustible particulate solids (combustible dusts),
- (vi) The measures employees can take to protect themselves from identified physical and health hazards associated with flammable liquids and combustible particulate solids (combustible dusts) such as safety procedures, emergency procedures, safe work practices, and PPE, and
- (vii) Explanation of container labeling systems.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: July 19, 2024  
Proposed Penalty: \$16,131.00

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**Dustin Schnipke**  
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  
 310 W. Wisconsin Avenue  
 Room 1180  
 Milwaukee, WI 53203




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**INVOICE /  
 DEBT COLLECTION NOTICE**

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**Company Name: Wikoff Color Corporation**  
**Inspection Site: W223 N6351 Richards Road, Lisbon, WI 53089**  
**Issuance Date: 06/24/2024**

Summary of Penalties for Inspection Number: 1722743

Citation 1 Item 1, Serious	\$12,676.00
Citation 1 Item 2, Serious	\$12,676.00
Citation 1 Item 3a, Serious	\$12,676.00
Citation 1 Item 3b, Serious	\$0.00
Citation 1 Item 4a, Serious	\$16,131.00
Citation 1 Item 4b, Serious	\$0.00
Citation 1 Item 5a, Serious	\$16,131.00
Citation 1 Item 5b, Serious	\$0.00
Citation 1 Item 5c, Serious	\$0.00
Citation 1 Item 6, Serious	\$16,131.00
Citation 1 Item 7a, Serious	\$16,131.00
Citation 1 Item 7b, Serious	\$0.00
Citation 1 Item 8a, Serious	\$16,131.00
Citation 1 Item 8b, Serious	\$0.00
Citation 1 Item 8c, Serious	\$0.00
Citation 1 Item 9, Serious	\$16,131.00
Citation 1 Item 10a, Serious	\$16,131.00
Citation 1 Item 10b, Serious	\$0.00
Citation 1 Item 11, Serious	\$16,131.00
Citation 1 Item 12, Serious	\$16,131.00

**TOTAL PROPOSED PENALTIES: \$183,207.00**

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 at [www.pay.gov](http://www.pay.gov). At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From the **OSHA Penalty Payment Form** search result, select Continue. 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 two 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.

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**Dustin Schnipke**

Area Director

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Date