

U.S. Department of Labor

Occupational Safety and Health Administration
919 Market Street
Suite 900
Wilmington, DE 19801
Phone: 302-573-6518 Fax: 302-573-6532



Citation and Notification of Penalty

To:

Franklin Fibre-Lamitex Corp., dba Franklin Fibre
903 East 13th St
Wilmington, DE 19899

Inspection Number: 1016579**Inspection Date(s):** 01/05/2015 - 06/23/2015**Issuance Date:** 07/01/2015**Inspection Site:**

903 East 13th St
Wilmington, DE 19899

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

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

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OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will process the payments as if these restrictions or conditions do not exist.

Notification of Corrective Action – For each violation which you do not contest, you must provide ***abatement certification*** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that ***abatement documentation*** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/01/2015. The conference will be held by telephone or at the OSHA office located at 919 Market Street, Suite 900, Wilmington, DE 19801 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1016579

Company Name: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899
Issuance Date: 07/01/2015

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, 919 Market Street, Suite 900, Wilmington, DE 19801**

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 _____
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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: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899

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

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

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

(a) Saw Room -On or about 1/14/2015, a metal junction box with pre-punched holes was not mounted in accordance with the listing for this type of equipment. This junction box exposed employees to an electrical shock hazard as it was observed dangling down along a cinder block wall.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/08/2015
Proposed Penalty:	\$4900.00

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: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899

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

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

(a) Saw Room - On or about 1/14/2015, the employer did not enclose live wires operating at 450 volts, to prevent an accidental contact, exposing the employees to an electrical shock hazard.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/08/2015



Citation and Notification of Penalty

Company Name: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899

Citation 1 Item 1 c 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:

(a) Saw Room - On or about 1/14/2015, the employer did not effectively ground a metal junction box with pre-punched holes, by either the use of a grounding clip or a grounding screw. The employees were exposed to a shock hazard.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/08/2015



Citation and Notification of Penalty

Company Name: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899

Citation 1 Item 2 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:

(a) Saw Room - On or about 1/14/2015 the employer did not provide a cover plate to a metal junction box, exposing the employees to a shock hazard.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/08/2015
Proposed Penalty:	\$4900.00



Citation and Notification of Penalty

Company Name: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899

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

29 CFR 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazard(s) created by lathe:

- a) Bay next to Supervisor's office- On or about 6/23/2015 and dates prior, the employer permitted the operation of a HAAS SL 40 lathe to conduct polishing work without a chuck guard. Employees were exposed to injuries from getting caught by rotating parts.
- b) Bay next to supervisor's office- On or about 6/23/2015 and dates before, the employer permitted the use of a lathe that did not have a chuck guard. Employees were exposed to injuries from getting caught by rotating parts.

Note: Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written documentation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/14/2015
Proposed Penalty:	\$4900.00



Citation and Notification of Penalty

Company Name: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899

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

29 CFR 1910.212(a)(3)(ii): The point of operation of machines whose operation exposed an employee to injury, was not guarded:

a) Table saw room- On or about 1/8/2015, the employer permitted the use of a table saw without a guard. The employees were exposed to an amputation hazard while using a table saw, which was set up in an angle to do mitered cuts of composite plastics and cardboard pipes, without guarding the point of operation.

Note: Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written documentation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/14/2015
Proposed Penalty:	\$4900.00



Citation and Notification of Penalty

Company Name: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899

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

29 CFR 1910.1200(h)(3)(iv): The details of the hazard communication program developed by the employer, did not include an explanation of the labels received on shipped containers and the workplace labeling system used by their employer; the safety data sheet, including the order of information and how employee could obtain and use the appropriate hazard information:

a) 903 East 13th St Wilmington, DE - One employee who works onsite, where hazardous chemicals are stored and used, was not provided training on the new labels and safety data sheet format which was instituted in December of 2013.
On or about 1/20/2015.

b) 903 East 13th St Wilmington, DE - Employees were not trained in the physical properties of combustible dust and in the measures employees can take to protect themselves from these hazards. On or about 6/23/2015.

Date By Which Violation Must be Abated:
Proposed Penalty:

07/28/2015
\$0.00

A handwritten signature in black ink, appearing to read "Erin G. Patterson", is written over a horizontal line.

Erin G. Patterson
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
919 Market Street
Suite 900
Wilmington, DE 19801
Phone: 302-573-6518 Fax: 302-573-6532



INVOICE / DEBT COLLECTION NOTICE

Company Name: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899
Issuance Date: 07/01/2015

Summary of Penalties for Inspection Number	1016579
Citation 1, Serious	\$19600.00
Citation 2, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$19600.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed

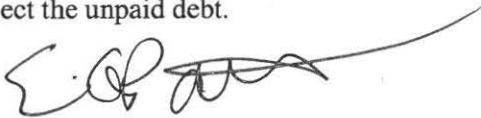
account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Erin G. Patterson
Area Director

01 JULY 2015

Date

U.S. Department of Labor
Occupational Safety and Health Administration
919 Market Street
Suite 900
Wilmington, DE 19801
Phone: 302-573-6518 Fax: 302-573-6532



Citation and Notification of Penalty

To:
Franklin Fibre-Lamitex Corp., dba Franklin Fibre
903 East 13th St
Wilmington, DE 19899

Inspection Number: 1018239
Inspection Date(s): 01/14/2015 - 06/01/2015
Issuance Date: 07/14/2015

Inspection Site:
903 East 13th St
Wilmington, DE 19899

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.

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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.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1018239

Company Name: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899
Issuance Date: 07/14/2015

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, 919 Market Street, Suite 900, Wilmington, DE 19801**

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

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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: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: 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, including severe burns, to employees in that employees were exposed to dust explosion, deflagration, or other fire hazards from dust collectors being located inside a building and ineffective dust collection and fire protection systems:

- a) Saw & Grinding Rooms - Each of these rooms, located within the building, had a dust collector (after filter baghouse) having a volume capacity of greater than 8 ft.3 (0.2 m3);
- b) Saw & Grinding Area Dust Collection System - The interior of the duct collecting dust generated by sawing at CNC Saw No. 2 was not clean and free of residual material; and, changes in duct sizes along this duct length were not designed by utilizing a tapered transformation piece with the included angle of the taper not more than 30 degrees;
- c) Saw & Grinding Area and Laminating & Manufacturing (L&M) Area Dust Collection Systems - These systems had dust collection drums connected to baghouse after filters that were not airtight;
- d) Saw & Grinding Area and Laminating Area & Manufacturing (L&M) Area Dust Collection Systems - These systems were not equipped with fire protection equipment such as, but not limited to, spark / ember detection equipment;
- e) Laminating & Manufacturing (L&M) Area Dust Collection System - The pressure relief panels for this baghouse were blanked off.

Conditions observed on or about January 14, 2015 and dates prior and since.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

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: 1018239
Inspection Date(s): 01/14/2015 - 06/01/2015
Issuance Date: 07/14/2015



Citation and Notification of Penalty

Company Name: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899

Follow guidance provided by the National Fire Protection Associations Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing of Combustible Particulate Solids (NFPA 654) to keep employees safe from fire and explosion and to minimize the resulting impact to employees from a fire or explosion.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/25/2015
Proposed Penalty:	\$4900.00

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: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899

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

29 CFR 1910.132(a): Protective equipment was not used when necessary whenever hazards capable of causing injury and impairment were encountered:

a) Saw and Grinding Areas - The employer did provide employees with flame-retardant clothing to wear in areas where combustible dusts were present. Conditions observed on or about January 14, 2015 and dates prior and since.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

One feasible method to correct this hazard is to require employees to wear flame-retardant clothing in this area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	07/28/2015
Proposed Penalty:	\$4900.00

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: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899

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

29 CFR 1910.157(g)(1): An educational program was not provided for all employees to familiarize them with the general principles of fire extinguisher use and the hazards involved with incipient stage firefighting:

a) Franklin Fibre-Lamitex Corp. - The employer did not provide training, in accordance with this Standard, for employees expected to use fire extinguishers to extinguish a fire. On or about June 1, 2015 and dates prior and since.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

Date By Which Violation Must be Abated:	07/28/2015
Proposed Penalty:	\$3500.00



Citation and Notification of Penalty

Company Name: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899

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

29 CFR 1910.307(c): Electrical equipment in hazardous (classified) locations was not intrinsically safe, approved for the hazardous (classified) location, or safe for the hazardous (classified) location:

a) Saw Room - The employer did not provide electrical equipment approved for a location having accumulations of a class II combustible dust to protect employees from a potential fire hazard. Conditions observed on or about January 14, 2015 and dates prior and since.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

Reference 29 CFR 1910.399, Definitions applicable to this subpart, for applicable definitions and National Electrical Code, NFPA 70, for further guidance. Specifically, 29 CFR 1910.399 provides a definition for a Class II location.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	11/25/2015
Proposed Penalty:	\$4900.00



Citation and Notification of Penalty

Company Name: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899

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

29 CFR 1910.22(a)(1): All places of employment were not kept clean:

a) Saw and Grinding Rooms - Employees were exposed to a fire hazard as the areas where composite materials are cut and ground had accumulations of combustible dust on surfaces including the overhead rafters, floors, masonry walls, and electrical equipment. Condition observed on or about January 14, 2015 and dates prior and since.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

See the National Fire Protection Association's Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids (NFPA 654) for guidance on fugitive dust control and housekeeping.

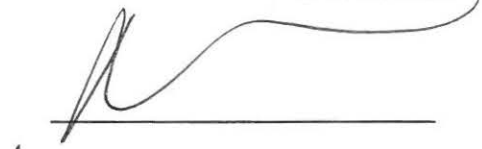
ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/28/2015

Proposed Penalty:

\$49000.00


Erin G. Patterson
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
919 Market Street
Suite 900
Wilmington, DE 19801
Phone: 302-573-6518 Fax: 302-573-6532



INVOICE / DEBT COLLECTION NOTICE

Company Name: Franklin Fibre-Lamitex Corp., dba Franklin Fibre
Inspection Site: 903 East 13th St, Wilmington, DE 19899
Issuance Date: 07/14/2015

Summary of Penalties for Inspection Number	1018239
Citation 1, Serious	\$18200.00
Citation 2, Willful	\$49000.00
TOTAL PROPOSED PENALTIES	\$67200.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Erin G. Patterson
Area Director

07/14/2015

Date