

U.S. Department of Labor

Occupational Safety and Health Administration
1600 167th Street, Suite 9
Calumet City, IL 60409
(708) 891 - 3800
(708) 862 - 9659 (FAX)



May 24, 2011

AMD Industries, Inc.
4620 W. 19th St.
Cicero, IL 60804-2597

Attention: David E. Allen

Dear Mr. Allen:

Under a law passed by Congress in 1996, the Small Business Administration (SBA) has established an SBA Ombudsman and SBA Regional Fairness Boards to investigate small business complaints about federal agency enforcement actions.

If you are a small business and believe you have been treated unfairly by the Occupational Safety and Health Administration (OSHA), you may file a written, signed complaint with the SBA Ombudsman at:

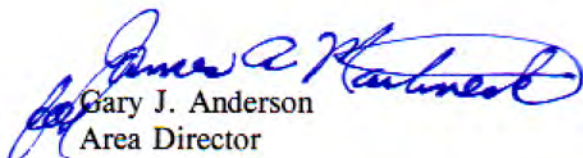
SBA Office of the National Ombudsman
409 3rd Street, SW
MC 2120
Washington, D.C. 20416

Or, call Toll Free: 1-888-REGFAIR

NOTE: Filing a complaint with the SBA Ombudsman does not affect any obligation you may have to comply with an OSHA citation or other enforcement action.

Your support of occupational safety and health is appreciated.

Sincerely,


Gary J. Anderson
Area Director



Citation and Notification of Penalty

To:
AMD Industries, Inc.
and its successors
4620 W. 19th St.
Cicero, IL 60804-2597

Inspection Number: 315154112
Inspection Date(s): 12/21/2010 -
Issuance Date: 05/24/2011

Inspection Site:
4620 W. 19th St.
Cicero, IL 60804-2597

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 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. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

Internet Posting - 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, but not sooner than 30 calendar days after the Citation Issuance Date. 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.

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 page 4 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. Please contact our office at 708-891-3800 to schedule an informal conference.

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

Penalty Payment - Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) **Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance.**

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

Notification of Corrective Action - For violations which you do not contest, you must notify the U.S. Department of Labor Area Office promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation. Please inform the Area Office in writing 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, etc.

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.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 05/24/2011. The conference will be held at the OSHA office located at Calumet City Area Office, 1600 167th Street, Suite 9, Calumet City, IL, 60409 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

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

29 CFR 1926.1101(e)(1): All Class I, II, and III asbestos work was not conducted within regulated areas:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, employees conducted Class 1 asbestos abatement of pipe insulation containing 20% - 50% chrysotile asbestos. The abatement operations were not conducted within a regulated area, thereby exposing employees to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 6300.00

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

29 CFR 1926.1101(g)(2): The employer did not use the control methods, described in paragraph (g)(2)(i) through (iii) to achieve compliance with the TWA permissible exposure limit and excursion limit prescribed by paragraph (c) of this section:

a. On or about November 29 through December 10, 2010, at the above addressed jobsite - employees conducting Class 1 abatement of thermal system insulation containing 20% - 50% chrysotile asbestos were not protected from exposure by use of the following control methods: local exhaust ventilation, enclosure or isolation, and/or ventilation of the regulated area, thereby exposing the employees to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 6300.00

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

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

1926.1101(g)(3): One or more work practices and engineering controls located in (g)(3)(i) through g(3)(iv) were used for work related to asbestos or for work which disturbs ACM or PACM, regardless of measured levels of asbestos exposure or the results of initial exposure assessments:

a. On or about November 29 through December 10, 2010, at the above addressed jobsite - employees conducting Class 1 abatement of thermal system insulation containing 20% - 50% chrysotile asbestos used the following work methods during the removal process: cutting through asbestos containing materials with a reciprocating saw and dry sweeping, thereby exposing the employees to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 6300.00

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

29 CFR 1926.1101(g)(4): Additional engineering controls and work practices and procedures were not used for Class I work as required by 1926.1101(g)(4)(i) through (g)(4)(v):

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, employees conducting Class 1 asbestos abatement of thermal system insulation containing 20% to 50% chrysotile asbestos did not use the following engineering controls, work practices and procedures: operations were not supervised by a competent person, methods to prevent migration of asbestos fibers were not used, HVAC systems were not isolated, impermeable drop cloths were not placed on surfaces below the removal activities, and objects within the area were not covered with impermeable dropcloths, thereby exposing the employees to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 6300.00

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

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

29 CFR 1926.1101(g)(5): Class I asbestos work was not performed using one or more of the control methods required by sections 1926.1101(g)(5)(i) through (g)(5)(vi):

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, employees conducted Class 1 asbestos abatement of thermal system insulation containing 20% to 50% chrysotile asbestos. The employees were not protected by one or more of the following control methods: asbestos work was not conducted inside of a negative pressure enclosure, or by using glovebag systems, thereby exposing employees to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 6300.00

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

29 CFR 1926.1101(h)(2): The employer did not implement a respiratory protection program in accordance with 29 CFR 1910.134 (b) through (d) (except (d)(1)(iii)), and (f) through (m):

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, employees performed Class 1 abatement of thermal system insulation containing 20% to 50% chrysotile asbestos. The employees were provided filtering facepiece respirators and the employer did not implement a respiratory protection program, thereby exposing the employees to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 6300.00

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

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

1926.1101(j)(1): The hygiene facility requirements located in j(1)(i) through j(1)(iv) were not followed for employees performing Class 1 asbestos jobs involving over 25 linear or 10 square feet of TSI or surfacing ACM or PACM:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, employees conducting Class 1 abatement of thermal system insulation containing 20% - 50% chrysotile asbestos were not provided hygiene facilities, thereby exposing the employees and employees' families to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 6300.00

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

29 CFR 1926.1101(l)(2): Asbestos waste, scrap, debris, bags, containers, equipment, and contaminated clothing consigned for disposal was not collected and disposed of in sealed, labeled, impermeable bags or other closed, labeled, impermeable containers:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, employees conducted Class 1 abatement and disposal of thermal system insulation of material that contained 20% - 50% chrysotile asbestos. The asbestos containing material was not collected and disposed of in sealed, labeled, impermeable bags or other closed, labeled impermeable containers, thereby exposing the employees to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 6300.00

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

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

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

29 CFR 1926.1101(f)(1)(i): The employer who had a workplace or work operation where exposure monitoring is required under this section did not perform monitoring to determine accurately the airborne concentrations of asbestos to which employees may be exposed:

- a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, the employer did not perform exposure monitoring to determine accurately the airborne concentrations of asbestos to which employees may have been exposed while conducting Class 1 abatement of thermal system insulation containing 20% - 50% chrysotile asbestos, thereby exposing the employees to asbestos hazards.

Date By Which Violation Must be Abated:	06/17/2011
Proposed Penalty:	\$ 63000.00



Citation and Notification of Penalty

Company Name: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

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

29 CFR 1926.1101(f)(2)(i): The employer with a work operation covered by the asbestos standard did not ensure that a "competent person" conducted an exposure assessment immediately before or at the initiation of the operation to ascertain expected exposures during that operation:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, the employer did not ensure a competent person conducted an exposure assessment prior to employees conducting Class 1 abatement of thermal system insulation that contained 20% - 50% chrysotile asbestos, thereby exposing the employees to asbestos hazards.

Date By Which Violation Must be Abated: 06/17/2011

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

29 CFR 1926.1101(f)(3)(i): Class I and II operations. The employer did not conduct daily monitoring that is representative for the exposure of each employee who is assigned to work within a regulated area who is performing Class I and II work, unless the employer pursuant to (f)(2)(iii) of this section, has made a negative exposure assessment for the entire operation:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, the employer did not conduct daily monitoring for each employee while conducting Class 1 abatement of thermal system insulation that contained 20% - 50% chrysotile asbestos, thereby exposing the employees to asbestos hazards.

Date By Which Violation Must be Abated: 06/17/2011

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

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

1926.1101(g)(1): The employer did not use the engineering controls and work practices located in g(1)(i) through g(1)(iii) of this section in all operations covered regardless of exposure levels:

a. On or about November 29 through December 10 2010, at the above addressed jobsite - employees conducting Class 1 abatement of thermal system insulation containing 20% - 50% chrysotile asbestos were not protected by the following engineering controls and work practices: HEPA vacuums were not used to collect debris and dust, wet methods were not used, and waste and debris was not promptly cleaned up and disposed of, thereby exposing the employees to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

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

Citation 2 Item 3a Type of Violation: **Willful**

1926.1101(h)(1): For employees who use respirators required by this section, the employer did not provide each employee and adequate respirator that complied with the requirements of this paragraph. Respirators must be used during h(1)(i) through h(1)(viii) of this section:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee performed Class 1 abatement of thermal system insulation which contained 20% - 50% chrysotile asbestos. The employee was provided a filtering facepiece when a powered air purifying respirator (PAPR) was required, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

Citation 2 Item 3b Type of Violation: **Willful**

1926.1101(h)(3)(i)[A]: The employer did not select and provide to employees the appropriate respirators specified in paragraph (d)(3)(i)(A) of 29 CFR 1910.134. The employer provided filtering facepiece respirators for use against asbestos fibers, which is prohibited.

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, the employer provided a filtering facepiece to the employee to protect against asbestos exposure during Class 1 asbestos abatement work, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated:

06/17/2011

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

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

Citation 2 Item 4a Type of Violation: **Willful**

1926.1101(h)(1): For employees who use respirators required by this section, the employer did not provide each employee an appropriate respirator that complied with the requirements of this paragraph. Respirators must be used during h(1)(i) through h(1)(viii) of this section:

- a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee performed Class 1 abatement of thermal system insulation which contained 20% - 50% chrysotile asbestos. The employee was provided a filtering facepiece when a powered air purifying respirator (PAPR) was required, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

Citation 2 Item 4b Type of Violation: **Willful**

1926.1101(h)(3)(i)[A]: The employer did not select and provide to employees the appropriate respirators specified in paragraph (d)(3)(i)(A) of 29 CFR 1910.134. The employer provided filtering facepiece respirators for use against asbestos fibers, which is prohibited.

- a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, the employer provided a filtering facepiece to the employee to protect against asbestos exposure during Class 1 asbestos abatement work, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

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

Citation 2 Item 5a Type of Violation: **Willful**

1926.1101(h)(1): For employees who use respirators required by this section, the employer did not provide each employee and appropriate respirator that complied with the requirements of this paragraph. Respirators must be used during h(1)(i) through h(1)(viii) of this section:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee performed Class 1 abatement of thermal system insulation which contained 20% - 50% chrysotile asbestos. The employee was required to dry sweep, transport, and pulverize material in a trash compactor. The employee was provided a filtering facepiece when a powered air purifying respirator (PAPR) was required, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

Citation 2 Item 5b Type of Violation: **Willful**

1926.1101(h)(3)(i)[A]: The employer did not select and provide to employees the appropriate respirators specified in paragraph (d)(3)(i)(A) of 29 CFR 1910.134. The employer provided filtering facepiece respirators for use against asbestos fibers, which is prohibited.

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, the employer provided a filtering facepiece to the employee to protect against asbestos fibers exposure during Class 1 asbestos abatement work, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

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

Citation 2 Item 6a Type of Violation: **Willful**

1926.1101(h)(1): For employees who use respirators required by this section, the employer did not provide each employee an adequate respirator that complied with the requirements of this paragraph. Respirators must be used during h(1)(i) through h(1)(viii) of this section:

- a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee performed Class 1 abatement of thermal system insulation which contained 20% - 50% chrysotile asbestos. The employee was provided a filtering facepiece when a powered air purifying respirator (PAPR) was required, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

Citation 2 Item 6b Type of Violation: **Willful**

1926.1101(h)(3)(i)[A]: The employer did not select and provide to employees the appropriate respirators specified in paragraph (d)(3)(i)(A) of 29 CFR 1910.134. The employer provided filtering facepiece respirators for use against asbestos fibers, which is prohibited.

- a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, the employer provided a filtering facepiece to the employee to protect against asbestos fibers exposure during Class 1 asbestos abatement work, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

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

Citation 2 Item 7a Type of Violation: **Willful**

1926.1101(h)(1): For employees who use respirators required by this section, the employer did not provide each employee an appropriate respirator that complied with the requirements of this paragraph. Respirators must be used during h(1)(i) through h(1)(viii) of this section:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee performed Class 1 abatement operations of thermal system insulation which contained 20% - 50% chrysotile asbestos. The employee was directed to dry sweep, transport, and pulverize material in a trash compactor. The employee was provided a filtering facepiece when a powered air purifying respirator (PAPR) was required, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

Citation 2 Item 7b Type of Violation: **Willful**

1926.1101(h)(3)(i)[A]: The employer did not select and provide to employees the appropriate respirators specified in paragraph (d)(3)(i)(A) of 29 CFR 1910.134. The employer provided filtering facepiece respirators for use against asbestos fibers, which is prohibited.

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, the employer provided a filtering facepiece to the employee to protect against asbestos fibers exposure during Class 1 asbestos abatement work, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

Citation 2 Item 8 Type of Violation: **Willful**

29 CFR 1926.1101(i)(1): The employer did not provide and require the use of protective clothing, such as coveralls or similar whole-body clothing, head coverings, gloves, and foot coverings for each employee exposed to airborne concentrations of asbestos that exceed the TWA and/or excursion limit prescribed in paragraph (c) of this section, or for which a required negative exposure assessment was not produced, or for any employee performing Class 1 operations which involve the removal of over 25 linear or 10 square feet of TSI or surfacing ACM and PACM:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee performed Class 1 abatement of thermal system insulation which contained 20% - 50% chrysotile asbestos. The employee was directed to conduct removal operations of pipe insulation and was not provided adequate protective clothing, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

Citation 2 Item 9 Type of Violation: **Willful**

29 CFR 1926.1101(i)(1): The employer did not provide and require the use of protective clothing, such as coveralls or similar whole-body clothing, head coverings, gloves, and foot coverings for each employee exposed to airborne concentrations of asbestos that exceed the TWA and/or excursion limit prescribed in paragraph (c) of this section, or for which a required negative exposure assessment was not produced, or for any employee performing Class 1 operations which involve the removal of over 25 linear or 10 square feet of TSI or surfacing ACM and PACM:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee performed Class 1 abatement of thermal system insulation. The employee was directed to conduct removal operations of pipe insulation which contained 20% - 50% chrysotile asbestos and was not provided adequate protective clothing, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

Citation 2 Item 10 Type of Violation: **Willful**

29 CFR 1926.1101(i)(1): The employer did not provide and require the use of protective clothing, such as coveralls or similar whole-body clothing, head coverings, gloves, and foot coverings for each employee exposed to airborne concentrations of asbestos that exceed the TWA and/or excursion limit prescribed in paragraph (c) of this section, or for which a required negative exposure assessment was not produced, or for any employee performing Class 1 operations which involve the removal of over 25 linear or 10 square feet of TSI or surfacing ACM and PACM.

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee performed Class 1 abatement of thermal system insulation which contained 20% - 50% chrysotile asbestos. The employee was directed to dry sweep, transport, and pulverize material in a trash compactor and was not provided adequate protective clothing, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

Citation 2 Item 11 Type of Violation: **Willful**

29 CFR 1926.1101(i)(1): The employer did not provide and require the use of protective clothing, such as coveralls or similar whole-body clothing, head coverings, gloves, and foot coverings for each employee exposed to airborne concentrations of asbestos that exceed the TWA and/or excursion limit prescribed in paragraph (c) of this section, or for which a required negative exposure assessment was not produced, or for any employee performing Class 1 operations which involve the removal of over 25 linear or 10 square feet of TSI or surfacing ACM and PACM:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee performed Class 1 abatement of thermal system insulation which contained 20% - 50% chrysotile asbestos. The employee was directed to conduct removal operations of pipe insulation and was not provided adequate protective clothing, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

Citation 2 Item 12 Type of Violation: **Willful**

29 CFR 1926.1101(i)(1): The employer did not provide and require the use of protective clothing, such as coveralls or similar whole-body clothing, head coverings, gloves, and foot coverings for each employee exposed to airborne concentrations of asbestos that exceed the TWA and/or excursion limit prescribed in paragraph (c) of this section, or for which a required negative exposure assessment was not produced, or for any employee performing Class 1 operations which involve the removal of over 25 linear or 10 square feet of TSI or surfacing ACM and PACM:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee performed Class 1 abatement of thermal system insulation which contained 20% - 50% chrysotile asbestos. The employee was directed to dry sweep, transport, and pulverize material in a trash compactor and was not provided adequate protective clothing, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00



Citation and Notification of Penalty

Company Name: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

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

Citation 2 Item 13a Type of Violation: **Willful**

1926.1101(k)(3): Duties of employers whose employees perform work subject to this standard in or adjacent to areas containing ACM or PACM. Building/facility owners whose employees perform such work did not comply with the provisions located in k(3)(i) through k(3)(iii) to the extent applicable.

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, the employer did not identify the presence, location, and quantity of ACM/PACM, and did not inform employees who performed abatement work of the location and quantity of ACM or PACM in the area, thereby exposing the employees to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

Citation 2 Item 13b Type of Violation: **Willful**

29 CFR 1926.1101(k)(2)(ii)(B): Before work under this standard was performed the building owner did not inform employees who worked within or adjacent to areas containing such materials of the precautions to be taken to insure that airborne asbestos is confined to the area.

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, the employer did not notify the employees at work in the facility of the presence, location, and quantity of asbestos containing material at the facility, thereby exposing the employees to asbestos hazards.

Date By Which Violation Must be Abated: 06/17/2011

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

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

Citation 2 Item 14a Type of Violation: **Willful**

29 CFR 1926.1101(k)(6): At the entrance of the mechanical rooms/areas in which employees could reasonably be expected to enter and which contained ACM and/or PACM, the building owner did not post signs identifying the material present, its location, and appropriate work practices to ensure that ACM and/or PACM will not be disturbed:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, the employer did not post signs at the entrance to the mechanical room that identified the material present, location, and appropriate work practices to ensure that ACM and/or PACM was not disturbed in the mechanical room, thereby exposing the employees to asbestos hazards.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

Citation 2 Item 14b Type of Violation: **Willful**

29 CFR 1926.1101(k)(8)(vii): After the building owner or employer identified previously installed PACM and/or ACM, labels or signs were not affixed or posted so that employees would be notified of what materials contain PACM and/or ACM, and/or the employer did not attach such labels in areas where they would be clearly noticed by employees who are likely to be exposed, such as at the entrance to mechanical rooms/areas:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, the employer did not affix or post labels or signs on identified ACM and/or PACM so that the employees would be notified of what materials contain ACM and/or PACM, thereby exposing the employees to asbestos hazards.

Date By Which Violation Must be Abated: 06/17/2011

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

Citation 2 Item 15 Type of Violation: **Willful**

29 CFR 1926.1101(k)(9)(i): The employer did not, at no cost the employees, institute a training program for all employees who were likely to be exposed in excess of a PEL and for all employees who perform Class I through IV asbestos operations, and did not ensure their participation in the program:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee was directed to perform Class 1 abatement operations of thermal system insulation that contained 20% - 50% chrysotile asbestos. The employee was not provided training in Class I asbestos operations, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

Citation 2 Item 16 Type of Violation: **Willful**

29 CFR 1926.1101(k)(9)(i): The employer did not, at no cost the employees, institute a training program for all employees who were likely to be exposed in excess of a PEL and for all employees who perform Class I through IV asbestos operations, and did not ensure their participation in the program:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee was directed to perform Class 1 abatement of thermal system insulation that contained 20% - 50% chrysotile asbestos. The employee was not provided training in Class I asbestos operations, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

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: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

Citation 2 Item 17 Type of Violation: **Willful**

29 CFR 1926.1101(k)(9)(i): The employer did not, at no cost the employees, institute a training program for all employees who were likely to be exposed in excess of a PEL and for all employees who perform Class I through IV asbestos operations, and did not ensure their participation in the program:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee was directed to perform dry sweeping, transportation, and pulverizing of Class 1 thermal system insulation that contained 20% - 50% chrysotile asbestos. The employee was not provided training in Class I asbestos operations, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

Citation 2 Item 18 Type of Violation: **Willful**

29 CFR 1926.1101(k)(9)(i): The employer did not, at no cost the employees, institute a training program for all employees who were likely to be exposed in excess of a PEL and for all employees who perform Class I through IV asbestos operations, and did not ensure their participation in the program:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee was directed to perform Class 1 abatement of thermal system insulation that contained 20% - 50% chrysotile asbestos. The employee was not provided training in Class I asbestos operations, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00

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

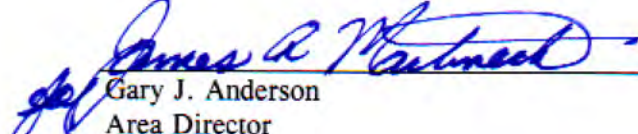
Company Name: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-5597

Citation 2 Item 19 Type of Violation: **Willful**

29 CFR 1926.1101(k)(9)(i): The employer did not, at no cost the employees, institute a training program for all employees who were likely to be exposed in excess of a PEL and for all employees who perform Class I through IV asbestos operations, and did not ensure their participation in the program:

a. On or about November 29 through December 10, 2010 - at the above addressed jobsite, an employee was directed to perform dry sweeping, transport, and pulverizing of Class 1 thermal system insulation that contained 20% - 50% chrysotile asbestos. The employee was not provided training in Class I asbestos operations, thereby exposing the employee to the hazards associated with asbestos.

Date By Which Violation Must be Abated: 06/17/2011
Proposed Penalty: \$ 63000.00


Gary J. Anderson
Area Director

U.S. Department of Labor

Occupational Safety and Health Administration
Calumet City Area Office
1600 167th Street, Suite 9
Calumet City, IL 60409
Phone: (708)891-3800 FAX: (708)862-9659



**INVOICE/
DEBT COLLECTION NOTICE**

Company Name: AMD Industries, Inc.
Inspection Site: 4620 W. 19th St., Cicero, IL 60804-2597
Issuance Date: 05/24/2011

Summary of Penalties for Inspection Number 315154112

Citation 1, Serious = \$ 50400.00
Citation 2, Willful = \$ 1197000.00
TOTAL PROPOSED PENALTIES = \$ 1247400.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

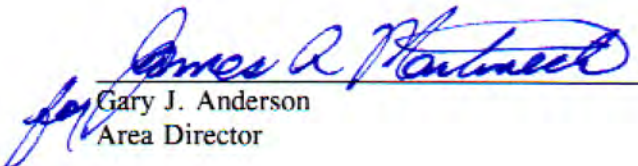
OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

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 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.



Gary J. Anderson
Area Director

5/24/11

Date

Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Citation and Notification of Penalty.

If the hazards itemized on this citation(s) are not abated/corrected and a follow-up inspection is conducted, your establishment may receive a Failure to Abate Citation for the uncorrected hazards with subsequent additional monetary penalties of up to thirty (30) times the original penalty amount of the uncorrected hazards.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the Citation(s).

CERTIFICATION OF CORRECTIVE ACTION

Gary J. Anderson
U. S. Department of Labor - OSHA
1600 167th Street, Suite 9
Calumet City, IL 60409

Company Name: AMD Industries, Inc.
Address: 4620 W. 19th St., Cicero, IL 60804-2597

Inspection No: 315154112

29 CFR 1903.19 required employers, within 10 days of the abatement date, to certify to OSHA each cited items has been corrected; except those items that were verified abated by the Compliance Officer. The employer must submit to the Area Director Documentation demonstrating that each willful and repeat violation and each serious violation identified "Documentation Required" on the Citation has been abated. Your certification must explain the specific action taken with regard to each cited item. This form was prepared to serve as reminder and to aid you in submitting the required information. Brief terms such as "corrected" or "in compliance" are not acceptable. Documents needed to assure that corrective action has been taken include; photographs, videos, work orders, purchase orders, specifications (dimensions, materials, etc.) personal protective equipment, standard operating procedures, copies of any written programs, engineering controls, noise or atmospheric monitoring data or similar descriptions of what has been done. Since all citations are subject to follow-up action.

Citation Number	Item Number	Instance	Abatement Date and Action Taken
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
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_____	_____	_____	_____

I attest that the information in this document is accurate and that a copy has been/will be posted for three (3) days.

Signature