

U.S. Department of Labor
Occupational Safety and Health Administration
2900 4th Avenue North, Suite 303
Billings, MT 59101
Phone: 406-247-7494 Fax: 406-247-7499



Citation and Notification of Penalty

To:
Seacast Inc., dba Seacast of Montana LLC
119800 Rick Jones Way
Butte, MT 59750

Inspection Number: 280082
Inspection Date(s): 03/06/2012 - 08/28/2012
Issuance Date: 09/05/2012

Inspection Site:
119800 Rick Jones Way
Butte, MT 59750

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.

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

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

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

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

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

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

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

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

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

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days

(excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. 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 09/05/2012. The conference will be held at the OSHA office located at 2900 4th Avenue North, Suite 303, Billings, MT 59101 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 280082

Company Name: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750
Issuance Date: 09/05/2012

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, 2900 4th Avenue North, Suite 303, Billings, MT 59101**

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: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

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

OSHA ACT of 1970 Section (5)(a)(1):

The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm in that employees were exposed to struck-by hazards:

(a) On or about March 6, 2012, and at times prior thereto, employees were exposed to being struck-by and/or crushed by storage racks while walking in and around areas such as, but not limited to, the melt area that had free standing, inadequately bolted, and improperly installed storage racks.

(b) On or about March 6, 2012, and at times prior thereto, employees were exposed to being struck-by and/or crushed by storage racks while walking in and around areas such as, but not limited to, the main production floor outside the finishing area due to an unanchored and free standing storage racks.

(c) On or about March 6, 2012, and at times prior thereto, employees were exposed to being struck-by and/or crushed by storage racks while walking in and around areas such as, but not limited to, the southwest corner of the plant from an unanchored and free standing storage rack.

Among other methods, one feasible and acceptable method to correct the hazards noted are to follow the Interlake Mecalux installation and assembly instructions and the American National Standards Institute (ANSI) standard MH16.1-2012 (a revision of MH16.1-2008): Specifications for the Design, Testing and Utilization of Industrial Steel Storage Racks, which includes, among others, the following:

a. Section 1.4.7 Column Base Plates and Anchors:

The bottom of all columns shall be furnished with column base plates, as specified in 7.1. All rack columns shall be anchored to the floor with anchor bolts, which shall be designed in accordance with Section 7.3, to resist all applicable forces as described in Section 2.1 or Section 2.2.

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

Inspection Number: 280082
Inspection Date(s): 03/06/2012 - 08/28/2012
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Company Name: Seacast Inc., dba Seacast of Montana LLC
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b. Section 5.4.2 Beam Locking Device

Except for movable-shelf racks, beams subject to machine loading shall have connection locking devices (or bolts) capable of resisting an upward force of 1,000 pounds (453.6 kg) per connection without failure or disengagement.

Date By Which Violation Must be Abated:

09/12/2012

Proposed Penalty:

\$5000.00

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

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

Inspection Number: 280082
Inspection Date(s): 03/06/2012 - 08/28/2012
Issuance Date: 09/05/2012



Citation and Notification of Penalty

Company Name: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

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

29 CFR 1910.22(a)(1):

All places of employment, passageways, storerooms, and service rooms were not kept clean and orderly and in a sanitary condition:

(a) On or about March 8, 2012, and at times prior thereto, employees were exposed to slips, trips, and falls due to inadequate housekeeping in the southwest corner of the plant. Items such as, but not limited to, oily rags in a 5 gallon bucket, empty cardboard boxes, open and unsecure oil containers, and loose paper were not stored or disposed of in a clean and orderly manner.

Date By Which Violation Must be Abated:
Proposed Penalty:

09/12/2012
\$4000.00

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



Citation and Notification of Penalty

Company Name: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

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

29 CFR 1910.176(b):

Bags, containers, bundles, etc., stored in tiers were not stacked, blocked, interlocked and limited in height so that they are stable and secure against sliding or collapse:

(a) On or about March 6, 2012, and at times prior thereto, employees in areas such as, but not limited to, the melt area were exposed to the hazard of becoming struck-by overhead material such as steel revert and pallets of non-shrink wrapped sand bags on unsecure and free standing storage racks.

(b) On or about March 6, 2012, and at times prior thereto, employees in areas such as, but not limited to, the main production floor outside the finishing area were exposed to the hazard of becoming struck-by overhead material such as two thousand pound pallets of steel revert on free standing storage racks.

Date By Which Violation Must be Abated:
Proposed Penalty:

09/12/2012
\$5000.00



Citation and Notification of Penalty

Company Name: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

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

29 CFR 1910.212(a)(1):

One or more methods of machine guarding were not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

(a) On or about March 7, 2012, and at times prior thereto, employees were exposed to the hazard of becoming struck by grinding belts from grinders such as, but not limited to, 3 inch ICM belt grinders in the finishing area while grinding parts. The belt within the grinder was not guarded or otherwise protected from breaking and striking employees.

(b) On or about March 6, 2012, and at times prior thereto, employees were exposed to the hazard of becoming caught in rotating chucks on unguarded drill presses such as, but not limited to, the Yoshidas near the aerospace area.

(d) On or about March 5, 2012, and at times prior thereto, employees were exposed to the hazard of amputation and/or becoming caught in an unguarded chuck on lathes such as, but not limited to, the Enco serial number 8416 in the southwest corner.

(c) On or about March 6, 2012, and at times prior thereto, employees were exposed to the hazard of being struck by flying debris such as metal pieces and shavings from unguarded drill presses such as, but not limited to, a Union Tool, model 0012 in the maintenance area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/26/2012
Proposed Penalty:	\$7000.00

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

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Citation and Notification of Penalty

Company Name: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

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

29 CFR 1910.219(c)(2)(i):

All exposed part(s) of horizontal shafting seven (7) feet or less from floor or working platform were not protected by stationary casing(s) enclosing shafting completely or by trough(s) enclosing sides and top or sides and bottom of shafting:

(a) On or about March 7, 2012, and at times prior thereto, employees were exposed to the hazard of becoming caught in the rotating parts associated with the inner shafts on machinery such as, but not limited to, 3 inch ICM belt grinders in the finishing area.

Date By Which Violation Must be Abated:
Proposed Penalty:

09/26/2012
\$5000.00

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

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Citation and Notification of Penalty

Company Name: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

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

29 CFR 1910.242(b):

Compressed air used for cleaning purposes was not reduced to less than 30 p.s.i.:

(a) On or about March 8, 2012, and at times prior thereto, employees were exposed to air embolisms while using compressed air nozzles with approximately 90 p.s.i of air at the nozzle for tasks such as, but not limited to, cleaning surfaces in and around the maintenance area.

(b) On or about March 8, 2012, and at times prior thereto, employees were exposed to air embolisms while using compressed air nozzles with approximately 66 p.s.i of air at the nozzle for tasks such as, but not limited to, cleaning and blowing loose sand off shells.

Date By Which Violation Must be Abated:
Proposed Penalty:

09/26/2012
\$4000.00

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

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Issuance Date: 09/05/2012



Citation and Notification of Penalty

Company Name: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

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

29 CFR 1910.303(g)(1)(i)(A):

For electric equipment operating at 600 volts, nominal, or less to ground, and likely to require examination, adjustment, servicing, or maintenance while energized, the depth of the working space in the direction of access to live parts (as measured from the live parts where they were exposed or from the enclosure front or opening where they were enclosed) was less than indicated in Table S-1 of Subpart S of Part 1910:

(a) On or about March 8, 2012, and at times prior thereto, employees were exposed to electrical shock and burn hazards due to unavailable clear working space in front of the electrical panel (480 volts / three phase) in the southwest corner of the plant.

Date By Which Violation Must be Abated:
Proposed Penalty:

09/12/2012
\$5000.00

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



Citation and Notification of Penalty

Company Name: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

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 1910.1000(c):

Employee was exposed to an airborne concentration of respirable cristobalite silica listed in Table Z-3 in excess of the calculated 8-hour Time Weighted Average limit of 0.313 mg/m³:

(a) On or about March 8, 2012, and at times prior thereto, an employee's exposure to respirable cristobalite silica exceeded the calculated 8-hour Time Weighted Average (TWA) permissible exposure limit (PEL) of 0.313 mg/m³. An employee operating the knockoff hammer in the finishing area was exposed to an 8-hour TWA concentration of respirable cristobalite silica at approximately 0.989 mg/m³, approximately 3 times the PEL. The exposure was derived from a sample collected over a 360 minute period. Zero exposure was assumed for the 120 minutes not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/26/2012
Proposed Penalty:	\$7000.00

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: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

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

29 CFR 1910.1000(e):

Feasible administrative or engineering controls were not determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000(a) through (d):

(a) On or about March 8, 2012, and at times prior thereto, the employer did not ensure feasible and effective engineering controls were implemented at the knockoff booth in the finishing area to reduce employee exposure below the permissible exposure limit (PEL). The knockout operator exceeded the 8-hour calculated Time Weighted Average (TWA) PEL of 0.313 mg/m³ for respirable cristobalite silica with a concentration of approximately 0.989 mg/m³. The exposure was derived from a sample collected over a 360 minute period. Zero exposure was assumed for the 120 minutes not sampled.

STEP 1. EFFECTIVE RESPIRATORY PROTECTION SHALL BE PROVIDED AND USED BY EXPOSED EMPLOYEES AS AN INTERIM PROTECTIVE MEASURE UNTIL FEASIBLE ENGINEERING CONTROLS AND/OR ADMINISTRATIVE CONTROLS CAN BE IMPLEMENTED OR WHENEVER SUCH CONTROLS FAIL TO REDUCE EMPLOYEE EXPOSURE TO WITHIN PERMISSIBLE EXPOSURE LIMITS.

PPE

(Due Date: 09/26/2012)

STEP 2. A WRITTEN DETAILED PLAN OF ABATEMENT SHALL BE SUBMITTED TO THE AREA DIRECTOR OUTLINING A SCHEDULE FOR THE IMPLEMENTATION OF ENGINEERING CONTROLS AND/OR ADMINISTRATIVE MEASURES TO CONTROL EMPLOYEE EXPOSURES TO HAZARDOUS SUBSTANCES AS REFERENCED IN THIS CITATION. THIS PLAN SHALL INCLUDE, AT A MINIMUM, TARGET DATES FOR THE FOLLOWING ACTIONS WHICH MUST BE CONSISTENT WITH ABATEMENT DATES REQUIRED BY THIS CITATION:

1. EVALUATION OF ENGINEERING/ADMINISTRATIVE CONTROL OPTIONS;
2. SELECTION OF OPTIMUM CONTROL METHODS AND COMPLETION DESIGNS;
3. PROCUREMENT, INSTALLATION, AND OPERATION OF SELECTED CONTROL

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: 280082
Inspection Date(s): 03/06/2012 - 08/28/2012
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Citation and Notification of Penalty

Company Name: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

MEASURES; AND

4. TESTING AND ACCEPTANCE OR MODIFICATION / REDESIGN OF CONTROLS.

NOTE: ALL PROPOSED CONTROL MEASURES SHALL BE APPROVED FOR EACH PARTICULAR USE BY A COMPETENT INDUSTRIAL HYGIENIST OR OTHER TECHNICALLY QUALIFIED PERSON.

Plan

(Due Date: 11/08/2012)

STEP 3. ABATEMENT SHALL HAVE BEEN COMPLETED BY THE IMPLEMENTATION OF FEASIBLE ENGINEERING AND/OR ADMINISTRATIVE CONTROLS UPON VERIFICATION OF THEIR EFFECTIVENESS IN ACHIEVING COMPLIANCE.

Engineering Controls

(Due Date: 01/15/2013)

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

01/15/2013

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



Citation and Notification of Penalty

Company Name: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

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

29 CFR 1910.134(d)(1)(iii):

The employer did not identify and evaluate the respiratory hazard(s) in the workplace; this evaluation did not include a reasonable estimate of employee exposures to respiratory hazard(s) and an identification of employee exposures to the respiratory hazard(s) and an identification of the contaminants chemical state and physical form:

- (a) On or about March 7, 2012, and at times prior thereto, employees were exposed to respiratory hazards associated with molten metal while conducting melting and pouring activities. The employer did not evaluate the respiratory hazards to determine employee exposure levels to metals such as, but not limited to, copper, vanadium, manganese, chromium oxide, and hexavalent chromium, specific to the melt crew.
- (b) On or about March 8, 2012, and at times prior thereto, an employee was exposed to respirable cristobalite silica at an 8-hour TWA of approximately 0.989 mg/m³. The employer did not evaluate the respiratory hazards to determine knockout operators employee exposure level to respirable crystalline silica.
- (c) On or about March 8, 2012, and at times prior thereto, employees were exposed to respirable particulates while conducting activities such as, but not limited to, grinding metal in the finishing area and dipping in the shell area. The employer did not evaluate the respiratory hazards to determine the exposure levels for the finishing and shell crew.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/26/2012



Citation and Notification of Penalty

Company Name: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

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

29 CFR 1910.134(f)(1):

The employer did not ensure that employee(s) required to use a tight-fitting facepiece respirator passed the appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT):

(a) On or about March 8, 2012, and at times prior thereto, an employee was overexposed to respirable cristobalite silica while operating the knockoff hammer in the finishing area. The operator was wearing an N95 filtering facepiece respirator and was not provided with fit testing. This condition exposes employees to the respiratory hazards of cristobalite silica due to the inability to confirm adequate respirator fit.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/26/2012



Citation and Notification of Penalty

Company Name: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

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

29 CFR 1910.134(k)(1)(vii):

The employer did not ensure that each user could demonstrate knowledge of the general requirements of 29 CFR 1910.134:

(a) On or about March 8, 2012, and at times prior thereto, an employee was overexposed to respirable cristobalite silica while operating the knockoff hammer in the finishing area. The operator was wearing an N95 filtering facepiece respirator and was not provided with adequate training regarding such respirator use.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

09/26/2012

U.S. Department of Labor
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Citation and Notification of Penalty

Company Name: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

Citation 1 Item 9 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 March 8, 2012, and at times prior thereto, employees were exposed to hazardous chemicals, elements, and minerals such as, but not limited to, bisphenol A, crystalline silica, vanadium, manganese, chromium compounds (including hexavalent chromium), and copper. The employer did not ensure employees were provided with training and information regarding hazardous chemicals in the work area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	09/26/2012
Proposed Penalty:	\$7000.00

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: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750

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

29 CFR 1910.95(c)(1):

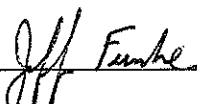
The employer did not administer a continuing, effective hearing conservation program as described in 29 CFR 1910.95 (c) through (o) whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level of 85 decibels measured on the A scale, or equivalently a dose of fifty percent:

(a) On or about March 7, 2012, and at times prior thereto, the knockout operator in the finishing area was exposed to continuous noise levels in excess of the allowable 8-hour Time Weighted Average (TWA) sound level of 85 dbA. The employer did not implement an effective hearing conservation program in that adequate training and baseline / annual audiometric testing was not conducted. Noise sampling performed for 440 minutes indicated exposure to a 140.7% noise dose which is equivalent to approximately 92.4 dbA. Zero exposure was assumed for the 40 minutes not sampled.

(b) On or about March 7, 2012, and at times prior thereto, a finisher in the finishing area was exposed to continuous noise levels in excess of the allowable 8-hour Time Weighted Average (TWA) sound level of 85 dbA. The employer did not implement an effective hearing conservation program in that adequate training and baseline / annual audiometric testing was not conducted. Noise sampling performed for 430 minutes indicated exposure to a 73.4% noise dose which is equivalent to approximately 87.7 dbA. Zero exposure was assumed for the 40 minutes not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 09/26/2012
Proposed Penalty: \$55000.00



Jeff R. Funke, CSP
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
2900 4th Avenue North, Suite 303
Billings, MT 59101
Phone: 406-247-7494 Fax: 406-247-7499



INVOICE / DEBT COLLECTION NOTICE

Company Name: Seacast Inc., dba Seacast of Montana LLC
Inspection Site: 119800 Rick Jones Way, Butte, MT 59750
Issuance Date: 09/05/2012

Summary of Penalties for Inspection Number	280082
Citation 1, Serious	\$49000.00
Citation 2, Willful	\$55000.00
TOTAL PROPOSED PENALTIES	\$104000.00

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 the full amount due, and will cash the check or money order as if these restrictions or conditions do not exist.

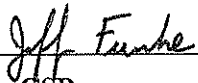
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



Jeff R. Funke, CSP
Area Director

9/5/12
Date