



April 17, 2019
By Electronic Mail and U.S. Postal Mail

Andrew Kress, Safety Manager
Raymond Kolhagen, Engineering Manager
Waupaca Foundry, Inc. – Plant 5
9856 State Highway 66
Tell City, IN 47586
andrew.kress@waupacafoundry.com
raymond.kolhagen@waupacafoundry.com

Re: Petition for Administrative Review – Inspection Report Order State Number 396862 – Warmbox Core Room Expansion (Waupaca Foundry, Inc.)

Dear Mr. Kress and Mr. Kolhagen:

The Fire Prevention and Building Safety Commission is in receipt of your petition for administrative review of Inspection Report Order State Number 396862 – Warmbox Core Room Expansion (Waupaca Foundry, Inc.), which was electronically mailed to Inspector Ryan Wineinger (the Respondent) on 2/19/2019, and then forwarded to the Commission's staff on 3/29/2019. The petition for review will be discussed at the next regularly scheduled meeting of the Fire Prevention and Building Safety Commission – currently scheduled to begin at 9:00 a.m. on Thursday, May 9, 2019. The Commission will make a determination as to whether the petition was timely filed and properly served, in accordance with the requirements of the Indiana Administrative Orders and Procedures Act (Indiana Code § 4-21.5).

Sincerely,

Douglas J. Boyle, Director
Fire Prevention and Building Safety Commission
Indiana Department of Homeland Security
302 W. Washington Street, Room E-208
Indianapolis, IN 46204
doboyle@dhs.in.gov
(317) 650-7720

Enclosure

cc: Justin K. Guedel, IDHS Staff Attorney (via personal service and electronic mail)

The Honorable Chelsea E. Smith, Administrative Law Judge (via personal service and electronic mail)
File



WAUPACA FOUNDRY, INC.

Plant 5
9856 State Highway 66
Tell City, IN 47586

PHONE (812) 547-0700

WEB WaupacaFoundry.com

Indiana Department of Homeland Security - Fire & Building Safety Division

Inspection Report 396862

Administrative Review Request for violation #6

To whom it may concern:

On behalf of Waupaca Foundry, Inc. Plant #5 we would like to request an administrative review of violation #6.

Referring to "Several areas on the mixer deck were found with gates installed around them, which have hardware installed on them in such a way that renders them inoperable from the egress side."

These areas are machine enclosures/fencing/guarding around automated equipment that is not occupied during operation. If an employee would have to enter the area they would be required to, per Waupaca Foundry, Inc. energy control/lockout policy, lockout the equipment and lockout the gate to prevent the gate from being closed while inside.

These gates are not part of an egress system.

Could we please set up a conference call to discuss for further clarification to see what is needed to correct the violation?

Sincerely,

Andy Kress
Safety Manager
Waupaca Foundry Inc. Plant 5
9856 State Road 66
Tell City, IN 47586
Phone: 812.547.0751 Cell: 812.619.0647
Fax: 812.547.0719
Andrew.Kress@waupacafoundry.com

Raymond Kolhagen
Engineering Manager
Waupaca Foundry Inc. Plant 5
9856 State Road 66
Tell City, IN 47586
Phone: 812.547.0654 Cell: 270.570.3992
Fax: 812.547.0719
Raymond.Kolhagen@waupacafoundry.com





FIRE AND BUILDING CODE ENFORCEMENT INSPECTION REPORT ORDER

DIVISION OF FIRE AND BUILDING SAFETY
INDIANA DEPARTMENT OF HOMELAND SECURITY
302 WEST WASHINGTON STREET, RM E241
INDIANAPOLIS, IN 46204
TELEPHONE: 317-232-2222
WEB ADDRESS: WWW.IN.GOV/DHS

Identification Number 396862	Name of the facility WARMBOX CORE ROOM EXPANSION	County PERRY
Address of Property 9856 STATE HIGHWAY 66 TELL CITY 47586		Name of the Contact KELLEY BLAIR/RAYMOND KOLHAGEN/AND
Telephone Number (270) 791-0434		Email kblair@denhamblythe.com, raymond.kolhagen@waupa
Inspection Category CONSTRUCTION DESIGN RELEASE		Inspection Date 02/06/2019
Inspection Type INITIAL		Inspection Status: VIOLATION
Name of the inspector RYAN WINEINGER		Phone: 3174176650
Email: rwineinger@dhs.in.gov		

Violations

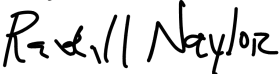

VIO-LATION NUMBER	RULE OR INDIANA CODE SECTION VIOLATED	DESCRIPTION OF VIOLATION	DATE BY WHICH VIOLATION MUST BE CORRECTED
1	Sec. 901.5 2014 Edition IBC 675 IAC 13-2.6	<p>Fire protection systems shall be tested in accordance with the rules of the commission at the expense of the owner or owner's representative. When requested by the building official, such tests shall be conducted in in the building official's presence. Prior to conducting such tests, the local building official shall be given at least 48-hours notice. It shall be unlawful to occupy portions of a structure until the required fire protection systems within that portion of the structure have been completed, successfully tested, and fully operational with appropriate contractor's material and test certificates filled out in full and provided to the building official.</p> <p><u>Copies of the Sprinkler below ground and above ground pipe testing could not be provided at the time of inspection.</u></p>	03/07/2019
2	Sec. 903.3.3 2014 Edition IFC 675 IAC 22-2.5	<p>Automatic sprinklers shall be installed with due regard to obstructions that will delay activation or obstruct the water distribution pattern. Automatic sprinklers shall be installed in or under covered kiosks, displays, booths, concession stands or equipment that exceeds 4 feet (1219 mm) in width. Not less than a 3-foot (914 mm) clearance shall be maintained between automatic sprinklers and the top of piles of combustible fibers.</p> <p>Exception: Kitchen equipment under exhaust hoods protected with a fire-extinguishing system in accordance with Section 904.</p> <p><u>Duct work has been installed, which appears to be obstructing the water distribution pattern in two locations at the upper ceiling level.</u></p>	03/07/2019
3	Sec. 907.5.2.1 2014 Edition IFC 675 IAC 22-2.5	<p>Audible alarm notification appliances shall be provided and emit a distinctive sound that is not to be used for any purpose other than that of a fire alarm.</p> <p>Exceptions:</p> <ol style="list-style-type: none"> 1. Visible alarm notification appliances shall be allowed in lieu of audible alarm notification appliances in critical care areas of Group I-2 occupancies. 2. Where provided, audible notification appliances located in each occupant evacuation elevator lobby in accordance with Section 3008.10.1 of the International Building Code shall be connected to a 	03/07/2019

		<p>separate notification zone for manual paging only.</p> <p><u>A fire alarm audible alarm device located adjacent to the conveyor was found not fully functional during the inspection.</u></p>	
4	<p>Sec. 907.4.2.2 2014 Edition IBC 675 IAC 13-2.6</p>	<p>The height of the manual fire alarm boxes shall be a minimum of 42 inches (1067 mm) and a maximum of 48 inches (1372 mm) measured vertically, from the floor level to the activating handle or lever of the box.</p> <p><u>A manual fire alarm box located at the West exit was found installed in excess of 48 inches from the floor.</u></p>	03/07/2019
5	<p>2014 Edition IBC 675 IAC 13-2.6, Sec. 714.3</p>	<p>Fire-resistance-rated walls. Penetrations into or through fire walls, fire barriers, smoke barrier walls and fire partitions shall comply with Sections 714.3.1 through 714.3.3. Penetrations in smoke barrier walls shall also comply with Section 714.5.</p> <p><u>-UL listing documentation could not be provided for all the through penetrations of the rated walls.</u> <u>-An unprotected penetration was observed in the 2nd Floor MCC rated wall.</u></p>	03/07/2019
6	<p>Sec. 1008.2 2014 Edition IBC 675 IAC 13-2.6</p>	<p>Gates serving the means of egress system shall comply with the requirements of this section. Gates used as a component in a means of egress shall conform to the applicable requirements for doors. Exception: Horizontal sliding or swinging gates exceeding the 4-foot (1219 mm) maximum leaf width limitation are permitted in fences and walls surrounding a stadium.</p> <p><u>Several areas on the Mixer deck were found with gates installed around them, which have hardware installed on them in such a way that renders them inoperable from the egress side.</u></p>	03/07/2019
7	<p>Sec. 300.31 2009 Edition IEC 675 IAC 17-1.8</p>	<p>Suitable covers shall be installed on all boxes, fittings, and similar enclosures to prevent accidental contact with energized parts or physical damage to parts or insulation.</p> <p><u>A receptacle located across from the main riser was found without an appropriate cover.</u></p>	03/07/2019
8	<p>Sec. 605.3.1 2014 Edition IFC 675 IAC 22-2.5</p>	<p>Doors into electrical control panel rooms shall be marked with a plainly visible and legible sign stating ELECTRICAL ROOM or similar approved wording. The disconnecting means for each service, feeder or branch circuit originating on a switchboard or panelboard shall be legibly and durably marked to indicate its purpose unless such purpose is clearly evident.</p> <p><u>Permanent signage has not been installed on the electrical rooms located throughout the addition.</u></p>	03/07/2019
9	<p>Sec. 304.10 2008 Edition IMC 675 IAC 18-1.5</p>	<p>Guards shall be provided where appliances, equipment, fans or other components that require service and roof hatch openings are located within 10 feet (3048 mm) of a roof edge or open side of a walking surface and such edge or open side is located more than 30 inches (762 mm) above the floor, roof or grade below. The guard shall extend not less than 30 inches (762 mm) beyond each end of such appliances, equipment, fans, components and roof hatch openings and the top of the guard shall be located not less than 42 inches (1067 mm) above the elevated surface adjacent to the guard. The guard shall be constructed so as to prevent the passage of a 21-inch-diameter (533 mm) sphere and shall comply with the loading requirements for guards specified in the International Building Code.</p>	03/07/2019

		<p><u>Guards have not yet been installed along the roof's edge where equipment is within 10' of the edge.</u></p>	
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Inspection Notes:

An inspection was completed with project superintendent, Kelley Blair, Waupaca Project Manager, Raymond Kolhagen, Waupaca Safety Manager, Andy Kress, along with local building official, Bill Alvey, and local fire chief, Greg Linne. The fire alarm acceptance testing was provided for review at the time of inspection, however, copies of the sprinkler underground and above ground pipe acceptance testing could not be provided at the time of inspection, but they did advise it has been completed.

Facility Id	Received By Name	Signature and Date
396862		 2.6.17

APPEAL RIGHTS

Please be advised that if you desire administrative review of this Order and **this Order was delivered by hand**, you must file a written petition for review with the Fire Prevention and Building Safety Commission at 302 West Washington Street, Rm. W246, Indianapolis, IN 46204, identifying the violations for which you seek review no later than 15 calendar days from the hand delivery date of this Order unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours, in which case the deadline would be the first calendar day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this Order will be **FINAL** and you **MUST** comply with its requirements.

Please be advised that if you desire administrative review of **this Order and this Order was delivered by first class U.S. mail**, you must file a written petition for review with the Fire Prevention and Building Safety Commission at 302 West Washington Street, Rm. W246, Indianapolis, IN 46204, identifying the violations for which you seek review no later than 18 calendar days from the mailing date of this Order unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours, in which case the deadline would be the first calendar day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this Order will be **FINAL** and you **MUST** comply with its requirements.

Please be further advised that you may request an opportunity to informally discuss this Order prior to filing a petition for review. Such informal discussion, or a request therefor, does not extend the deadline for filing a petition for review and, therefore, any request for an informal discussion should be made promptly, preferably by telephone, upon receipt of this Order.





From: [Boyle, Douglas J \(DHS\)](mailto:Boyle.Douglas.J@DHS)
To: "Raymond.Kolhagen@waupacafoundry.com"; "Andrew.Kress@waupacafoundry.com"
Cc: [Guedel, Justin K](mailto:Guedel.Justin.K); [Wineinger, Ryan](mailto:Wineinger.Ryan)
Subject: RE: 02.06.2019 Inspection Report
Date: Wednesday, April 17, 2019 4:10:00 PM
Attachments: [image001.png](#)
[Petition for Review - State Inspection Report Order State Number 396862 - Warmbox Core Room Expansion.pdf](#)

Good Morning Mr. Kress and Mr. Kolhagen,

On behalf of IDHS, I apologize for the delay in providing you an update regarding your petition for administrative review of Violation #6 of IDHS' inspection report order, issued to you on February 6, 2019. I serve as staff to the Fire Prevention and Building Safety Commission, which is the ultimate authority in regards to code interpretation disputes of the State of Indiana's building and fire safety laws. As such, I process petitions for administrative review before the Fire Prevention and Building Safety Commission on the Commission's behalf. Our inspector, Ryan Wineinger, who issued the ordered, recently forwarded the electronic copy of your petition for review that was submitted to him, as we evidently never received the postal mail copy of your petition for review. I checked with several divisions with our agency, but I was unsuccessful in verifying receipt of your petition for review.

As provided in the attached letter, please be advised that this matter will be placed on the Fire Prevention and Building Safety Commission's agenda for its next meeting on **Thursday, May 9, 2019**. The Commission, in conjunction with guidance provided by its legal counsel, will need to make a determination as to whether your petition for review was timely filed and properly served, in accordance with Indiana's Administrative Orders and Procedures Act (Indiana Code § 4-21.5). Indiana Code § 4-21.5-3-1(c)(2) explicitly states that petitions for administrative review must be served either by personal service (hand delivery) or United States postal mail. In an effort to streamline this process and ensure receipt, IDHS recently created an online web form to submit petitions for administrative review, in which the requirements of Indiana Code § 4-21.5-3-1(c)(2) would be waived so long as the petitioner utilized the web form. Since this is an instance in which the means by which the petition was served and when it was served are very questionable, the Commission will ultimately need to make a determination on whether to grant or deny your petition, and forward it to the administrative law judge to being administrative review proceedings.

A copy of the foregoing document is also being issued to you via United States postal mail. In the meantime, you may be continue to pursue any informal means at your disposal to try and resolve this matter.

Sincerely,

Douglas J. Boyle | Director – Fire Prevention and Building Safety Commission
Indiana Department of Homeland Security
302 W. Washington Street, Room E-208
Indianapolis, IN 46204
Tel: (317) 650-7720
Email: DoBoyle@dhs.in.gov

Web: www.in.gov/dhs



From: Wineinger, Ryan
Sent: Tuesday, April 9, 2019 11:36 AM
To: Boyle, Douglas J (DHS) <DoBoyle@dhs.IN.gov>
Cc: Guedel, Justin K <JGuedel@dhs.IN.gov>
Subject: FW: 02.06.2019 Inspection Report

Ryan Wineinger CFI CBI II | Senior Code Official-Code Enforcement
Fire & Building Safety Division
Indiana Department of Homeland Security
302 W. Washington Street, Room E-241
Indianapolis, IN 46204
Cell: 317-417-6650
Email: rwineinger@dhs.in.gov
Web: www.in.gov/dhs

From: Kolhagen, Raymond P. [<mailto:Raymond.Kolhagen@waupacafoundry.com>]
Sent: Tuesday, April 9, 2019 11:01 AM
To: Wineinger, Ryan <RWineinger@dhs.IN.gov>
Cc: Kress, Andrew <Andrew.Kress@waupacafoundry.com>
Subject: RE: 02.06.2019 Inspection Report

****** This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected email. ******

Ryan

I can assure you it was mailed. The USPS comes here daily to drop off mail and pick up outgoing. I cannot provide proof as it was not sent certified mail.

What do we need to do now?

From: Wineinger, Ryan <RWineinger@dhs.IN.gov>
Sent: Tuesday, April 09, 2019 9:57 AM
To: Kolhagen, Raymond P. <Raymond.Kolhagen@waupacafoundry.com>
Cc: Kress, Andrew <Andrew.Kress@waupacafoundry.com>
Subject: RE: 02.06.2019 Inspection Report

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They are aware of the emailed copy, they were just questioning the actual physically mailed copy.

Ryan Wineinger CFI CBI II | Senior Code Official-Code Enforcement
Fire & Building Safety Division
Indiana Department of Homeland Security
302 W. Washington Street, Room E-241
Indianapolis, IN 46204
Cell: 317-417-6650
Email: rwineinger@dhs.in.gov
Web: www.in.gov/dhs [in.gov]

From: Kolhagen, Raymond P. [<mailto:Raymond.Kolhagen@waupacafoundry.com>]
Sent: Tuesday, April 9, 2019 10:55 AM
To: Wineinger, Ryan <RWineinger@dhs.IN.gov>
Cc: Kress, Andrew <Andrew.Kress@waupacafoundry.com>
Subject: RE: 02.06.2019 Inspection Report

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Ryan

It was addressed as you directed. I do not recall the person's name.....I believe you provided me the name over the phone and indicated that you would also send email address....as you can see below, I sent email to you with "please forward" as I didn't receive forwarding email.....the letter was addressed and mailed that same day.

From: Wineinger, Ryan <RWineinger@dhs.IN.gov>
Sent: Tuesday, April 09, 2019 9:48 AM
To: Kolhagen, Raymond P. <Raymond.Kolhagen@waupacafoundry.com>
Cc: Kress, Andrew <Andrew.Kress@waupacafoundry.com>
Subject: RE: 02.06.2019 Inspection Report

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Ray/Andy,
Do you recall who you addressed the copy to that was mailed?
Thanks,

Ryan Wineinger CFI CBI II | Senior Code Official-Code Enforcement

Fire & Building Safety Division
Indiana Department of Homeland Security
302 W. Washington Street, Room E-241
Indianapolis, IN 46204
Cell: 317-417-6650
Email: rwineinger@dhs.in.gov
Web: www.in.gov/dhs [[in.gov](http://www.in.gov)]

From: Kolhagen, Raymond P. [<mailto:Raymond.Kolhagen@waupacafoundry.com>]
Sent: Tuesday, February 19, 2019 3:11 PM
To: Wineinger, Ryan <RWineinger@dhs.IN.gov>
Cc: Kress, Andrew <Andrew.Kress@waupacafoundry.com>
Subject: RE: 02.06.2019 Inspection Report

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Ryan

See attached request for formal review. I never received another email saying who else to send this to?? Can you forward it to them.

From: Wineinger, Ryan <RWineinger@dhs.IN.gov>
Sent: Monday, February 18, 2019 9:43 AM
To: Kolhagen, Raymond P. <Raymond.Kolhagen@waupacafoundry.com>
Cc: Kress, Andrew <Andrew.Kress@waupacafoundry.com>
Subject: RE: 02.06.2019 Inspection Report

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Raymond,
Sorry for the delayed response.
I sent an email to the office as soon as I received this from you requesting another interpretation. However, I have not heard back from them yet.
At this point the best thing to do is request an administrative review.
This must be done within 15 days of the initial report, so please ensure it is submitted by the end of the day on Wednesday. The notes below can be found at the bottom of the inspection report, and cover the process for requesting the review.
Just be sure to note that you are only requesting it for item number 6.
Thanks,

APPEAL RIGHTS

Please be advised that if you desire administrative review of this Order and **this Order was delivered by hand**, you must file a written petition for review with the Fire Prevention and Building Safety Commission at 302

West

Washington Street, Rm. W246, Indianapolis, IN 46204, identifying the violations for which you seek review no later than 15 calendar days from the hand delivery date of this Order unless such date is a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours, in which case the deadline would be the first calendar day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and Building Safety Commission. If you do not file a petition for review, this Order will be **FINAL** and you **MUST** comply with its requirements.

Ryan Wineinger CFI CBI II | Senior Code Official-Code Enforcement
Fire & Building Safety Division
Indiana Department of Homeland Security
302 W. Washington Street, Room E-241
Indianapolis, IN 46204
Cell: 317-417-6650
Email: rwineinger@dhs.in.gov
Web: www.in.gov/dhs [in.gov]

From: Kolhagen, Raymond P. [<mailto:Raymond.Kolhagen@waupacafoundry.com>]
Sent: Thursday, February 7, 2019 11:56 AM
To: Wineinger, Ryan <RWineinger@dhs.IN.gov>
Cc: Kress, Andrew <Andrew.Kress@waupacafoundry.com>
Subject: RE: 02.06.2019 Inspection Report

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Ryan

With regards to fencing on mixer, #6 on your report, can we please schedule a day and time to discuss over the phone. At this time we do not believe an equipment cell falls under the specification you are referring to.

From: Wineinger, Ryan <RWineinger@dhs.IN.gov>
Sent: Wednesday, February 06, 2019 12:51 PM
To: kblair@denhamblythe.com; Kolhagen, Raymond P. <Raymond.Kolhagen@waupacafoundry.com>; Kress, Andrew <Andrew.Kress@waupacafoundry.com>
Cc: Bill Alvey (bldgzoning@psci.net) <bldgzoning@psci.net>; Greg Linne (tellcityfire@psci.net) <tellcityfire@psci.net>

Subject: RE: 02.06.2019 Inspection Report

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All,

Attached is a copy of the amended report with the correct comply by date of 3/7/19 rather than 2/7/19 as noted on the previously sent report.

I have also attached a copy of the variance application if that is the route you wish to pursue to address the gates on the mixer deck. The variance submittal cutoff for the March 5th hearing is February 12th.

More information in regards to the variance can be found at the following link.

<http://www.in.gov/dhs/2375.htm> [in.gov]

Thanks and feel free to contact me with any additional questions or concerns.

Regards,

Ryan Wineinger CFI CBI II | Senior Code Official-Code Enforcement

Fire & Building Safety Division

Indiana Department of Homeland Security

302 W. Washington Street, Room E-241

Indianapolis, IN 46204

Cell: 317-417-6650

Email: rwineinger@dhs.in.gov

Web: www.in.gov/dhs [in.gov]

From: Wineinger, Ryan

Sent: Wednesday, February 6, 2019 12:58 PM

To: 'kblair@denhamblythe.com' <kblair@denhamblythe.com>;

'raymond.kolhagen@waupacafoundry.com' <raymond.kolhagen@waupacafoundry.com>;

'andrew.kress@waupacafoundry.com' <andrew.kress@waupacafoundry.com>

Cc: Bill Alvey (bldgzoning@psci.net) <bldgzoning@psci.net>; Greg Linne (tellcityfire@psci.net) <tellcityfire@psci.net>

Subject: 02.06.2019 Inspection Report

Attached is a copy of the inspection report from today.

Feel free to give me a call with any questions or concerns.

Thanks,

Ryan Wineinger CFI CBI II | Senior Code Official-Code Enforcement

Fire & Building Safety Division

Indiana Department of Homeland Security

302 W. Washington Street, Room E-241

Indianapolis, IN 46204

Cell: 317-417-6650

Email: rwineinger@dhs.in.gov

Web: www.in.gov/dhs [in.gov]

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From: [Wineinger, Ryan](#)
To: [Boyle, Douglas J \(DHS\)](#)
Cc: [Guedel, Justin K](#)
Subject: Waupaca Appeal (FW: 02.06.2019 Inspection Report)
Date: Tuesday, April 9, 2019 10:53:15 AM
Attachments: [021819-admin review request.docx](#)

Doug,

I have asked who they specifically addressed the mailed copy to, but have not heard back yet. Below is the email that they sent to me on 2/19 to confirm that they completed it. The letter is not dated, however, the email is and you can also open the word document and go to document info and see that it was created on 2/19 @ 04:08 pm. If they can advise who they addressed the mailed copy to, I'll let you know. Keep me posted on this as they are very anxious to get this wrapped up. Thanks,

Ryan Wineinger CFI CBI II | Senior Code Official-Code Enforcement
Fire & Building Safety Division
Indiana Department of Homeland Security
302 W. Washington Street, Room E-241
Indianapolis, IN 46204
Cell: 317-417-6650
Email: rwineinger@dhs.in.gov
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To: Kolhagen, Raymond P. <Raymond.Kolhagen@waupacafoundry.com>
Cc: Kress, Andrew <Andrew.Kress@waupacafoundry.com>
Subject: RE: 02.06.2019 Inspection Report

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attachments unless you recognize the sender and know the content is safe.

Raymond,

Sorry for the delayed response.

I sent an email to the office as soon as I received this from you requesting another interpretation.

However, I have not heard back from them yet.

At this point the best thing to do is request an administrative review.

This must be done within 15 days of the initial report, so please ensure it is submitted by the end of the day on Wednesday. The notes below can be found at the bottom of the inspection report, and cover the process for requesting the review.

Just be sure to note that you are only requesting it for item number 6.

Thanks,

APPEAL RIGHTS

Please be advised that if you desire administrative review of this Order and **this Order was delivered by hand**,

you must file a written petition for review with the Fire Prevention and Building Safety Commission at 302 West

Washington Street, Rm. W246, Indianapolis, IN 46204, identifying the violations for which you seek review no

later than 15 calendar days from the hand delivery date of this Order unless such date is a Saturday, Sunday,

legal holiday under state statute, or day that the Department of Homeland Security's offices are closed during

regular business hours, in which case the deadline would be the first calendar day thereafter that is not a Saturday, Sunday, legal holiday under state statute, or day that the Department of Homeland Security's offices

are closed during regular business hours. If you do so, your petition for review will be granted and an administrative proceeding will be conducted by an administrative law judge appointed by the Fire Prevention and

Building Safety Commission. If you do not file a petition for review, this Order will be **FINAL** and you **MUST**

comply with its requirements.

Ryan Wineinger CFI CBI II | Senior Code Official-Code Enforcement

Fire & Building Safety Division

Indiana Department of Homeland Security

302 W. Washington Street, Room E-241

Indianapolis, IN 46204

Cell: 317-417-6650

Email: rwineinger@dhs.in.gov

Web: www.in.gov/dhs

From: Kolhagen, Raymond P. [<mailto:Raymond.Kolhagen@waupacafoundry.com>]

Sent: Thursday, February 7, 2019 11:56 AM

To: Wineinger, Ryan <RWineinger@dhs.IN.gov>

Cc: Kress, Andrew <Andrew.Kress@waupacafoundry.com>

Subject: RE: 02.06.2019 Inspection Report

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Ryan

With regards to fencing on mixer, #6 on your report, can we please schedule a day and time to discuss over the phone. At this time we do not believe an equipment cell falls under the specification you are referring to.

From: Wineinger, Ryan <RWineinger@dhs.IN.gov>
Sent: Wednesday, February 06, 2019 12:51 PM
To: kblair@denhamblythe.com; Kolhagen, Raymond P. <Raymond.Kolhagen@waupacafoundry.com>; Kress, Andrew <Andrew.Kress@waupacafoundry.com>
Cc: Bill Alvey (bldgzoning@psci.net) <bldgzoning@psci.net>; Greg Linne (tellcityfire@psci.net) <tellcityfire@psci.net>
Subject: RE: 02.06.2019 Inspection Report

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All,

Attached is a copy of the amended report with the correct comply by date of 3/7/19 rather than 2/7/19 as noted on the previously sent report.

I have also attached a copy of the variance application if that is the route you wish to pursue to address the gates on the mixer deck. The variance submittal cutoff for the March 5th hearing is February 12th.

More information in regards to the variance can be found at the following link.

<http://www.in.gov/dhs/2375.htm>

Thanks and feel free to contact me with any additional questions or concerns.

Regards,

Ryan Wineinger CFI CBI II | Senior Code Official-Code Enforcement
Fire & Building Safety Division
Indiana Department of Homeland Security
302 W. Washington Street, Room E-241
Indianapolis, IN 46204
Cell: 317-417-6650
Email: rwineinger@dhs.in.gov
Web: www.in.gov/dhs

From: Wineinger, Ryan
Sent: Wednesday, February 6, 2019 12:58 PM
To: 'kblair@denhamblythe.com' <kblair@denhamblythe.com>; 'raymond.kolhagen@waupacafoundry.com' <raymond.kolhagen@waupacafoundry.com>;

'andrew.kress@waupacafoundry.com' <andrew.kress@waupacafoundry.com>

Cc: Bill Alvey (bldgzoning@psci.net) <bldgzoning@psci.net>; Greg Linne (tellcityfire@psci.net) <tellcityfire@psci.net>

Subject: 02.06.2019 Inspection Report

Attached is a copy of the inspection report from today.
Feel free to give me a call with any questions or concerns.
Thanks,

Ryan Wineinger CFI CBI II | Senior Code Official-Code Enforcement
Fire & Building Safety Division
Indiana Department of Homeland Security
302 W. Washington Street, Room E-241
Indianapolis, IN 46204
Cell: 317-417-6650
Email: rwineinger@dhs.in.gov
Web: www.in.gov/dhs

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From: [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP \(FYDIBOHF23SPDLT\)/CN=RECIPIENTS/CN=2705C76584F3471DBFA1E226A10CBFC5-BOYLE, DOUG](#)
To: [Wineinger, Ryan](#)
Cc: [Guedel, Justin K](#)
Subject: RE: Waupaca Foundry CDR# 396862 appeal request update
Date: Tuesday, April 9, 2019 10:02:00 AM
Attachments: [image002.png](#)
[image003.png](#)

Ryan,

I apologize for the delay in responding to this. Justin forwarded me your last inquiry on this a few weeks ago, but I unfortunately forgot about this as I've been wrapped up with writing a proposed draft rule and other duties for the Commission. I'm not sure I can process the request for administrative review of Violation Number 6, because simply forwarding me this information would likely not be proper service. I also cannot verify the timeliness of the request, as I do not have a postmark date, and there is no date provided at the top of the letter.

I know, based on the email chain below, that Ray Kolhagen states that they both mailed and emailed the petition for review on February 19, 2019. Did he ever confirm with you who the physical copy was addressed to on the envelope, or what email address he submitted the electronic copy to?
Thanks.

Douglas J. Boyle | Director – Fire Prevention and Building Safety Commission
Indiana Department of Homeland Security
302 W. Washington Street, Room E-208
Indianapolis, IN 46204
Tel: (317) 650-7720
Email: DoBoyle@dhs.in.gov
Web: www.in.gov/dhs



From: Wineinger, Ryan
Sent: Friday, March 29, 2019 12:32 PM
To: Boyle, Douglas J (DHS) <DoBoyle@dhs.IN.gov>
Subject: Waupaca Foundry CDR# 396862 appeal request update

Doug,

What is the status of the appeal submitted by Waupaca Foundry in regards to violation number 6 of the inspection performed on February 6th of project number 396862. A copy of the appeal request was emailed and mailed on February 19th. All other items have been addressed, and they are awaiting a Certificate of Occupancy from the local, who is waiting on our final complied inspection report.

Thanks,

Ryan Wineinger CFI CBI II | Senior Code Official-Code Enforcement
Fire & Building Safety Division
Indiana Department of Homeland Security
302 W. Washington Street, Room E-241
Indianapolis, IN 46204
Cell: 317-417-6650
Email: rwineinger@dhs.in.gov
Web: www.in.gov/dhs

From: Kolhagen, Raymond P. [<mailto:Raymond.Kolhagen@waupacafoundry.com>]
Sent: Friday, March 8, 2019 8:37 AM
To: Kelley Blair <kblair@denhamblythe.com>; Jeff <jgirtten@denhamblythe.com>
Cc: Bill Alvey <bldgzoning@tellcity.in.gov>; Wineinger, Ryan <RWineinger@dhs.IN.gov>; Kress, Andrew <Andrew.Kress@waupacafoundry.com>
Subject: RE: Test Reports

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Kelly/Jeff

Please provide cause and completion date for why we are not in compliance with #5?

Ryan

Waupaca Plant 5 has submitted a formal request for review to discuss #6. This request was sent out by mail and email on February 19, 2019. To date we have not heard back from anyone. I have attached the formal request.

From: Kelley Blair <kblair@denhamblythe.com>
Sent: Friday, March 08, 2019 6:53 AM
To: Wineinger, Ryan <RWineinger@dhs.IN.gov>
Cc: Bill Alvey <bldgzoning@tellcity.in.gov>; Kolhagen, Raymond P. <Raymond.Kolhagen@waupacafoundry.com>
Subject: RE: Test Reports

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Please see attached.

Kelley M Blair
Field Engineer/Assistant Superintendent
o: 615.855.2244 | c: 270.791.0434

www.denhamblythe.com

3030 Business Park Circle, Suite 200, Goodlettsville, TN 37072



[Lexington KY](#) | [Nashville TN](#) | [Greenville SC](#)

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From: Wineinger, Ryan [<mailto:RWineinger@dhs.IN.gov>]
Sent: Thursday, March 07, 2019 1:02 PM
To: Kelley Blair <kblair@denhamblythe.com>
Cc: Bill Alvey <bldgzoning@telcity.in.gov>; Kolhagen, Raymond P. <Raymond.Kolhagen@waupacafoundry.com>
Subject: RE: Test Reports

Kelley,

If the latching device on the cages can be accessed from the inside, I will accept them as security hardware as noted under 1008.1.9.2. This may be achieved by placing an opening in the wire mesh material so that the handle can be operated from inside the cage. That being said, the self-latching one on the unused cage area will need to be removed, unless it can be made operable from the inside.

1008.1.9 Door operations. Except as specifically permitted by this section egress doors shall be readily openable from the egress side without the use of a key or special knowledge or effort.

1008.1.9.1 Hardware. Door handles, pulls, latches, locks and other operating devices on doors required to be *accessible* by Chapter 11 shall not require tight grasping, tight pinching or twisting of the wrist to operate.

1008.1.9.2 Hardware height. Door handles, pulls, latches, locks and other operating devices shall be installed 34 inches (864 mm) minimum and 48 inches (1219 mm) maximum above the finished floor. Locks used only for security purposes and not used for normal operation are permitted at any height.

Exception: Access doors or gates in barrier walls and fences protecting pools, spas and hot tubs shall be permitted to have operable parts of the release of latch on self-latching devices at 54 inches (1370 mm) maximum above the finished floor or ground, provided the self-latching devices are not also selflocking devices operated by means of a key, electronic opener or integral combination lock.

As long as the guards were tested to 200 lbs, they are compliant.

1607.8.1.1 Concentrated load. Handrails and guards shall also be designed to resist a concentrated load of 200 pounds (0.89 kN) in accordance with Section 4.5.1 of ASCE 7.

1607.8.1.2 Intermediate rails. Intermediate rails (all those except the handrail), balusters and panel fillers shall be designed to resist a concentrated load of 50 pounds (0.22 kN) in accordance with Section 4.5.1 of ASCE 7.

I'll keep an eye out for the pictures of the 2nd floor electrical room fire stopping, along with the documentation and picture of the proper sprinkler pipe fire stopping.

Please sign and return the attached re-inspection memo, and I'll follow up in two weeks.

Ray,

Was a copy of the appeal mailed to the address listed on the report or just emailed?

I don't see where it was reviewed at the commission meeting on Tuesday.

Thanks,

Ryan Wineinger CFI CBI II | Senior Code Official-Code Enforcement

Fire & Building Safety Division

Indiana Department of Homeland Security

302 W. Washington Street, Room E-241

Indianapolis, IN 46204

Cell: 317-417-6650

Email: rwineinger@dhs.in.gov

Web: www.in.gov/dhs

From: Kelley Blair [<mailto:kblair@denhamblythe.com>]

Sent: Monday, February 18, 2019 9:02 AM

To: Wineinger, Ryan <RWineinger@dhs.IN.gov>; Bill Alvey <bldgzoning@tellcity.in.gov>

Cc: raymond.kolhagen@waupacafoundry.com

Subject: RE: Test Reports

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Bill,

We'll take care of this ASAP.

Thank you,

Kelley M Blair

Field Engineer/Assistant Superintendent

o: 615.855.2244 | c: 270.791.0434

www.denhamblythe.com

3030 Business Park Circle, Suite 200, Goodlettsville, TN 37072



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