

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE IOSHA BOARD OF
SAFETY REVIEW
CASE DOCKET NO. 14-010

IN THE MATTER OF:)
)
COMMISSIONER OF LABOR,)
)
Complainant,)
)
v.)
)
FAURECIA, LLC,)
AND ITS SUCCESSORS,)
)
Respondent.)

FILED

JAN 29 2016

Indiana Board of
Safety Review

AGREED ENTRY

The parties to the above-captioned proceeding, the Commissioner of the Indiana Department of Labor (hereinafter "Complainant") and Faurecia, LLC (hereinafter "Respondent"), through their duly authorized representatives, desiring to enter into this Agreed Entry as final settlement of this matter, do hereby stipulate and agree as follows:

PART I.

1. From February 12, 2014 through May 9, 2014, authorized employees of the Indiana Department of Labor conducted an inspection at the Respondent's worksite located at 601 S. Gladstone, Columbus, Indiana 47201.
2. On August 12, 2014, Complainant issued a Safety Order and Notification of Penalty (hereinafter "Safety Order") resulting from Indiana Department of Labor Inspection No. 317406858 and alleging that Respondent had violated the Indiana Occupational Safety and Health Act (IC 22-8-1.1 *et seq.*) or the standards or rules thereunder. The Safety Order is attached hereto as Exhibit A and is incorporated herein.

3. On or about August 28, 2014, Respondent duly and timely petitioned for review of the Safety Order.

PART II.

4. The Safety Order consists of Safety Order 1, Item Nos. 1a, 1b, 1c, 1d, 2a, 2b, 2c, 3a, 3b, 4a, 4b, 5a, 5b, 6, 7a, and 7b.

5. Safety Order 1, Item 1a alleges a "Serious" violation of 29 CFR 1910.141(e) and assesses a total shared penalty, grouped with Items 1b&1c, of Five Thousand Dollars (\$5,000).

6. Safety Order 1, Item 1b alleges a "Serious" violation of 29 CFR 1910.1026(i)(1) and assesses no additional penalty above what is assessed in Item 1a.

7. Safety Order 1, Item 1c alleges a "Serious" violation of 29 CFR 1910.1026(h)(2)(i) and assesses no additional penalty above what is assessed in Item 1a.

8. Safety Order 1, Item 1d alleges a "Serious" violation of 29 CFR 1910.1026(h)(3)(iii) and assesses no additional penalty above what is assessed in Item 1a.

9. Safety Order 1, Item 2a alleges a "Serious" violation of 29 CFR 1910.1026(c) and assesses a total shared penalty, grouped with Items 2b&2c, of Five Thousand Dollars (\$5,000).

10. Safety Order 1, Item 2b alleges a "Serious" violation of 29 CFR 1910.1026(d)(2)(i) and assesses no additional penalty above what is assessed in Item 2a.

11. Safety Order 1, Item 2c alleges a "Serious" violation of 29 CFR 1910.1026(d)(3) and assesses no additional penalty above what is assessed in Item 2a.

12. Safety Order 1, Item 3a alleges a "Serious" violation of 29 CFR 1910.1026(f)(1)(i) and assesses a total shared penalty, grouped with Item 3b, of Five Thousand Dollars (\$5,000).

13. Safety Order 1, Item 3b alleges a "Serious" violation of 29 CFR 1910.1026(g)(1)(i) and assesses no additional penalty above what is assessed in Item 3a.

14. Safety Order 1, Item 4a alleges a "Serious" violation of 29 CFR 1910.1026(i)(5) and assesses a total shared penalty, grouped with Item 4b, of Five Thousand Dollars (\$5,000).

15. Safety Order 1, Item 4b alleges a "Serious" violation of 29 CFR 1910.1026(j)(1)(i) and assesses no additional penalty above what is assessed in Item 4a.

16. Safety Order 1, Item 5a alleges a "Serious" violation of 29 CFR 1910.1026(j)(2)(i) and assesses a total shared penalty, grouped with Item 5b, of Five Thousand Dollars (\$5,000).

17. Safety Order 1, Item 5b alleges a "Serious" violation of 29 CFR 1910.1026(j)(2)(ii) and assesses no additional penalty above what is assessed in Item 5a.

18. Safety Order 1, Item 6 alleges a "Serious" violation of 29 CFR 1910.1026(k)(1)(i) and assesses a total penalty of Five Thousand Dollars (\$5,000).

19. Safety Order 1, Item 7a alleges a "Serious" violation of 29 CFR 1910.1026(l)(2)(i)(A) and assesses a total shared penalty, grouped with Item 7b, of Five Thousand Dollars (\$5,000).

20. Safety Order 1, Item 7b alleges a "Serious" violation of 29 CFR 1910.1200(h)(1) and assesses no additional penalty above what is assessed in Item 7a.

21. The total assessed penalty for Safety Order 1 is Thirty-Five Thousand Dollars (\$35,000).

PART III.

22. The Safety Order is hereby amended as follows:

23. Safety Order 1, Item 1a is deleted in its entirety.

24. Safety Order 1, Item 1b is deleted in its entirety.

25. Safety Order 1, Item 1c is re-classified as a "Non-Serious" violation of 29 CFR 1910.1026(h)(2)(i) and the total shared penalty, grouped with Item 1d, is reduced to One Thousand Dollars (\$1,000).

26. Safety Order 1, Item 1d is re-classified as a "Non-Serious" violation of 29 CFR 1910.1026(h)(3)(iii) and assesses no additional penalty above what is assessed in amended Item 1c herein.

27. Safety Order 1, Item 2a is deleted in its entirety.

28. Safety Order 1, Item 2b remains a "Serious" violation as cited, and the total shared penalty, grouped with Item 2c, remains Five Thousand Dollars (\$5,000).

29. Safety Order 1, Item 2c remains a "Serious" violation as cited, and assesses no additional penalty above what is assessed in amended Item 2b herein.

30. Safety Order 1, Item 3a is deleted in its entirety.

31. Safety Order 1, Item 3b is deleted in its entirety.

32. Safety Order 1, Item 4a remains a "Serious" violation as cited, but the total shared penalty, grouped with Item 4b, is reduced to Two Thousand Dollars (\$2,000).

33. Safety Order 1, Item 4b remains a "Serious" violation as cited, and assesses no additional penalty above what is assessed in amended Item 4a herein.

34. Safety Order 1, Item 5a is deleted in its entirety.

35. Safety Order 1, Item 5b is upheld in its entirety and the total penalty remains Five Thousand Dollars (\$5,000).

36. Safety Order 1, Item 6 is deleted in its entirety.

37. Safety Order 1, Item 7a is deleted in its entirety.

38. Safety Order 1, Item 7b is re-classified as a "Non-Serious" violation of 29 CFR 1910.1200(h)(1) and the total penalty is reduced to One Thousand Dollars (\$1,000).

39. The AGREED total penalty for all violations and all subparts thereunder, subject to this Agreed Entry, is Fourteen Thousand Dollars (\$14,000).

40. It is understood and agreed by the Respondent and Complainant that this Agreed Entry and attachments will constitute a final, enforceable OSHA Safety Order(s) and penalties for the purposes of the Indiana Occupational Safety and Health Act ("Act").

41. Respondent confirms Complainant's right to re-inspect its workplaces, in accordance with the Act, and to verify abatement of the alleged violations.

42. Respondent hereby withdraws its petition for review previously filed in this matter.

PART IV.

43. Nothing contained in this Agreed Entry shall be construed to affect Complainant's interpretation of the Act or any standard or regulation enforced pursuant thereto or the applicable classification thereof.

44. Except for this agreement, and matters arising out of this agreement and any other subsequent IOSHA proceedings between the parties, none of the foregoing agreements, statements, findings, and actions taken by the Respondent shall be deemed an admission by Respondent of the allegations contained within the Safety Order(s) and Notification(s) of Penalty. The agreements, statements, findings, and actions taken herein are made in order to compromise and settle this matter economically and amicably, and they shall not be used for any other purpose, except as herein stated.

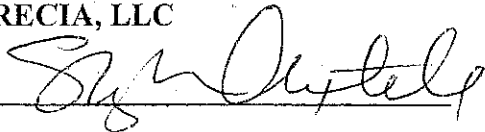
45. The invalidity or unenforceability of any section, subsection, clause or provision of this Agreed Entry does not affect the remaining sections, subsections, clauses, or provisions of this Agreed Entry.

46. Respondent, upon full execution of this Agreed Entry, will post this Agreed Entry for three (3) working days or until abatement is completed, whichever period is longer, pursuant to Board of Safety Review Rules of Procedure, 615 IAC 1-2-18(b)(3)(C).

AGREED this 27th January, 2016
day of ~~November~~, 2015.

FAURECIA, LLC

By:

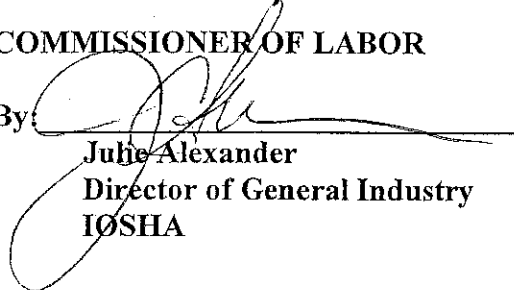


Printed: STEPHEN AXTELL

Title: outside counsel

COMMISSIONER OF LABOR

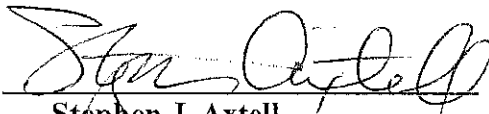
By:



Julie Alexander
Director of General Industry
IOSHA

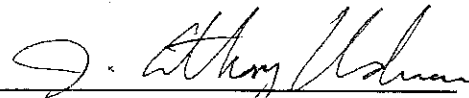
Approved as to Form:

By:



Stephen J. Axtell,
Counsel for Respondent

By:



J. Anthony Hardman,
Counsel for Complainant

Indiana Department of Labor

Indiana Occupational Safety and Health Administration
402 West Washington St - Room W195
Indianapolis, IN 46204
Phone: 317-232-2691 FAX: (317)233-8509



Certified mail # 9171900005272000375909 8-12-14 JLS

Safety Order and Notification of Penalty

To:
Faurecia LLC
601 South Gladstone
Columbus, IN 47201

Inspection Number: 317406858
CSHO ID: T9648
Optional Report No.: 0001-14
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014

Inspection Site:
601 South Gladstone
Columbus, IN 47201

The violation(s) described in this Safety Order 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.

An inspection of your place of employment has revealed conditions which we believe do not comply with the provisions of the Indiana Occupational Safety and Health Act (Indiana Code Chapter 22-8-1.1) or the standards or rules adopted thereunder. Accordingly, enclosed please find safety order(s) and notification(s) of penalty describing such violation(s) with references to applicable standards, rules, or provisions of the statute and stating the amount of any penalty(ies).

Informal Conference - Please be advised that it may be possible to informally settle any potential dispute without initiating the more elaborate proceedings brought on by a petition for review. Prior to filing a petition for review, you may request an informal conference concerning any of the results of the inspection (safety orders, penalties, abatement dates, etc.) by contacting the Indiana Department of Labor/IOSHA, preferably by telephone, in a prompt manner. Please be advised that a request for an informal conference cannot extend the fifteen working day period for filing a petition for review. Informal conferences frequently resolve any possible disputes, and therefore you are urged to take advantage of this opportunity. Because of the limited time period and in order to facilitate scheduling, any requests for an informal conference should be made promptly upon your receipt of the safety order(s) and notification(s) of penalty.

Right to Contest - You are hereby also notified that you are entitled to seek administrative review of the safety order(s), penalty(ies), or both by filing a written petition for review at the above address postmarked within fifteen working days of your receipt of the safety order(s) and notification(s) of penalty. ("Working days" means Mondays through Fridays, but does not include Saturdays, Sundays, legal holidays under a state statute or days on which the Indiana Department of Labor's offices are closed during regular business hours). If you do not file such a petition for review (contest), the safety order(s)

and penalty(ies) shall be deemed final orders of the Board of Safety Review and not subject to review by any court or agency. The issuance of a safety order does not constitute a finding that a violation has occurred unless no petition for review is filed, or if a petition for review (contest) is filed, it must contain a statement of its basis and should reference the above inspection number. Upon receipt of your petition for review, we will affirm, amend or dismiss the safety order(s) and notification(s) of penalty. If we affirm, your petition for review will be granted (unless it was not timely) and the dispute will be certified by the Board of Safety Review for further proceedings. The Board of Safety Review is an independent agency appointed by the governor with authority to conduct hearings and to issue decisions concerning disputed safety order(s) and notification(s) of penalty. If we amend the safety order(s) or notification(s) of penalty, your petition for review shall be deemed moot. However, you will then be given an opportunity to file a petition for review concerning the amended safety order(s) and notification(s) of penalty.

Please be advised that an employee or representative of employees may file a petition for review to contest the reasonableness of the time stated in the safety order(s) for the abatement of any violation.

Posting - Upon receipt of any safety order(s) you are required to post such safety order(s), or a copy thereof, unedited, at or near each place an alleged violation referred to in the safety order(s) occurred. However, if your operations are such that it is not practicable to post the safety order(s) at or near each place of alleged violation, such safety order(s) shall be posted, unedited, in a prominent place where it will be readily observable by all affected employees. For example, if you are engaged in activities which are physically dispersed, the safety order(s) may be posted at the location from which the employees operate to carry out their activities. You must take steps to ensure that the safety order is not altered, defaced, or covered by other material. Posting shall be until the violation is abated, or for three working days, whichever is longer.

Penalties - Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Abatement does not constitute payment of penalties.

Abatement - The conditions cited in the safety order(s) must be corrected (abated) on or before the date shown for each item on the safety order(s) and notification(s) of penalty unless:

(1) You file a petition for review concerning the violation, in which case the full abatement period shall commence from the issuance of a final decision by the Board of Safety Review or the courts which requires compliance with the safety order, or

(2) The abatement period is extended by the granting of a petition for modification of abatement date.

PMAs - The petition for modification of abatement date is a manner in which you may seek additional time to correct (abate) a violation without having to file a petition for review concerning the safety order, or after the expiration of the time period to file such a petition for review when it becomes apparent that you need extra time to abate the violation. A petition for modification of abatement date shall be in writing and shall include the following information:

(1) All steps you have taken, and the dates of such actions, in an effort to achieve compliance

during the prescribed abatement period.

(2) The specific additional abatement time necessary in order to achieve compliance.

(3) The reasons such additional time is necessary, including the unavailability of professional or technical personnel or of materials and equipment, or because necessary construction or alteration of facilities cannot be completed by the original abatement date.

(4) All available interim steps being taken to safeguard employees against the cited hazard during the abatement period.

(5) A certification that a copy of the petition has been posted, and if appropriate, served on the authorized representative of affected employees, and a certification of the date upon which such posting and service was made.

A petition for modification of abatement date shall be filed with the Indiana Department of Labor/IOSHA no later than the close of the next working day following the date on which abatement was originally required. A later-filed petition shall be accompanied by the employer's statement of exceptional circumstances explaining the delay. A copy of such petition shall be posted in a conspicuous place where all affected employees will have notice thereof or near such location where the violation occurred. The petition shall remain posted until the time period for the filing of a petition for review of the Commissioner's granting or denying the petition expires. Where affected employees are represented by an authorized representative, said representative shall be served a copy of such petition.

Notification of Corrective Action - Correction of the alleged violations which have an abatement period of thirty (30) days or less should be reported in writing to us promptly upon correction. A "Letter of Abatement" form and an "Abatement Photographs" worksheet are enclosed for your assistance in providing adequate documentation of abatement. Reports of corrections should show specific corrective action on each alleged violation and the date of such action. On alleged violations with abatement periods of more than thirty (30) days, a written progress report should be submitted, detailing what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, we should be so advised. Timely correction of an alleged violation does not affect the initial proposed penalty.

Followup Inspections - Please be advised that a followup inspection may be made for the purpose of ascertaining that you have posted the safety order(s) and corrected the alleged violations. Failure to correct an alleged violation may result in additional penalties for each day that the violation has not been corrected.

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 Indiana Department of Labor/IOSHA at the address shown above.

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 Indiana Department of Labor/IOSHA at the address shown above within fifteen (15) working days (excluding weekends and State holidays) or receipt by the employer of this safety order and penalty.

If you wish additional information, you may direct such requests to us at the address or telephone number stated above.

Indiana Department of Labor

NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 8/12/2014. The conference will be held at the IOSHA office located at 402 West Washington Street, Room W195, Indianapolis, IN 46204 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014
CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

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

Safety Order 01 Item 001a Type of Violation: **Serious**

29 CFR 1910.141(e): Where employees were required by a particular standard to wear protective clothing because of the possibility of contamination with toxic materials, the employer did not provide change rooms equipped with storage facilities for street clothes:

QC Weld - No change rooms were provided for employees whose protective clothing and street clothes were potentially contaminated with Hexavalent Chromium from welding fumes and surface dusts when they operated equipment such as, but not limited to, the Miller Maxstar 350 (serial #MA2300205SL) welder/cutting tool for up to 8 hours a day on AK Steel Model 409 stainless steel (11.70% chromium) and/or AK Steel Model 439 stainless steel (19% chromium), used in catalytic convertor housing and exhaust pipes. Air sampling showed an employee was exposed to Hexavalent Chromium in excess of the PEL of 5 ug/m³ (air sample BA-1, 8-hour TWA=7.43 ug/m³) and a surface wipe sample (Micro-1, .0771ug/100cm²) showed dust contamination of Hexavalent Chromium in the work area.

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$5,000.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014
CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

Safety Order 01 Item 001b Type of Violation: **Serious**

29 CFR 1910.1026(i)(1): The employer did not provide change rooms, in conformance with the Sanitation standard, 29 CFR 1910.141, for employees who were required to change their clothes to use protective clothing and equipment for chromium (VI) exposures:

Facility/QC Weld - No change rooms were provided for employees whose protective clothing and street clothes were potentially contaminated with Hexavalent Chromium from welding fumes and surface dusts when they operated equipment such as, but not limited to, the Miller Maxstar 350 (serial #MA2300205SL) welder/cutting tool up to 8 hours a day on AK Steel Model 409 stainless steel (11.70% chromium) and/or AK Steel Model 439 stainless steel (19% chromium), used in catalytic convertor housing and exhaust pipes. Air sampling showed an employee was exposed to Hexavalent Chromium in excess of the PEL of 5 ug/m³ (air sample BA-1, 8-hour TWA=7.43 ug/m³) and a surface wipe sample (Micro-1, .0771ug/100cm²) showed dust contamination of Hexavalent Chromium in the work area.

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
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Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

Safety Order 01 Item 001c Type of Violation: **Serious**

29 CFR 1910.1026(h)(2)(i): The employer did not ensure that employees removed all protective clothing and equipment contaminated with chromium (VI) at the end of the work shift or at the completion of their tasks involving chromium (VI) exposure, whichever came first:

QC Weld - Employees were not provided with procedures to store or rid clothing, personal protective equipment, and equipment contaminated with Hexavalent Chromium when they operated welders such as, but not limited to, Miller Maxstar 350 (SN# MA230205SL) to dissect steel pipes and catalytic converters made of 409 Stainless Steel (11.70% chromium) and/or 439 Stainless Steel (19% chromium). Air sampling showed an employee was exposed to Hexavalent Chromium in excess of the PEL of 5 ug/m3 (air sample BA-1, 8-hour TWA=7.43 ug/m3) and a surface wipe sample (Micro-1, .0771ug/100cm2) showed dust contamination of Hexavalent Chromium in the work area.

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014
CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

Safety Order 01 Item 001d Type of Violation: **Serious**

29 CFR 1910.1026(h)(3)(iii): The employer did not inform any person who laundered or cleaned protective clothing or equipment contaminated with chromium (VI) of the potentially harmful effects of exposure to chromium (VI) and that the clothing and equipment should be laundered or cleaned in a manner that minimizes skin or eye contact with chromium (VI) and effectively prevents the release of airborne chromium (VI) in excess of the permissible exposure limit:

Facility - Personal protective garments such as, but not limited to; welding jackets, Kevlar sleeves, etc., contaminated with Hexavalent Chromium were not treated with caution when employees exchanged contaminated garments for clean garments. In addition, the facility did not notify the laundry vendor that items taken from the facility must be treated with caution so as to not exposure others to Hexavalent Chromium contamination. Up to six employees who operated equipment such as, but not limited to, the Miller Maxstar 350 (serial #MA2300205SL) welder/cutting tool up to 8 hours a day on AK Steel Model 409 stainless steel (11.70% chromium) and/or AK Steel Model 439 stainless steel (19% chromium), used in catalytic convertor housing and exhaust pipes, were exposed to Hexavalent Chromium in excess of the PEL of 5 ug/m3 (air sample BA-1 8-hour TWA=7.43 ug/m3) and a surface wipe sample (Micro-1, .0771ug/100cm2) showed dust contamination of Hexavalent Chromium in the work area.

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014
CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

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

Safety Order 01 Item 002a Type of Violation: **Serious**

29 CFR 1910.1026(c): Employees were exposed to an airborne concentration of chromium (VI) which exceeded 5 micrograms per cubic meter of air, as an 8-hour time-weighted average:

Weld Destruct - Up to six (6) employees who operated equipment such as, but not limited to, the Miller Maxstar 350 (serial #MA2300205SL)-welder/cutting tool up to 8 hours a day on AK Steel Model 409 stainless steel (11.70% chromium) and/or AK Steel Model 439 stainless steel (19% chromium), used in catalytic convertor housing and exhaust pipes, were exposed to Hexavalent Chromium in excess of the 8-hour TWA PEL of 5 ug/m³ (air sample BA-1 8 hour TWA=7.43 ug/m³).

Abatement Schedule

STEP 1- Effective respiratory protection shall be provided to and used by exposed employees as an interim measure until feasible engineering and/or administrative controls can be implemented or whenever such controls fail to reduce employee exposure to within permissible exposure limits.

Date By Which STEP 1 Must be Abated: 9/12/14

STEP 2- A written detailed plan of abatement shall be submitted to the Director outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to hazardous substances as referenced in this Safety Order. This plan shall include, at a minimum, target

dates for the following actions which must be consistent with the abatement dates required by this Safety Order:

- (1) Evaluation of engineering/administrative control options;
- (2) Selection of optimum control methods and completion of design;
- (3) Procurement, installation and operation of selected control measures;
- (4) Testing and acceptance or modification/redesign of controls.

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person. 30-day progress reports are required during the abatement period.

Date By Which STEP 2 Must be Abated: 10/13/14

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.

Date By Which STEP 3 Must be Abated: 11/12/14

Date By Which Violation Must Be Abated:	9/15/2014
Proposed Penalty:	\$5,000.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014
CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

Safety Order 01 Item 002b Type of Violation: **Serious**

29 CFR 1910.1026(d)(2)(i): The employer did representative sampling instead of sampling all employees; however, the employer did not sample the employee(s) expected to have the highest chromium (VI) exposures:

QC Weld Destruct - No representative sampling for Cr(VI) in welding fumes was conducted for Weld Destruct employees who weld or hot cut on 409 Stainless Steel (11.70% Chromium) and/or 439 Stainless Steel (19% Chromium). Air sampling showed that Weld Destruct employees were exposed to Hexavalent Chromium in excess of the 8-hour TWA PEL of 5 ug/m³ (air sample BA-1 8-hour TWA=7.43 ug/m³).

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014
CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

Safety Order 01 Item 002c Type of Violation: **Serious**

29 CFR 1910.1026(d)(3): The employer used the performance-oriented option; however, the employer did not determine the 8-hour time-weighted average exposure for each employee on the basis of any combination of air monitoring data, historical monitoring data, or objective data sufficient to accurately characterize employee exposure to chromium (VI):

Weld Destruct - No determination for Cr(VI) exposure in welding fumes was conducted for Weld Destruct employees who weld or hot cut on 409 Stainless Steel (11.70% Chromium) and/or 439 Stainless Steel (19% Chromium). Air sampling showed that Weld Destruct employees were exposed to Hexavalent Chromium in excess of the 8-hour TWA PEL of 5 ug/m3 (air sample BA-1 8-hour TWA=7.43 ug/m3).

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
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CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

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

Safety Order 01 Item 003a Type of Violation: **Serious**

29 CFR 1910.1026(f)(1)(i): Except as permitted in paragraph (f)(1)(ii) and paragraph (f)(1)(iii) of this section, the employer did not use engineering and work practice controls to reduce and maintain employee exposure to chromium (VI) to or below the PEL unless the employer can demonstrate that such controls are not feasible. Wherever feasible engineering and work practice controls are not sufficient to reduce employee exposure to or below the PEL, the employer shall use them to reduce employee exposure to the lowest levels achievable, and shall supplement them by the use of respiratory protection that complies with the requirements of paragraph (g) of this section:

Weld Destruct - Where ventilation and/or administrative controls were insufficient to control Hexavalent Chromium exposures, respirators were not provided for up to six employees who operated equipment such as, but not limited to, the Miller Maxstar 350 (serial #MA2300205SL) welder/cutting tool up to 8 hours a day on AK Steel Model 409 stainless steel (11.70% chromium) and/or AK Steel Model 439 stainless steel (19% chromium), used in catalytic convertor housing and exhaust pipes, and were exposed to Hexavalent Chromium in excess of the 8-hour TWA PEL of 5 ug/m³ (air sample BA-1 8-hour TWA=7.43 ug/m³).

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$5,000.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014
CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

Safety Order 01 Item 003b Type of Violation: **Serious**

29 CFR 1910.1026(g)(1)(i): The employer did not provide each employee an appropriate respirator during periods necessary to install or implement feasible engineering and work practice controls:

Weld Destruct - Where ventilation and/or administrative controls were insufficient to control Hexavalent Chromium exposures, respirators were not required for up to six employees who operated equipment such as, but not limited to, the Miller Maxstar 350 (serial #MA2300205SL) welder/cutting tool up to 8 hours a day on AK Steel Model 409 stainless steel (11.70% chromium) and/or AK Steel Model 439 stainless steel (19% chromium), used in catalytic convertor housing and exhaust pipes, and were exposed to Hexavalent Chromium in excess of the 8-hour TWA PEL of 5 ug/m³ (air sample BA-1 8-hour TWA=7.43 ug/m³).

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014
CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

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

Safety Order 01 Item 004a Type of Violation: **Serious**

29 CFR 1910.1026(i)(5): The employer shall ensure that employees do not eat, drink, smoke, chew tobacco or gum, or apply cosmetics in regulated areas, or in areas where skin or eye contact with chromium (VI) occurs; or carry the products associated with these activities, or store such products in these areas:

Weld Destruct - Employees were allowed to eat or drink in areas where they were exposed to Hexavalent Chromium surface dust in the Q.C. Lab (wipe sample Micro-1 .0771 ug/c2) and where they operated welding equipment, such as but not limited to, the Miller Maxstar 350 (serial #MA2300205SL) welder/cutting tool up to 8 hours a day on AK Steel Model 409 stainless steel (11.70% chromium) and/or AK Steel Model 439 stainless steel (19% chromium), used in catalytic convertor housing and exhaust pipes, and were exposed to Hexavalent Chromium in excess of the 8-hour TWA PEL of 5 ug/m3 (air sample BA-1 8-hour TWA=7.43 ug/m3).

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$5,000.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014
CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

Safety Order 01 Item 004b Type of Violation: **Serious**

29 CFR 1910.1026(j)(1)(i): All surfaces are maintained as free as practicable of accumulations of chromium (VI):

Weld Destruct - An effective cleaning program was not in place for areas where employees were exposed to Hexavalent Chromium surface dust in the Q.C. Lab (wipe sample Micro-1 .0771 ug/c2) and where they operated welding equipment, such as but not limited to, the Miller Maxstar 350 (serial #MA2300205SL) welder/cutting tool up to 8 hours a day on AK Steel Model 409 stainless steel (11.70% chromium) and/or AK Steel Model 439 stainless steel (19% chromium), used in catalytic convertor housing and exhaust pipes, and were exposed to Hexavalent Chromium in excess of the 8-hour TWA PEL of 5 ug/m3 (air sample BA-1 8-hour TWA=7.43 ug/m3).

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014
CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

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

Safety Order 01 Item 005a **Type of Violation: Serious**

29 CFR 1910.1026(j)(2)(i): The employer did not ensure that surfaces contaminated with chromium (VI) were cleaned by high efficiency particulate air-filtered vacuuming or other methods that minimized the likelihood of exposure to chromium (VI):

Weld Destruct - Employees swept the floors with brooms and disposed of waste in plastic trash cans where they operated equipment such as, but not limited to, the Miller Maxstar 350 (serial #MA2300205SL) welder/cutting tool up to 8 hours a day on AK Steel Model 409 stainless steel (11.70% chromium) and/or AK Steel Model 439 stainless steel (19% chromium), used in catalytic convertor housing and exhaust pipes, and were exposed to Hexavalent Chromium in excess of the 8-hour TWA PEL of 5 ug/m³ (air sample BA-1 8-hour TWA=7.43 ug/m³) and Hexavalent Chromium surface contamination of .0771ug/100cm² (Micro-1, .0771ug/100cm²).

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$5,000.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014
CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

Safety Order 01 Item 005b

Type of Violation: **Serious**

29 CFR 1910.1026(j)(2)(ii): The employer did not ensure that high efficiency particulate air-filtered vacuuming or other methods that minimize the likelihood of exposure to chromium (VI) were tried and found not to be an effective cleaning method before allowing dry shoveling, dry sweeping and/or dry brushing:

Weld Destruct - Employees were not provided HEPA filtered vacuums to clean work areas after they operated equipment such as, but not limited to, the Miller Maxstar 350 (serial #MA2300205SL) welder/cutting tool up to 8 hours a day on AK Steel Model 409 stainless steel (11.70% chromium) and/or AK Steel Model 439 stainless steel (19% chromium), used in catalytic convertor housing and exhaust pipes. Employees were exposed to Hexavalent Chromium in excess of the 8-hour TWA PEL of 5 ug/m³ (air sample BA-1 8-hour TWA=7.43 ug/m³) and surface contamination of .0771ug/100cm² (Micro-1, .0771ug/100cm²).

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014
CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

Safety Order 01 Item 006 Type of Violation: **Serious**

29 CFR 1910.1026(k)(1)(i): The employer did not make medical surveillance for chromium (VI) exposures available at no cost to the employees, and/or at a reasonable time and place:

Weld Destruct - No medical surveillance for Hexavalent Chromium was provided for employees who operated equipment such as, but not limited to, the Miller Maxstar 350 (serial #MA2300205SL) welder/cutting tool up to 8 hours a day on AK Steel Model 409 stainless steel (11.70% chromium) and/or AK Steel Model 439 stainless steel (19% chromium), used in catalytic converter housing and exhaust pipes. Employees were exposed to Hexavalent Chromium in excess of the 8-hour TWA PEL of 5 ug/m3 (air sample BA-1 8-hour TWA=7.43 ug/m3).

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$5,000.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014
CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

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

Safety Order 01 Item 007a **Type of Violation: Serious**

29 CFR 1910.1026(l)(2)(i)(A): The employer did not provide appropriate information and training for all employees exposed to chromium (VI), in that employees could not demonstrate knowledge of the contents of the Chromium (VI) standard, 29 CFR 1910.1026:

Facility - Hexavalent Chromium information and training was not provided to employees when they operated equipment such as, but not limited to, the Miller Maxstar 350 (serial #MA2300205SL) welder/cutting tool up to 8 hours a day on AK Steel Model 409 stainless steel (11.70% chromium) and/or AK Steel Model 439 stainless steel (19% chromium), used in catalytic convertor housing and exhaust pipes. Employees were exposed to Hexavalent Chromium in excess of the 8-hour TWA PEL of 5 ug/m3 (air sample BA-1 8-hour TWA=7.43 ug/m3).

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$5,000.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 317406858
Inspection Date(s): 2/12/2014 - 5/9/2014
Issuance Date: 8/12/2014
CSHO ID: T9648
Optional Report No.: 0001-14

Safety Order and Notification of Penalty

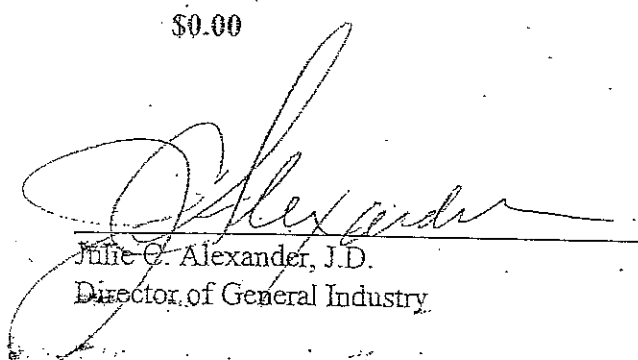
Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201

Safety Order 01 Item 007b 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:

Facility - Employees were not provided with information or trained on the hazards associated with Hexavalent Chromium prior to being tasked to operate equipment such as, but not limited to, the Miller Maxstar 350 (serial #MA2300205SL) welder/cutting tool up to 8 hours a day on AK Steel Model 409 stainless steel (11.70% chromium) and/or AK Steel Model 439 stainless steel (19% chromium), used in catalytic convertor housing and exhaust pipes. Employees were exposed to Hexavalent Chromium in excess of the 8-hour TWA PEL of 5 ug/m³ (air sample BA-1 8-hour TWA=7.43 ug/m³).

Date By Which Violation Must Be Abated: 9/15/2014
Proposed Penalty: \$0.00


Julie C. Alexander, J.D.
Director of General Industry

Indiana Department of Labor

Indiana Occupational Safety and Health Administration

402 West Washington St - Room W195

Indianapolis, IN 46204

Phone: (317)232-2691 FAX: (317)233-8509



INVOICE/DEBT COLLECTION NOTICE

Company Name: Faurecia LLC
Inspection Site: 601 South Gladstone, Columbus, IN 47201
Issuance Date: 8/12/2014

Summary of Penalties for Inspection Number: 317406858

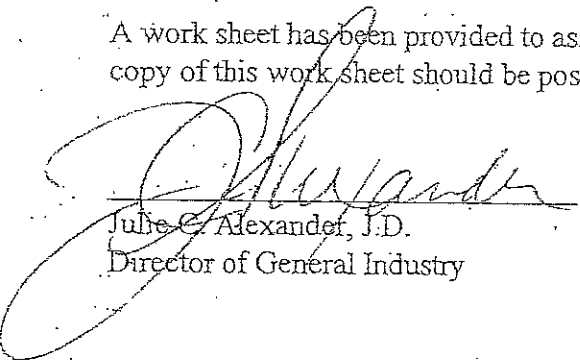
Safety Order 1, Serious	= \$35,000.00
TOTAL PENALTIES	= \$35,000.00

Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Make your check or money order payable to: "Indiana DOL/IOSHA". Please indicate IOSHA's Inspection Number (indicated above) on the remittance.

IOSHA 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.

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

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 safety order(s).


Julie C. Alexander, J.D.
Director of General Industry

8/12/14
Date