

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE IOSHA BOARD OF  
SAFETY REVIEW

**F I L E D**

IN THE MATTER OF THE )  
COMMISSIONER OF LABOR, )

**MAR 20 2014**

Indiana Board of  
Safety Review

Complainant, )

CASE DOCKET NO. 13-014

v. )

NTN DRIVE SHAFT, INC., )  
AND ITS SUCCESSORS, )

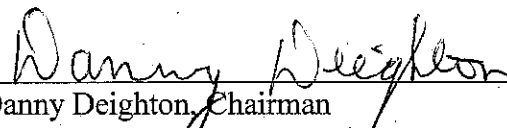
Respondent. )

**FINAL ORDER**

The parties to the above-referenced proceeding, through their duly authorized representatives, have filed with the Board their Agreed Entry. The Board, being duly advised, now accepts the Respondent's withdrawal of its Notice of Contest, and adopts the Safety Orders and penalty issued by the Commissioner of Labor, as modified by the Agreed Entry, as its final order in this matter.

IT IS ORDERED that the Respondent's withdrawal of its Notice of Contest is accepted and the Safety Orders and penalty issued by the Commissioner of Labor, as modified by the Agreed Entry, is adopted as a final order.

Dated: 20 March 2014

  
\_\_\_\_\_  
Danny Deighton, Chairman

Copies to:

J. Anthony Hardman  
Assistant General Counsel  
Department of Labor  
402 W. Washington St., Rm. W195  
Indianapolis, IN 46204

Patricia L. Ogden  
Barnes & Thornburg, LLP  
11 South Meridian Street  
Indianapolis, IN 46204-3535

STATE OF INDIANA )  
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BEFORE THE IOSHA BOARD OF  
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IN THE MATTER OF: )  
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NTN DRIVE SHAFT, INC. )  
AND ITS SUCCESSORS, )  
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Respondent. )

**F I L E D**

JAN 17 2014

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 NTN Drive Shaft, Inc. (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 January 14, 2013 through February 4, 2013, authorized employees of the Indiana Department of Labor conducted an inspection at the Respondent's worksite located at 8251 S. International Dr., Columbus, Indiana 47201.

2. On April 16, 2013, Complainant issued a Safety Order and Notification of Penalty (hereinafter "Safety Order") resulting from Indiana Department of Labor Inspection No. 316544782 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 May 7, 2013, Respondent duly and timely petitioned for review of the

Safety Order.

PART II.

4. The Safety Order consists of Safety Order 1, Item Nos. 1, 2, 3a, 3b, 3c, 4a, 4b, and 4c; and Safety Order 2, Item Nos. 1 and 2.

5. Safety Order No. 1, Item No. 1 alleges a "Serious" violation of 29 CFR 1910.22(a)(1) and assesses a total penalty of Two Thousand Six Hundred Twenty-Five Dollars (\$2,625).

6. Safety Order No. 1, Item No. 2 alleges a "Serious" violation of 29 CFR 1910.22(b)(2) and assesses a total penalty of Two Thousand Six Hundred Twenty-Five Dollars (\$2,625).

7. Safety Order No. 1, Item No. 3a alleges a "Serious" violation of 29 CFR 1910.147(c)(4)(ii) and assesses a total shared penalty, grouped with Items 3b&3c, of Two Thousand Six Hundred Twenty-Five Dollars (\$2,625).

8. Safety Order No. 1, Item No. 3b alleges a "Serious" violation of 29 CFR 1910.147(c)(7)(i) and assesses no additional penalty above what is assessed in Item 3a.

9. Safety Order No. 1, Item No. 3c alleges a "Serious" violation of 29 CFR 1910.147(d)(4)(i) and assesses no additional penalty above what is assessed in Item 3a.

10. Safety Order No. 1, Item No. 4a alleges a "Serious" violation of 29 CFR 1910.178(l)(1)(i) and assesses a total shared penalty, grouped with Items 4b&4c, of One Thousand Five Hundred Dollars (\$1,500).

11. Safety Order No. 1, Item No. 4b alleges a "Serious" violation of 29 CFR 1910.178(l)(1)(ii) and assesses no additional penalty above what is assessed in Item 4a.

12. Safety Order No. 1, Item No. 4c alleges a "Serious" violation of 29 CFR 1910.178(l)(6) and assesses no additional penalty above what is assessed in Item 4a.

13. The total penalty for Safety Order No. 1 is Nine Thousand Three Hundred Seventy-

Five Dollars (\$9,375).

14. Safety Order No. 2, Item No. 1 alleges a "Nonserious" violation of 29 CFR 1910.132(b) and assesses a total penalty of Seven Hundred Fifty Dollars (\$750).

15. Safety Order No. 2, Item No. 2 alleges a "Nonserious" violation of 29 CFR 1910.138(a) and assesses a total penalty of Seven Hundred Fifty Dollars (\$750).

16. The total penalty for Safety Order No. 2 is One Thousand Five Hundred Dollars (\$1,500).

17. The total penalty for Safety Order No. 1 and No. 2 combined is Ten Thousand Eight Hundred Seventy-Five Dollars (\$10,875).

### PART III.

18. Safety Order No. 1, Item No. 1 is re-classified as a "Non-Serious" violation of 29 CFR 1910.22(a)(1) and the penalty is reduced to Seven Hundred Fifty Dollars (\$750).

19. Safety Order No. 1, Item No. 2 is deleted in its entirety.

20. Safety Order No. 1, Item No. 3a is deleted in its entirety.

21. Safety Order No. 1, Item No. 3b remains a "Serious" violation as cited, but the total shared penalty, grouped with Item 3c, is reduced to One Thousand Three Hundred Twelve Dollars (\$1,312).

22. Safety Order No. 1, Item No. 3c remains a "Serious" violation as cited, and assesses no additional penalty above what is assessed in amended Item 3b herein.

23. Safety Order No. 1, Item No. 4a remains a "Serious" violation as cited, but the total shared penalty, grouped with Items 4b&4c, is reduced to Seven Hundred Fifty Dollars (\$750).

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

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

26. Safety Order No. 2, Item No. 1 is deleted in its entirety.

27. Safety Order No. 2, Item No. 2 remains a "Nonserious" violation as cited, but the penalty is reduced to Three Hundred Seventy-Five Dollars (\$375).

28. The AGREED total penalty for all violations and all subparts thereunder, subject to this Agreed Entry, is Three Thousand One Hundred Eighty-Seven Dollars (\$3,187).

29. Respondent further agrees to update its Lockout/Tagout signage, facility wide, within eighteen (18) months of execution of this Agreed Entry. Respondent shall provide Complainant verification when complete.

30. Respondent also agrees to update its forklift training and certification program, facility wide, within ninety (90) days of execution of this Agreed Entry. Respondent shall provide Complainant verification when complete.

31. 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").

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

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

#### PART IV.

34. 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.

35. 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.

36. 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.

37. 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 9<sup>th</sup> day of ~~November~~, 2013. <sup>JANUARY, 2014. *JS*</sup>

NTN DRIVE SHAFT, INC.

By: 

Robert Shoaff

EHS Manager

COMMISSIONER OF LABOR

By: 

Timothy E. Maley  
Deputy Commissioner IOSHA

Approved as to Form:

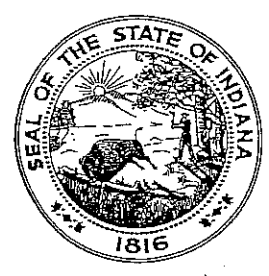
By: 

Patricia L. Ogden,  
Counsel for Respondent

By: 

J. Anthony Hardman,  
Counsel for Complainant

Indiana Department of Labor  
Indiana Occupational Safety and Health Administration  
402 West Washington Street  
Room W195  
Indianapolis, IN 46204-2751  
Phone: 317/232-1979; Fax: 317/233-8509



*Certified mail # 7003 1010 0003 5132 7331 4-16-13 JJA*

## Safety Order and Notification of Penalty

**To:**  
NTN Drive Shaft, Inc.,  
and its successors  
8251 South International Drive  
Columbus, IN 47201

**Inspection Number:** 316544782  
**Inspection Date(s):** 01/14/2013 - 02/04/2013  
**Issuance Date:** 04/16/2013

**Inspection Site:**  
8251 South International Drive  
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.

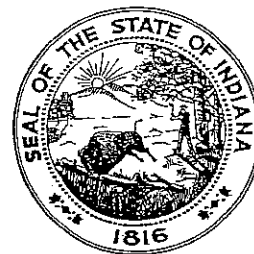
**Notification of Corrective Action** - Correction of the alleged violations which have an abatement period of thirty (30) days or less should be reported in writing to us promptly upon correction. A "Letter of Abatement" form and an "Abatement Photographs" worksheet are enclosed for your assistance 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.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

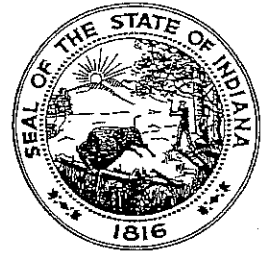
An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 04/16/2013. The conference will be held at the IOSHA office located at 402 West

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: 316544782  
Inspection Dates: 01/14/2013 - 02/04/2013  
Issuance Date: 04/16/2013



Safety Order and Notification of Penalty

Company Name: NTN Drive Shaft, Inc.  
Inspection Site: 8251 South International Drive, Columbus, IN 47201

Safety Order 1 Item 1 Type of Violation: **Serious**

29 CFR 1910.22(a)(1): Place(s) of employment were not kept clean and orderly, or in a sanitary condition:

Shaft Department - Employees who transported materials such as, but not limited to, carts of drive shafts and bins of metal shavings within the department and performing daily manufacturing duties were exposed to slip, trip, and fall hazards from floors slick with soapy water, oil, coolant and metal shavings.

Date By Which Violation Must be Abated: **05/10/2013**  
Proposed Penalty: **\$2,625.00**

Safety Order 1 Item 2 Type of Violation: **Serious**

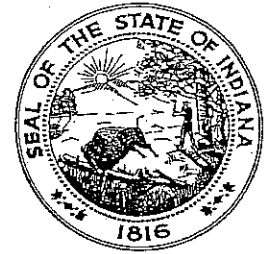
29 CFR 1910.22(b)(2): Permanent aisle(s) or passageway(s) were not appropriately marked:

TS-5 Line/Cut-off Saw - Employees who performed job tasks such as, but not limited to, cutting sample shaft bars on Struers Unitom-2 cut-off saws (identification # MZ-006 and TS053) on a regular and routine basis were next to a 78.5" wide by 75' long aisle way that was not marked nor protected with a barrier constructed to prevent employees from being struck by forklift trucks as they transported bins of drive shafts to assembly lines.

Date By Which Violation Must be Abated: **05/10/2013**  
Proposed Penalty: **\$2,625.00**

Indiana Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 316544782  
Inspection Dates: 01/14/2013 - 02/04/2013  
Issuance Date: 04/16/2013



**Safety Order and Notification of Penalty**

Company Name: NTN Drive Shaft, Inc.  
Inspection Site: 8251 South International Drive, Columbus, IN 47201

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

**Safety Order 1 Item 3a** Type of Violation: **Serious**

29 CFR 1910.147(c)(4)(ii): The energy control procedures did not clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, including, but not limited to Items A-D of this section:

Shaft Department TS Lines 1-5 - The written lockout/tagout (LOTO) procedures provided for employees whose hands were inside of machines as they performed maintenance and/or repairs on equipment such as, but not limited to, the Mori Seiki ZL-25 lathe spindle, state that the machine possess pneumatic and hydraulic energy sources, but did not discuss items such as how to specifically isolate and/or control these energy sources, names of affected employees, hazards, the magnitude of the energy, and the specific method needed to verify the isolation of energy sources.

**Date By Which Violation Must be Abated:** 05/10/2013  
**Proposed Penalty:** \$2,625.00

**Safety Order 1 Item 3b** Type of Violation: **Serious**

29 CFR 1910.147(c)(7)(i): The employer did not provide adequate training to ensure that the purpose and function of the energy control program was understood by employees:

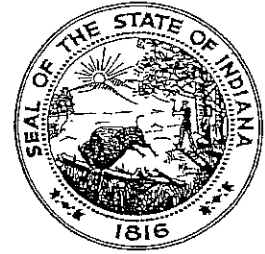
Shaft Department- Maintenance and Set-up employees performed activities such as, but not limited to: removing jammed metal shavings and changing and/or repairing lathe tail stock spindles and chucks, without locking out or tagging out multiple sources of hazardous energy to include electrical and pneumatic on equipment such as but not limited to, Mori Seiki ZL-25 lathes.

**Date By Which Violation Must be Abated:** 05/10/2013

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 316544782  
Inspection Dates: 01/14/2013 - 02/04/2013  
Issuance Date: 04/16/2013



Safety Order and Notification of Penalty

Company Name: NTN Drive Shaft, Inc.  
Inspection Site: 8251 South International Drive, Columbus, IN 47201

Safety Order 1 Item 3c Type of Violation: **Serious**

29 CFR 1910.147(d)(4)(i): Lockout or tagout devices were not affixed to each energy isolating device by authorized employees:

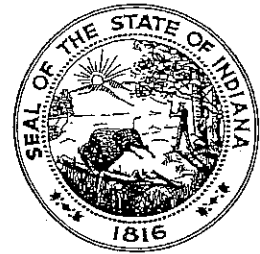
Lathe 3 (TS Lines 1-5) - Set-up employees who performed maintenance and servicing activities such as, but not limited to, removing jammed materials and changing and/or repairing chucks on Mori Seiki ZL-25 cnc lathes did not utilize lockout/tagout devices for the electrical, pneumatic, and coolant pressure energy sources.

Date By Which Violation Must be Abated:

05/10/2013

Indiana Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 316544782  
Inspection Dates: 01/14/2013 - 02/04/2013  
Issuance Date: 04/16/2013



**Safety Order and Notification of Penalty**

Company Name: NTN Drive Shaft, Inc.  
Inspection Site: 8251 South International Drive, Columbus, IN 47201

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

**Safety Order 1 Item 4a** Type of Violation: **Serious**

29 CFR 1910.178(I)(1)(i): The employer shall ensure that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (i):

Shaft - Personnel who operated powered industrial trucks such as, but not limited to, a Toyota Electric Forklift (Model 7FBOU25, serial #64630) were not trained on topics to include: operating instructions, fork attachment adaptation, operation, use limitations, vehicle stability and capacity, operating limitations, etc., prior to use to transport items such as bins weighing approximately 400 lbs. filled with round carbon steel bars (99% iron) 1.5" in diameter and approximately 20' long throughout the facility.

**Date By Which Violation Must be Abated:** 05/10/2013  
**Proposed Penalty:** \$1,500.00

**Safety Order 1 Item 4b** Type of Violation: **Serious**

29 CFR 1910.178(I)(1)(ii): Prior to permitting an employee to operate a powered industrial truck (except for training purposes), the employer shall ensure that each operator has successfully completed the training required by this paragraph (i), except as permitted by paragraph (i)(5):

Shaft - Formal training on forklift operations and/or forklift skill assessments was not provided to Shaft Department personnel operating powered industrial trucks such as, but not limited to, a Toyota Electric Forklift (Model 7FBOU25, serial #64630), Truck Type E up to 8 house per day to move items such as bins weighing approximately 400 lbs. filled with round carbon steel bars (99% iron) 1.5" in diameter and approximately 20' long throughout the facility on a routine.

**Date By Which Violation Must be Abated:** 05/10/2013



**Indiana Department of Labor**

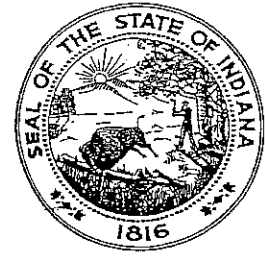
Occupational Safety and Health Administration

Inspection Number: 316544782

Inspection Dates: 01/14/2013 -

02/04/2013

Issuance Date: 04/16/2013



**Safety Order and Notification of Penalty**

Company Name: NTN Drive Shaft, Inc.

Inspection Site: 8251 South International Drive, Columbus, IN 47201

**Safety Order 1 Item 4c Type of Violation: **Serious****

29 CFR 1910.178(l)(6): Certification. The employer shall certify that each operator has been trained and evaluated as required by this paragraph (l). The certification shall include the name of the operator, the date of the training, the date of the evaluation, and the identity of the person(s) performing the training or evaluation:

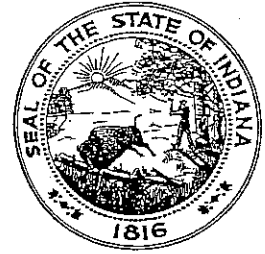
Shaft Department - Powered industrial truck operators utilizing forklifts such as, but not limited to, a Toyota Electric Forklift (Model 7FBOU25, serial #64630), were not certified. Operators used the forklifts up to 8 hours a day to move product to include bins weighing approximately 400 lbs. filled with round carbon steel bars (99% iron) 1.5" in diameter and approximately 20' long throughout the facility.

**Date By Which Violation Must be Abated:**

**05/10/2013**

Indiana Department of Labor  
Occupational Safety and Health Administration

Inspection Number: 316544782  
Inspection Dates: 01/14/2013 - 02/04/2013  
Issuance Date: 04/16/2013



**Safety Order and Notification of Penalty**

Company Name: NTN Drive Shaft, Inc.  
Inspection Site: 8251 South International Drive, Columbus, IN 47201

**Safety Order 2 Item 1 Type of Violation: Nonserious**

29 CFR 1910.132(b): Employee-owned equipment. Where employees provide their own protective equipment, the employer shall be responsible to assure its adequacy, including proper maintenance, and sanitation of such equipment:

Inspection/Cut-off Saw Area - Employee provided shower caps, used to prevent potential skin irritation from metal cutting coolant Semi-Kut 60 on their scalps, were not assessed for effectiveness. Employees were exposed to the coolant during the operation of equipment such as, but not limited to, Struers Unitom-2 cut-off saws (#TS053 & MZ-006) to cut round 1.5" diameter and approximately 20' long carbon steel bars (99% iron).

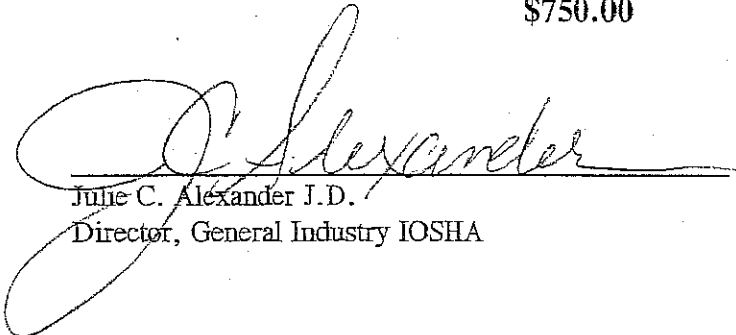
Date By Which Violation Must be Abated: 05/10/2013  
Proposed Penalty: \$750.00

**Safety Order 2 Item 2 Type of Violation: Nonserious**

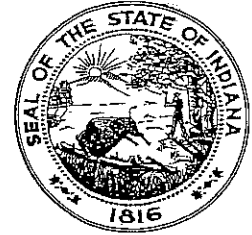
29 CFR 1910.138(a): Employers shall select and require employees to use appropriate hand protection when employees' hands are exposed to hazards such as those from skin absorption of harmful substances; severe cuts or lacerations; severe abrasions; punctures; chemical burns; thermal burns; and harmful temperature extremes:

Shaft - Employees were not provided PPE that would protect their forearms from scraps or lacerations when they transported equipment such as, but limited to, 45"x 45"x 45" metal bins, weighing approximately 300 pounds when filled with 12" long spirals of metal lathe shavings on a daily and routine basis.

Date By Which Violation Must be Abated: 05/10/2013  
Proposed Penalty: \$750.00

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

**Indiana Department of Labor**  
Indiana Occupational Safety and Health Administration  
402 West Washington Street  
Room W195  
Indianapolis, IN 46204-2751  
Phone: (317) 233-1979 FAX: (317) 232-3790



## INVOICE/DEBT COLLECTION NOTICE

**Company Name:** NTN Drive Shaft, Inc.  
**Inspection Site:** 8251 South International Drive, Columbus, IN 47201  
**Issuance Date:** 04/16/2013

**Summary of Penalties for Inspection Number** 316544782

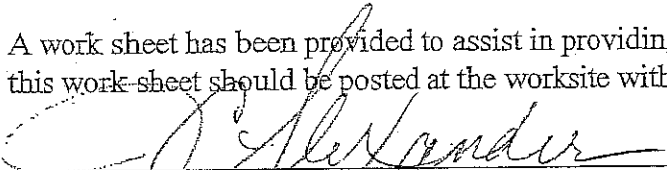
Safety Order 01, Serious	=	\$9,375.00
Safety Order 02, Nonserious	=	\$1,500.00
Total Proposed Penalties		\$10,875.00

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, General Industry IOSHA

4-16-13  
Date