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 5731 6915 5-5-11 jto

Safety Order and Notification of Penalty

To:

Ford Lumber and Building Supply, Inc.,
and its successors
9434 John Deere Road
Dupont, IN 47231

Inspection Site:

Jefferson Proving Grounds
US Highway 421
Madison, IN 47250

Inspection Number: 315043323

Inspection Date(s): 12/09/2010 - 04/11/2011

Issuance Date: 05/05/2011

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 05/05/2011. 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.

Safety Order and Notification of Penalty

Company Name: Ford Lumber and Building Supply, Inc.
Inspection Site: Jefferson Proving Grounds, US Highway 421, Madison, IN 47250

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 1a Type of Violation: **Knowing**

29 CFR 1926.1101(e)(1): All Class I, II and III asbestos work was not conducted within regulated areas:
a) Bldg. 008 - On or about Nov. 1, 2010, a regulated area was not established around the asbestos worksite where Ford's handymen used reciprocating saws (e.g., SawzAll) to cut out mechanical systems such as but not limited to fuel-oil boiler and associated hot water pipes that were insulated with asbestos. Up to 100 LF of asbestos pipe insulation was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

b) Bldg. 012 - On or about Oct. 1, 2010, a regulated area was not established around the asbestos worksite where Ford's handymen used reciprocating saws (e.g., SawzAll) to cut out mechanical systems such as but not limited to fuel-oil boiler and associated hot water pipes that were insulated with asbestos. Up to 100 LF of asbestos pipe insulation was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

c) Bldg 001 - On or about Sept. 1, 2010, a regulated area was not established around the asbestos worksite where Ford's handymen used reciprocating saws (e.g., SawzAll) to cut out mechanical systems such as but not limited to fuel-oil boiler and associated hot water pipes that were insulated with asbestos. Up to 100 LF of asbestos pipe insulation was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

d) Bldg 015 - On or about April 1, 2011, a regulated area was not established around the asbestos worksite where Ford's handymen used reciprocating saws (e.g., SawzAll) to cut out mechanical systems such as but not limited to hot water heater, water softener, and associated hot water pipes that were insulated with asbestos. Approximately 21 LF of asbestos pipe insulation was removed from the basement of this house which was built or remodeled between 1940-1950.

Date By Which Violation Must be Abated:	**06/01/2011**
Proposed Penalty:	**$16,500.00**

Safety Order 1 Item 1b Type of Violation: **Knowing**

29 CFR 1926.1101(f)(1)(i): The employer who had a workplace or work operation where exposure monitoring was required under this section did not perform monitoring to determine accurately the airborne concentrations of asbestos to which employees were exposed:
a) Bldg. 008 - On or about Nov. 1, 2010, no personal monitoring or any other type of air sampling was performed while employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

b) Bldg. 012 - On or about Oct. 1, 2010, no personal monitoring or any other type of air sampling was performed while employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

c) Bldg. 001 - On or about Sept. 1, 2010, no personal monitoring or any other type of air sampling was performed while employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which were built or remodeled between 1940-1950.

d) Bldg. 015 - On or about April 1, 2011, no personal monitoring or any other type of air sampling was performed while employees of the owner cut-up and removed old mechanical systems such as but not limited to hot water heater, water softener and associated pipes during remodeling and rehabilitation activities. Approximately 21 linear feet of hot water pipe that was insulated with asbestos was removed from the basement of this house which was built or remodeled between 1940-1950.

Date By Which Violation Must be Abated: 06/01/2011

Safety Order 1 Item 1c Type of Violation: **Knowing**

29 CFR 1926.1101(g)(1): The employer did not use the specified engineering controls and work practices in all operations covered by this section, regardless of the levels of exposure:
a) Bldg. 008 - On or about Nov. 1, 2010, no "wet methods" were used while employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

b) Bldg. 012 - On or about Oct. 1, 2010, no "wet methods" were used while employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

c) Bldg. 001 - On or about Sept. 1, 2010, no "wet methods" were used while employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

d) Bldg. 015 - On or about April 1, 2011, no "wet methods" were used while employees of the owner cut-up and removed old mechanical systems such as but not limited to hot water heater, water softener, and associated pipes during remodeling and rehabilitation activities. Approximately 21 linear feet of hot water pipe that was insulated with asbestos was removed from the basement of this house which was built or remodeled between 1940-1950.

Date By Which Violation Must be Abated: 06/01/2011

Safety Order 1 Item 1d Type of Violation: **Knowing**

29 CFR 1926.1101(g)(2): In addition to the requirements of paragraph (g)(1) of this section, the employer did not use specified control methods to achieve compliance with the TWA permissible exposure limit and excursion limit prescribed by paragraph (c) of this section:
a) Bldg. 008 - On or about Nov. 1, 2010, neither a local exhaust ventilation system equipped with a high-efficiency particulate air (HEPA) filtering nor any type of enclosure or isolation of the processes producing asbestos dust was used while employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

b) Bldg. 012 - On or about Oct. 1, 2010, neither a local exhaust ventilation system equipped with a high-efficiency particulate air (HEPA) filtering nor any type of enclosure or isolation of the processes producing asbestos dust was used while employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

c) Bldg. 001 - On or about Sept. 1, 2010, neither a local exhaust ventilation system equipped with a high-efficiency particulate air (HEPA) filtering nor any type of enclosure or isolation of the processes producing asbestos dust was used while employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. UP to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

d) Bldg. 015 - On or about April 1, 2011, neither a local exhaust ventilation system equipped with a high-efficiency particulate air (HEPA) filtering nor any type of enclosure or isolation of the processes producing asbestos dust was used while employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehab activities. Approximately 21 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

Date By Which Violation Must be Abated: 06/01/2011

Safety Order 1 Item 1e Type of Violation: **Knowing**

29 CFR 1926.1101(g)(4)(ii): For all Class I jobs involving the removal of more than 25 linear or 10 square feet of thermal system insulation or surfacing material, the employer did not use one of the specified methods to ensure that airborne asbestos did not migrate from the regulated area:
a) Bldg. 008 - On or about Nov. 1, 2010, no containment structure or any other attempt was made to isolate the work area while employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

b) Bldg. 012 - On or about Oct. 1, 2010, no containment structure or any other attempt was made to isolate the work area while employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

c) Bldg. 001 - On or about Sept. 1, 2010, no containment structure or any other attempt was made to isolate the work area while employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

d) Bldg. 015 - On or about April 1, 2011, no containment structure or any other attempt was made to isolate the work area while employees of the owner cut-up and removed old mechanical systems such as but not limited to hot water heater, water softener, and associated pipes during remodeling and rehabilitation activities. Approximately 21 linear feet of hot water pipe that was insulated with asbestos was removed from the basement of this house which was built or remodeled between 1940-1950.

Date By Which Violation Must be Abated: 06/01/2011

Safety Order 1 Item 1f Type of Violation: **Knowing**

29 CFR 1926.1101(j)(1): During a Class I asbestos job involving over 25 linear or 10 square feet of thermal system insulation (TSI) or surfacing asbestos-containing material (ACM) and presumed asbestos-containing material (PACM), the employer did not establish a decontamination area that was adjacent and connected to the regulated area for the decontamination of employees:
a) Bldg. 008 - On or about Nov. 1, 2010, no shower or other decon area was established in the jobsite where employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

b) Bldg. 012 - On or about Oct. 1, 2010, no shower or other decon area was established in the jobsite where employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

c) Bldg. 001 - On or about Sept. 1, 2010, no shower or other decon area was established in the jobsite where employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

d) Bldg. 015 - On or about April 1, 2011, no shower or other decon area was established in the jobsite where employees of the owner cut-up and removed old mechanical systems such as but not limited to hot water heater, water softener and associated pipes during remodeling and rehabilitation activities. Approximately 21 linear feet of hot water pipe that was insulated with asbestos was removed from the basement of this house which was built or remodeled between 1940-1950.

Date By Which Violation Must be Abated: 06/01/2011

Safety Order and Notification of Penalty

Company Name: Ford Lumber and Building Supply, Inc.
Inspection Site: Jefferson Proving Grounds, US Highway 421, Madison, IN 47250

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 2a Type of Violation: **Knowing**

29 CFR 1926.1101(h)(1): The employer did not provide each employee who performed Class I asbestos work with an appropriate respirator that complied with the requirements of this paragraph:

OR, IN THE ALTERNATIVE:
29 CFR 1910.1101(h)(3)(i)[A]: Employers must not select or use filtering face-piece respirators for use against asbestos fibers:

a) Bldg. 008 - On or about Nov. 1, 2010, employees of the owner did not wear any type of respirator, or wore dust-masks, when they cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

b) Bldg. 012 - On or about Oct. 1, 2010, employees of the owner did not wear any type of respirator, or wore dust-masks, when they cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

c) Bldg. 001 - On or about Sept. 1, 2010, employees of the owner did not wear any type of respirator, or wore dust-masks, when they cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

d) Bldg. 015 - On or about April 1, 2011, employees of the owner did not wear any type of respirator, or wore dust-masks, when they cut-up and removed old mechanical systems such as but not limited to hot water heater, water softener and associated pipes during remodeling and rehabilitation activities. Approximately 21 linear feet of hot water pipe that was insulated with asbestos was removed from the basement of this house which was built or remodeled between 1940-1950.

Date By Which Violation Must be Abated:	**06/01/2011**
Proposed Penalty:	**$16,500.00**

Safety Order 1 Item 2b Type of Violation: **Knowing**

29 CFR 1926.1101(i)(1): The employer did not provide nor require the use of protective clothing, such as coveralls or similar whole-body clothing, head coverings, gloves, and foot coverings for any employee exposed to airborne concentrations of asbestos that exceeded the TWA and/or excursion limit prescribed in paragraph (c) of this section, or for which a required negative exposure assessment was not produced, or for any employee performing Class I operations which involved the removal of over 25 linear or 10 square feet of
TSI or surfacing ACM and PACM:
a) On or about Nov. 1, 2010, employees of the owner wore their "street clothes" when they cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

b) On or about Oct. 1, 2010, employees of the owner wore their "street clothes" when they cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

c) On or about Sept. 1, 2010, employees of the owner wore their "street clothes" when they cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

d) On or about April 1, 2011, employees of the owner wore their "street clothes" when they cut-up and removed old mechanical systems such as but not limited to hot water heater, water softener and associated pipes during remodeling and rehabilitation activities. Approximately 21 linear feet of hot water pipe that was insulated with asbestos was removed from the basement of this house which was built or remodeled between 1940-1950.

Date By Which Violation Must be Abated: 06/01/2011

Safety Order and Notification of Penalty

Company Name: Ford Lumber and Building Supply, Inc.
Inspection Site: Jefferson Proving Grounds, US Highway 421, Madison, IN 47250

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: **Knowing**

29 CFR 1926.1101(g)(3)(iii): The employer failed to ensure that dry sweeping, shoveling or other dry clean-up of dust and debris containing ACM and PACM was not used for work related to asbestos or for work which disturbed ACM or PACM, regardless of measured levels of asbestos exposure or the results of initial exposure assessments:
a) Bldg. 008 - On or about Nov. 1, 2010, straw brooms, dust pans and standard shop-vacuums were used to clean-up after employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

b) Bldg. 012 - On or about Oct. 1, 2010, straw brooms, dust pans and standard shop-vacuums were used to clean-up after employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

c) Bldg. 001 - On or about Sept. 1, 2010, straw brooms, dust pans and standard shop-vacuums were used to clean-up after employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

d) Bldg. 015 - On or about April 1, 2011, straw brooms, dust pans and standard shop-vacuums were used to clean-up after employees of the owner cut-up and removed old mechanical systems such as but not limited to hot water heater, water softener and associated pipes during remodeling and rehabilitation activities. Approximately 21 linear feet of hot water pipe that was insulated with asbestos was removed from the basement of this house which was built or remodeled between 1940-1950.

Date By Which Violation Must be Abated:	**06/01/2011**
Proposed Penalty:	**$16,500.00**

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

29 CFR 1926.1101(l)(2): Asbestos waste, scrap, debris, bags, containers, equipment, and contaminated clothing consigned for disposal was not collected and disposed of in sealed, labeled, impermeable bags or other closed, labeled, impermeable containers:
a) Bldg. 008 - On or about Nov. 1, 2010, old mechanical systems such as but not limited to fuel-oil boiler and associated pipes were removed, cut-up, and tossed into an open-topped roll-off dumpster during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

b) Bldg. 012 - On or about Oct. 1, 2010, old mechanical systems such as but not limited to fuel-oil boiler and associated pipes were removed, cut-up, and tossed into an open-topped roll-off dumpster during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

c) Bldg. 001 - On or about Sept. 1, 2010, old mechanical systems such as but not limited to fuel-oil boiler and associated pipes were removed, cut-up, and tossed into an open-topped roll-off dumpster during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

d) Bldg. 015 - On or about April 1, 2011, old mechanical systems such as but not limited to hot water heater, water softener and associated pipes were removed, cut-up, and tossed into an open-topped roll-off dumpster during remodeling and rehabilitation activities. Approximately 21 linear feet of hot water pipe that was insulated with asbestos that was insulated with asbestos was removed from the basement of this house which was built or remodeled between 1940-1950.

Date By Which Violation Must be Abated: 06/01/2011

Safety Order 1 Item 4 Type of Violation: **Knowing**

29 CFR 1926.1101(k)(2)(ii)[A]: Building and facility owners did not notify persons such as prospective employers applying or bidding for work whose employees reasonably could be expected to work in or adjacent to areas containing asbestos-containing material (ACM) or presumed asbestos-containing material (PACM) of the presence, location and quantity of ACM or PACM, at the work sites in their buildings and facilities:

OR, IN THE ALTERNATIVE:
29 CFR 1926.1101(k)(2)(i): Before work subject to this standard was begun, building and facility owners did not determine the presence, location, and quantity of ACM and/or PACM at the work site pursuant to paragraph (k)(1) of this section:
a) Bldgs. 600, 601, 602, 610, 611, 612, 613, M614, M615, and M616 - Throughout the summer and fall of 2010, a metal scrap dealer and his helpers removed insulation from the exterior overhead steam pipes running between and beside these buildings. That metal scrap dealer was not informed that the insulation on the steam pipes contained asbestos.

b) Bldgs. 218 and 226 - Throughout the summer and fall of 2010, a metal scrap dealer and his helpers removed insulation from the exterior overhead steam pipes running between and beside these buildings. That metal scrap dealer was not informed that the insulation on the steam pipes contained asbestos.

c) Bldgs. 214, 212, 208, 206, 195, M204, 202, 145N, 201, 211, 213, 215, 217, 219, 223 and other nearby structures in an approximately one-mile strip along the south side of Woodfill Road - Throughout the summer and fall of 2010, a metal scrap dealer and his helpers removed insulation from the exterior overhead steam pipes running between and along the south side(s) of these buildings. That metal scrap dealer was not informed that the insulation on the steam pipes contained asbestos.

d) Bldg. 144 and other nearby structures at the end of a short lane running south from Woodfill Road - Throughout the summer and fall of 2010, a metal scrap dealer and his helpers removed insulation from the exterior overhead steam pipes running between and along the south side(s) of these buildings. That metal scrap dealer was not informed that the insulation on the steam pipes contained asbestos.

e) Bldgs. 125, 136, 121, 119, and 105 and other nearby structures on Niblo Road - Throughout the summer and fall of 2010, a metal scrap dealer and his helpers removed insulation from the exterior overhead steam pipes running between and along the south side(s) of these buildings. That metal scrap dealer was not informed that the insulation on the steam pipes contained asbestos.

Date By Which Violation Must be Abated:	**06/01/2011**
Proposed Penalty:	**$16,500.00**

Safety Order 1 Item 5 Type of Violation: **Knowing**

29 CFR 1926.1101(k)(2)(ii)[B]: Building and facility owners did not notify employees of the owner who would work in or adjacent to areas containing asbestos-containing material (ACM) or presumed asbestos-containing material (PACM) of the presence, location and quantity of ACM or PACM, at the work sites in their buildings and facilities:

OR, IN THE ALTERNATIVE:

29 CFR 1926.1101(k)(2)(i): Before work subject to this standard was begun, building and facility owners did not determine the presence, location, and quantity of ACM and/or PACM at the work site pursuant to paragraph (k)(1) of this section:
a) Bldg. 008 - On or about Nov. 1, 2010, employees who performed work such as but not limited to removing old mechanical systems including fuel-oil boiler and associated pipes were not informed that the pipe insulation contained asbestos.

b) Bldg. 012 - On or about Oct. 1, 2010, employees who performed work such as but not limited to removing old mechanical systems including fuel-oil boiler and associated pipes were not informed that the pipe insulation contained asbestos.

c) Bldg. 001 - On or about Sept. 1, 2010, employees who performed work such as but not limited to removing old mechanical systems including fuel-oil boiler and associated pipes were not informed that the pipe insulation contained asbestos.

d) Bldg. 015 - On or about April 1, 2011, employees who performed work such as but not limited to removing old mechanical systems including fuel-oil boiler and associated pipes were not informed that the pipe insulation contained asbestos.

Date By Which Violation Must be Abated:	**06/01/2011**
Proposed Penalty:	**$16,500.00**

Safety Order 1 Item 6 Type of Violation: **Knowing**

29 CFR 1926.1101(k)(2)(ii)[D]: Building and facility owners did not notify tenants who would occupy areas containing asbestos-containing material (ACM) or presumed asbestos-containing material (PACM) of the presence, location and quantity of ACM or PACM, at the work sites in their buildings and facilities:

OR, IN THE ALTERNATIVE:

29 CFR 1926.1101(k)(2)(i): Before work subject to this standard was begun, building and facility owners did not determine the presence, location, and quantity of ACM and/or PACM at the work site pursuant to paragraph (k)(1) of this section:
a) Bldg. 214 - The operator of JPG Machining (a precision machine shop) was not told about the presence of asbestos-containing materials such as but not limited to steam pipe insulation.

b) Bldg. 144 - The tenants in the apartments in this building were not told by the building owner about the presence of asbestos-containing materials such as but not limited to steam pipe insulation.

c) Bldg. 015- The resident of this house was not told by the building owner about the presence of asbestos containing materials such as but not limited to steam pipe insulation.

d) Bldg. 112 - The operator of SEI Data Internet was not told by the building owner about the presence of asbestos containing materials such as but not limited to steam pipe insulation.

e) Bldg. 136 - The operator of Lamb's Tractor Shop was not told by the building owner about the presence of asbestos containing materials such as but not limited to steam pipe insulation.

f) Bldgs. 221, 156. 119, and 105 - AEP and Riverside were using these buildings to store materials and neither of those employers was told by the building owner about the presence of asbestos containing materials such as but not limited to steam pipe insulation.

Date By Which Violation Must be Abated:	**06/01/2011**
Proposed Penalty:	**$16,500.00**

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 7a Type of Violation: **Knowing**

29 CFR 1926.1101(k)(9)(i): The employer did not train each employee who was likely to be exposed in excess of a PEL, and/or each employee who performed Class I through IV asbestos operations, in accordance with the requirements of this section:
a) Bldg. 008 - On or about Nov. 1, 2010, The on-site handymen were not trained or otherwise informed about the safe work practices required for asbestos removal. These employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house.

b) Bldg. 012 - On or about Oct. 1, 2010, The on-site handymen were not trained or otherwise informed about the safe work practices required for asbestos removal. These employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house.

c) Bldg. 001 - On or about Sept. 1, 2010, The on-site handymen were not trained or otherwise informed about the safe work practices required for asbestos removal. These employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house.

d) Bldg. 015 - On or about April 1, 2011, The on-site handymen were not trained or otherwise informed about the safe work practices required for asbestos removal. These employees of the owner cut-up and removed old mechanical systems such as but not limited to hot water heater, water softener and associated pipes during remodeling and rehabilitation activities. Approximately 21 linear feet of hot water pipe that was insulated with asbestos was removed from the basement of this house.

Date By Which Violation Must be Abated:	**06/01/2011**
Proposed Penalty:	**$16,500.00**

Safety Order 1 Item 7b Type of Violation: **Knowing**

1926.1101(o)(4)(i): For Class I and II asbestos work, the competent person was not trained in all aspects of asbestos removal and handling, including: abatement, installation, removal and handling; the contents of this standard; the identification of asbestos; removal procedures, where appropriate; and other practices for reducing the hazard.

a) Bldg. 008 - On or about Nov. 1, 2010, employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. The on-site supervisor was not trained or otherwise knowledgeable about the safe work practices required for asbestos removal. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

b) Bldg. 012 - On or about Oct. 1, 2010, employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. The on-site supervisor was not trained or otherwise knowledgeable about the safe work practices required for asbestos removal. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

c) Bldg. 001 - On or about Sept. 1, 2010, employees of the owner cut-up and removed old mechanical systems such as but not limited to fuel-oil boiler and associated pipes during remodeling and rehabilitation activities. The on-site supervisor was not trained or otherwise knowledgeable about the safe work practices required for asbestos removal. Up to 100 linear feet of hot water pipe that was insulated with asbestos was removed from the basement and first floor areas of this house which was built or remodeled between 1940-1950.

d) Bldg. 015 - On or about April 1, 2011, employees of the owner cut-up and removed old mechanical systems such as but not limited to hot water heater, water softener and associated pipes during remodeling and rehabilitation activities. The on-site supervisor was not trained or otherwise knowledgeable about the safe work practices required for asbestos removal. Approximately 21 linear feet of hot water pipe that was insulated with asbestos was removed from the basement of this house which was built or remodeled between 1940-1950.

ABATEMENT NOTE: Among other options, feasible means of abatement may include providing training to any supervisors or group leaders who will oversee asbestos work in a comprehensive course that meets the criteria of EPA's Model Accreditation Plan (40 CFR Part 763, Subpart E, Appendix C), such as a course conducted by an EPA-approved or state-approved training provider, certified by EPA or a state, or a course equivalent in stringency, content, and length.

Date By Which Violation Must be Abated: 06/01/2011

Safety Order 1 Item 8 Type of Violation: **Knowing**

29 CFR 1926.1101(l)(4)(ii): Waste and debris and accompanying dust in an area containing accessible thermal system insulation or surfacing ACM/PACM or visibly deteriorated ACM was not promptly cleaned up and disposed of in leak-tight containers:

a) Bldgs. 218 and 226 - Asbestos pipe insulation waste and debris was lying on the front yard in the area around the mailbox of Bldg. 226. More asbestos debris was in the weeds along the railroad tracks south and south-west of Bldg. 226. Asbestos pipe insulation waste and debris was scattered across the grassy lawn surrounding Bldg. 218. The asbestos waste and debris remained on the ground for more than eight weeks.

b) Bldgs. 214, 212, 208, 206, 195, M204, 202, 145N, 201, 211, 213, 215, 217, 219, 223 and other nearby structures in an approximately one-mile strip along the south side of Woodfill Road - Asbestos pipe insulation waste and debris was scattered along the grassy areas and parking lots around these buildings, especially in the area on the south side of the buildings near the railroad tracks. The asbestos waste and debris remained on the ground for more than eight weeks.

c) Bldg. 144 and other nearby structures at the end of a short lane running south from Woodfill Road - Asbestos pipe insulation waste and debris was lying in the field, ditch and brush-piles along the west side of the short drive leading to this building. More asbestos pipe insulation debris was on the ground in the parking lot just north of Bldg. 144. The asbestos waste and debris remained on the ground for more than eight weeks.

d) Bldgs. 600, 601, and 602 - Asbestos pipe insulation waste and debris was lying underneath the overhead pipe rack that ran along the south and west side of the "L" shaped lane leading back to these buildings. More asbestos pipe insulation debris was on the ground on the west side of 601 and in the area between 601 and 600. The asbestos waste and debris remained on the ground for more than eight weeks.

e) Bldg. 550, 551, 552, 553 - Transite asbestos ceilings in these buildings were collapsed and lying, broken in pieces, on the ground. Asbestos pipe insulation waste and debris was scattered along the north side of 550. The asbestos waste and debris remained on the ground for many months and/or years.

f) Bldgs. 610, 611, and M616 - The mechanical rooms in these small buildings were contaminated with asbestos pipe insulation waste and debris that had fallen off of building mechanical systems. The asbestos waste and debris remained on the floors of these buildings and nearby ground for many months and/or years.

g) Bldg. 618 - Asbestos pipe insulation waste and debris was lying in a large pile along the west side of this building. More asbestos pipe insulation debris was mixed into debris piles on the south side of this building. The asbestos waste and debris remained on the ground for more than eight weeks.

h) Bldg. 310 - Asbestos boiler and pipe insulation waste and debris was scattered across the floor inside this building. The asbestos waste and debris remained on the floor for many months and/or years.

i) Airstrip - A large pile (14 dump-truck loads) of asbestos pipe insulation waste and debris was at the far end of one of the runways. The asbestos waste and debris remained on the ground for more than eight weeks.

j) Bldg. 015 - Bits and pieces of asbestos pipe insulation were scattered across the basement floor of this residence. The asbestos waste and debris remained on the floor for more than five days.

Date By Which Violation Must be Abated:	**06/01/2011**
Proposed Penalty:	**$16,500.00**

Jeffry S Carter
Deputy Commissioner

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

INVOICE/DEBT COLLECTION NOTICE

Company Name: Ford Lumber and Building Supply, Inc.
Inspection Site: Jefferson Proving Grounds, US Highway 421, Madison, IN 47250
Issuance Date: 05/05/2011

Summary of Penalties for Inspection Number 315043323

Safety Order 01, Knowing	=	$132,000.00
Total Proposed Penalties		$132,000.00

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).

Jeffry S Carter
Deputy Commissioner

MAY 5, 2011
Date