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 5017 2-4-11 jb

Safety Order and Notification of Penalty

To:

Indianapolis Drum Service,
and its successors
3619 East Terrace Avenue
Indianapolis, IN 46203

Inspection Site:

3619 East Terrace Avenue
Indianapolis, IN 46203

Inspection Number: 313128068

Inspection Date(s): 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

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.

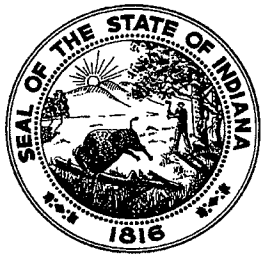
Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination 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.

Indiana Department of Labor
Indiana Occupational Safety and Health Administration



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 02/04/2011. 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 1 Item 2 Type of Violation: **Serious**

IC 22-8-1.1, Section 2: The employer did not establish and maintain conditions of work which were reasonably safe and healthful for employees, and free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to splattering, boiling and bubbling of hazardous and reactive chemicals, as well as vast amounts of heat and pressure caused and generated by violent exothermic reactions which were produced when incompatible chemicals in various quantities were mixed together:

a) Plant 4 Line - Employees transferred and emptied 55-gallon plastic drums that contained various quantities of corrosive chemicals into the collection tank which contained approximately ten-gallons of water. The corrosive chemicals which were emptied into the collection tank included, but were not limited to hydrochloric acid, phosphoric acid, sulfuric acid, hydrofluoric acid, sodium hydroxide, potassium hydroxide, ammonia, ammonium bifluoride and amine-containing compounds. No procedures or systems were in place to segregate the chemicals or drums prior to them being emptied. Thus, incompatible chemicals such as, but not limited to strong acids and strong bases (caustics) were allowed to combine and mix together, which could potentially cause violent exothermic reactions to occur inside of the collection tank.

Among other methods, one feasible and acceptable method to correct this hazard is to segregate (separate) the 55-gallon drums which contain acids from the 55-gallon drums which contain caustics prior to these drums being emptied into the Plant 4 Collection Tank. Once the acid drums have been segregated from the caustic drums, employees could then proceed to process and empty either all of the acid drums OR all of the caustic drums into the collection tank. At no time should any of the acid or caustic drums be processed or emptied consecutively, or within a short time period apart. In other words, the employer should allow gaps or spaces in their production schedule before switching to processing and emptying drums that contain different chemical classifications (acids versus bases) to assure that all of the chemicals have been neutralized and/or diluted by a plant treatment process to a point where they are no longer chemically reactive.

b) Regrind Line (Area) - Employees transferred and emptied 55-gallon plastic and metal drums that contained various quantities of corrosive chemicals into the Regrind Flush Tank which contained approximately 600-800 gallons of water. The corrosive chemicals which were emptied into the Regrind Flush Tank included, but were not limited to hydrochloric acid, phosphoric acid, sulfuric acid, acetic acid, acrylic acid, sodium hydroxide, potassium hydroxide, ammonia, ammonium bifluoride and amine-containing compounds. No procedures or systems were in place to segregate the chemicals or drums prior to them being emptied. Thus, incompatible chemicals such as, but not limited to strong acids and strong bases (caustics) were allowed to combine and mix together, which could potentially cause violent exothermic reactions to occur inside of the Regrind Flush Tank.

Among other methods, one feasible and acceptable method to correct this hazard is to segregate (separate) the 55-gallon drums which contain acids from the 55-gallon drums which contain caustics prior to these drums being emptied

into the Regrind Flush Tank. Once the acid drums have been segregated from the caustic drums, employees could then proceed to process and empty either all of the acid drums OR all of the caustic drums into the Regrind Flush Tank. At no time should any of the acid or caustic drums be processed or emptied consecutively, or within a short time period apart. In other words, the employer should allow gaps or spaces in their production schedule before switching to processing and emptying drums that contain different chemical classifications (acids versus bases) to assure that all of the chemicals have been neutralized and/or diluted by a plant treatment process to a point where they are no longer chemically reactive.

c) Tote Line (Line 3) - Employees transferred and emptied 275-gallon and 330-gallon plastic totes that contained various quantities of corrosive chemicals into several open 55-gallon plastic drums which were located underneath the left side of the elevated platform. The corrosive chemicals which were emptied into the 55-gallon plastic drums included, but were not limited to hydrochloric acid, phosphoric acid, sulfuric acid, sodium hydroxide, potassium hydroxide, and amine-containing compounds. No procedures or systems were in place to segregate the chemicals or totes prior to them being emptied. Thus, incompatible chemicals such as, but not limited to strong acids and strong bases (caustics) were allowed to combine and mix together, which could potentially cause violent exothermic reactions to occur inside of each of the 55-gallon drums while they were open and/or when they were sealed.

Among other methods, one feasible and acceptable method to correct this hazard is to segregate (separate) the totes which contain acids from the totes which contain caustics prior to these totes being emptied into the open 55-gallon plastic drums. Once the acid totes have been segregated from the caustic totes, employees could then proceed to process and empty the acid totes and caustic totes into specifically identified 55-gallon drums. At no time should any of the acid or caustic totes be emptied consecutively or within a short time period apart into the same drum(s). In other words, the employer should allow gaps or spaces in their production schedule before switching to processing and emptying totes that contain different chemical classifications (acids versus bases) to assure that all of the chemicals have been neutralized and/or diluted by a plant treatment process to a point where they are no longer chemically reactive.

Date By Which Violation Must be Abated: **03/03/2011**
Proposed Penalty: **$7,000.00**

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

IC 22-8-1.1, Section 2: The employer did not establish and maintain conditions of work which were reasonably safe and healthful for employees, and free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to potentially dangerous quantities and/or concentrations of hazardous decomposition products generated and released by various types of chemical reactions which were produced when incompatible chemicals in various quantities were mixed together:

a) Plant 4 Line - Employees transferred and emptied 55-gallon plastic drums that contained various quantities of hazardous and/or highly reactive chemicals into the collection tank which contained approximately ten-gallons of water. The chemicals which were emptied into the collection tank included, but were not limited to acids, caustics, oxidizers, flammables/combustibles, highly toxic single or multi organ/system substances and suspected or confirmed carcinogens. No procedures or systems were in place to segregate the chemicals or drums prior to them being emptied. Thus, various incompatible chemicals were allowed to combine and mix together which could potentially cause hazardous decomposition products such as, but not limited to carbon monoxide, chlorine, ammonia, phosgene, phosphine, hydrogen, hydrogen chloride (hydrochloric acid), hydrogen fluoride (hydrofluoric acid), hydrogen cyanide, and oxides of nitrogen and sulfur (NO_x and SO_x) to be generated and/or released.

Among other methods, one feasible and acceptable method to correct this hazard is to segregate (separate) the 55-gallon drums by a predefined system (chemical type, hazard, label classification, etc.) prior to these drums being emptied into the Plant 4 Collection Tank. No matter which segregation system the employer decides to use, they must assure that incompatible chemicals which can potentially produce hazardous decomposition products are not processed or emptied consecutively, or within a short time period apart. In other words, the employer should allow gaps or spaces in their production schedule before switching to processing and emptying drums that contain different chemical classifications to assure that all of the chemicals have been neutralized and/or diluted by a plant treatment process to a point where they are no longer chemically reactive.

b) Regrind Line (Area) - Employees transferred and emptied 55-gallon plastic and metal drums that contained various quantities of hazardous and/or highly reactive chemicals into the Regrind Flush Tank which contained approximately 600-800 gallons of water. The chemicals which were emptied into the Regrind Flush Tank included, but were not limited to acids, caustics, oxidizers, flammables/combustibles, highly toxic single or multi organ/system substances and suspected or confirmed carcinogens. No procedures or systems were in place to segregate the chemicals or drums prior to them being emptied. Thus, various incompatible chemicals were allowed to combine and mix together which could potentially cause hazardous decomposition products such as, but not limited to carbon monoxide, chlorine, ammonia, phosgene, phosphine, hydrogen, hydrogen chloride (hydrochloric acid), hydrogen fluoride (hydrofluoric acid), hydrogen cyanide, dimethylethylamine, isocyanates, monoethanolamine, hydrogen sulfide, and oxides of nitrogen and sulfur (NO_x and SO_x) to be generated and/or released.

Among other methods, one feasible and acceptable method to correct this hazard is to segregate (separate) the 55-gallon drums by a predefined system (chemical type, hazard, label classification, etc.) prior to these drums being emptied into the Regrind Flush Tank. No matter which segregation system the employer decides to use, they must assure that incompatible chemicals which can potentially produce hazardous decomposition products are not processed or emptied consecutively, or within a short time period apart. In other words, the employer should allow gaps or spaces in their production schedule before switching to processing and emptying drums that contain different chemical classifications to assure that all of the chemicals have been neutralized and/or diluted by a plant treatment process to a point where they are no longer chemically reactive.

c) Tote Line (Line 3) - Employees transferred and emptied 275-gallon and 330-gallon plastic totes that contained various quantities of hazardous and/or highly reactive chemicals into several open 55-gallon plastic drums which were located underneath the left side of the elevated platform. The chemicals which were emptied into the open 55-gallon drums included, but were not limited to acids, caustics, oxidizers, flammables/combustibles, highly toxic single or multi organ/system substances and suspected or confirmed carcinogens. No procedures or systems were in place to segregate the chemicals or totes prior to them being emptied. Thus, various incompatible chemicals were allowed to combine and mix together which could potentially cause hazardous decomposition products such as, but not limited to carbon monoxide, chlorine, ammonia, phosgene, phosphine, hydrogen, hydrogen chloride (hydrochloric acid), hydrogen fluoride (hydrofluoric acid), hydrogen cyanide, and oxides of nitrogen and sulfur (NO_x and SO_x) to be generated and/or released.

Among other methods, one feasible and acceptable method to correct this hazard is to segregate (separate) the 275-gallon and 330-gallon totes by a predefined system (chemical type, hazard, label classification, etc.) prior to these drums being emptied into the open 55-gallon plastic drums. No matter which segregation system the employer decides to use, they must assure that incompatible chemicals which can potentially produce hazardous decomposition products are not processed or emptied consecutively, or within a short time period apart. In other words, the employer should allow gaps or spaces in their production schedule before switching to processing and emptying drums that contain different chemical classifications to assure that all of the chemicals have been neutralized and/or diluted by a plant treatment process to a point where they are no longer chemically reactive.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$7,000.00**

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

IC 22-8-1.1, Section 2: The employer did not establish and maintain conditions of work which were reasonably safe and healthful for employees, and free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were potentially exposed to fire and shrapnel, as well as vast amounts of heat and pressure caused and generated by violent chemical reactions which were produced when steam was used to clean chemical containers:

Regrind Line (Area) - Employees transferred and emptied 55-gallon plastic and metal drums that contained various quantities of flammable and combustible liquids into the Regrind Flush Tank which contained approximately 600-800 gallons of water. No procedures or systems were in place to segregate the chemicals or drums prior to them being emptied. Thus, drums which contained flammable and combustible liquids such as, but not limited to acrylic acid were cleaned and rinsed with steam and/or water heated to between approximately 170 °F and 300 °F. The steam and/or heated water used in the cleaning/rinsing process represented a significant reaction hazard because they could potentially ignite any remaining flammable and/or combustible residues or vapors contained inside of the drums. Once ignited, the chemicals inside of the drums could potentially polymerize, which would cause the drums to swell and potentially explode.

Among other methods, one feasible and acceptable method to correct this hazard is to segregate (separate) the 55-gallon drums by a predefined system (chemical type, hazard, label classification, etc.) prior to these drums being emptied into the Regrind Flush Tank. No matter which segregation system the employer decides to use, they must assure that flammable and combustible liquids such as, but not limited to acrylic acid are cleaned per the chemical manufacturer's instructions (i.e. cleaned with other methods besides steam).

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$7,000.00**

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

IC 22-8-1.1, Section 2: The employer did not establish and maintain conditions of work which were reasonably safe and healthful for employees, and free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to harmful airborne concentrations of trimethylbenzene which could lead to experiencing injuries and/or illnesses such as, but not limited to central nervous system (CNS) impairment and damage, asthmatic bronchitis and hematological (blood) effects:

Tote Line (Line 3) - An employee was exposed to trimethylbenzene (mixed isomers) at 67.07 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 2.68 times the 2010 American Conference of Governmental Industrial Hygienists (ACGIH) Threshold Limit Value (TLV-TWA) of 25.0 ppm for trimethylbenzene (mixed isomers). The exposure level was derived from a 447 minute sampling period on August 26, 2010. Zero exposure was assumed for the 33 minutes not sampled.

Among other methods, one feasible and acceptable method to correct this hazard is to install a local exhaust ventilation (LEV) system in the areas around where the Aromatic 100 is used so that any trimethylbenzene is removed from the point of use or generation prior to entering employees' breathing zones.

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 03/03/2011

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 noise 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 03/24/2011

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 Violation Must be Abated: 05/05/2011

Proposed Penalty: $5,000.00

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 6a Type of Violation: **Serious**

IC 22-8-1.1, Section 2: The employer did not establish and maintain conditions of work which were reasonably safe and healthful for employees, and free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to severe burns and smoke inhalation from a building fire(s) due to insufficient emergency exits and excessive travel distances to the existing emergency exits:

Regrind Line (Area) - Employees who worked in and around the Regrind Line, a high hazard area, would have to travel an excessive distance to reach the nearest emergency exit(s). The closest primary and alternative emergency exits to the Regrind Line were the Back Dock Exit and the Plant 4 Exit respectively. The Back Dock Exit was located approximately 82.25-feet from the furthest point where Regrind Line employees would access the emergency exit. The Plant 4 Exit was located approximately 172.58-feet from the furthest point where Regrind Line employees would access the emergency exit.

Among other methods, one feasible and acceptable method to correct this hazard is to provide or designate additional emergency exits in or near the Regrind Area (Bay 2) that meet the requirements listed in the National Fire Protection Agency's (NFPA) *Life Safety Code* (NFPA 101-2009). Specifically, Section 7.11.1 of the *Life Safety Code* (NFPA 101-2009) states that where the contents are classified as high hazard, exits shall be provided and arranged to allow all occupants to escape from the building or structure, or from the hazardous area thereof, to the outside or to a place of safety with a travel distance of not more than 75-feet (23 meters). If the doors located to the right of the overhead door on the East wall of the Regrind Area (Bay 2) were designated as emergency exits, then the employer would be under the maximum travel distance of 75-feet to an emergency exit for a high hazard industrial occupancy (high hazard area).

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$5,000.00**

Safety Order 1 Item 6b Type of Violation: **Serious**

29 CFR 1910.37(b)(4): When the direction of travel to the exit or exit discharge was not immediately apparent, signs were not posted along the exit access indicating the direction of travel to the nearest exit and exit discharge:

Regrind Line (Area) - The closest primary and alternative emergency exits to the Regrind Line were the Back Dock Exit and the Plant 4 Exit respectively. The Back Dock Exit and Plant 4 Exit were located approximately 82.25-feet and approximately 172.58-feet respectively from the furthest point where Regrind Line employees would access these emergency exits. Each of these emergency exits cannot be easily seen (i.e. partially to fully obstructed line-of-sight) from the Regrind Line, and the direction of travel to each of these emergency exits was not immediately apparent. The exit routes to each of these emergency exits were also not marked or identified with signs that indicated the direction of travel from the Regrind Line (Area) to either the Back Dock Exit or the Plant 4 Exit.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order 1 Item 6c Type of Violation: **Serious**

29 CFR 1910.37(b)(5): Each doorway or passage along an exit access that could be mistaken for an exit was not marked "Not an Exit" or similar designation, or was not identified by a sign indicating its actual use (e.g., closet):

Regrind Line (Area) - A doorway consisting of two doors was located on the right corner of the East wall of the Regrind Area. Although neither of these doors were designated as emergency exits, an "Exit" sign was located above the left door. Due to tape which was placed over the "Exit" sign, the top half of the letters on the "Exit" sign were visible. Due to the presence of this "Exit" sign, the doors located along the East wall of the Regrind Area could be mistaken for an emergency exit.

Date By Which Violation Must be Abated: 03/03/2011

OR IN THE ALTERNATIVE

Safety Order 1 Item 6d Type of Violation: **Serious**

29 CFR 1910.36(e)(2): The door that connected any room to an exit route swung out in the direction of exit travel when the room was designed to be occupied by more than 50 people or the room was a high hazard area (i.e., contains contents that are likely to burn with extreme rapidity or explode):

Regrind Line (Area) - An emergency exit which consisted of two doors was located next to an overhead door in the Regrind Area, which was considered a high hazard area. The right door of this emergency exit opened against the direction of exit discharge (i.e. inwards).

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$5,000.00**

Safety Order 1 Item 6e Type of Violation: **Serious**

29 CFR 1910.37(a)(3): Materials or equipment were placed, either permanently or temporarily, within the exit route:

Regrind Line (Area) - The discharge point of the emergency exit doors located along the right corner of the East wall were blocked with several 55-gallon metal drums which were stacked two drums high in a single row outside of the emergency exit doors. The stacked 55-gallon metal drums stored in front of and on the sides of both of the doors blocked the emergency exit discharge at all points, angles and sides.

Date By Which Violation Must be Abated: **03/03/2011**

Safety Order 1 Item 6f Type of Violation: **Serious**

29 1910.37(b)(2): Each exit was not clearly visible and marked by a sign reading "Exit":

Regrind Line (Area) - An emergency exit which consisted of two doors was located next to an overhead door in the Regrind Area, which was considered a high hazard area. Although an "Exit" sign was located above the left door, approximately half of this "Exit" sign was not visible or was missing, and only the top half of the letters on the "Exit" sign were visible.

Date By Which Violation Must be Abated: 03/03/2011

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: **Serious**

29 CFR 1910.22(a)(2): Floor(s) of workroom(s) were not maintained, so far as possible, in a dry condition. Where wet processes were used, drainage was not maintained:

Plant 4 - Significant amounts of water and/or soap had accumulated on the concrete floor located underneath the Three-Phase Sprayer, as well as on the walkway located adjacent to the Three-Phase Sprayer. The wet conditions and standing water/soap represented a slipping hazard to employees who used the walkway on a daily basis.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$5,000.00**

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

29 CFR 1910.24(e): Fixed stairs were installed at an angle to the horizontal greater than 50 degrees:

Tote Line (Line 3) - Employees accessed the elevated platform on the Tote Line through three sets of fixed stairs which were located on the front, back and left sides of the platform. Based on the total height to the elevated platform (approximately 55-inches), the stairs on the left side of the platform ascended towards the platform at an angle of approximately 60.99°, which was approximately 1.22 times the maximum angle allowed (50.°).

Date By Which Violation Must be Abated: **03/03/2011**

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 8a Type of Violation: **Serious**

29 CFR 1910.23(c)(1): Open sided floor(s) or platform(s) 4 feet or more above the adjacent floor or ground level were not guarded by standard railings (or the equivalent as specified in 29 CFR 1910.23(e)(3)(i) through (v)), on all open sides:

Tote Line (Line 3) - The front left side of the elevated platform, which measured approximately 55.0-inches (4.58-feet) high, was not equipped with standard railings or similar types of guarding. The lack of railings or guarding created an open section, which measured approximately 83.0-inches (6.92-feet) wide, on the entire front left side of the elevated platform.

Date By Which Violation Must be Abated: **Corrected During Inspection**

Proposed Penalty: **$5,000.00**

Safety Order 1 Item 8b Type of Violation: **Serious**

29 CFR 1910.23(e)(1): A standard railing did not consist of top rail, intermediate rail, and posts, and did not have a vertical height of 42 inches nominal from upper surface of top rail to floor, platform, runway, or ramp level:

Tote Line (Line 3) - The left side of the elevated platform, which measured approximately 55.0-inches (4.58-feet) high, was not equipped with a standard railing. The railing that was present along the left side of the platform did not consist of a mid or immediate rail. The top rail of this railing also had a vertical height of approximately 18.50-inches above the platform floor.

Date By Which Violation Must be Abated: **03/03/2011**

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 9a Type of Violation: **Serious**

29 CFR 1910.95(g)(3): Audiometric tests were not performed by a licensed or certified audiologist, otolaryngologist, or other physician, or by a technician who was certified by the Council of Accreditation in Occupational Hearing Conservation, or who had satisfactorily demonstrated competence in administering audiometric examinations, obtaining valid audiograms, and properly using, maintaining and checking calibration and proper functioning of the audiometers being used; and a technician who performed audiometric tests was not responsible to an audiologist, otolaryngologist or physician:

Facility Wide - The employer used a Beltone Model 119 Audiometer (Serial Number 11B0221) to perform all of the baseline and annual audiograms for all of the employees in the facility. The employee who operated this audiometer was not a licensed or certified physician, and was not a technician who was certified by the Council of Accreditation in Occupational Hearing Conservation. The employee who operated this audiometer was also not responsible to the physician(s) who examined and reviewed all of the audiograms for the facility.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$7,000.00**

Safety Order 1 Item 9b Type of Violation: **Serious**

29 CFR 1910.95(h)(4): Audiometric examinations were not administered in a room meeting the requirements listed in Appendix D: "Audiometric Test Rooms":

Facility Wide - The employer used a Beltone Model 119 Audiometer (Serial Number 11B0221) to perform all of the baseline and annual audiograms for all of the employees in the facility. All of the audiograms performed after approximately 2007 were administered inside of an Industrial Acoustics Company, Inc. (IAC) Audiometric Testing Booth (Order Number 121). Prior to obtaining the IAC Audiometric Testing Booth, the employer administered all of the audiograms in a vacant house located across the street from the facility. Neither the vacant house, nor the audiometric testing booth were tested with a sound level meter (SLM) equipped with an octave band analyzer (OBA) to determine if either of these locations met the requirements of an audiometric test room listed in 1910.95 Appendix D.

Date By Which Violation Must be Abated: **03/03/2011**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 1 Item 9c Type of Violation: **Serious**

29 CFR 1910.95(h)(5)(i): The functional operation of the audiometer was not checked before each day's use:

Facility Wide - The employer used a Beltone Model 119 Audiometer (Serial Number 11B0221) to perform all of the baseline and annual audiograms for all of the employees in the facility. Prior to performing the audiograms, the functional operation of the audiometer was not checked by testing an employee with a known, stable hearing threshold.

Date By Which Violation Must be Abated: 03/03/2011

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 10a Type of Violation: **Serious**

29 CFR 1910.95(g)(5)(i): Baseline audiograms were not established within 6 months of an employee's first exposure for each employee whose exposure to noise equaled or exceeded an 8 hour time weighted average of 85 DBA:

Tote Line (Line 3) - A Delabeler (Label Remover) was exposed to continuous noise at 197.3% of the permissible daily noise (8-hour time weighted average sound level of 90 dBA) or equivalent sound level of approximately 94.90 dBA during the 452 minute sampling period on November 16, 2010. Zero exposure was assumed for the 28 minutes not sampled. This employee had not received a baseline audiogram for approximately 18 months.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$5,000.00**

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 1 Item 10b Type of Violation: **Serious**

29 CFR 1910.95(g)(6): New audiograms were not obtained annually for each employee exposed to noise at or above an 8 hour time weighted average of 85 dBA:

a) Tote Line (Line 3) - A Delabeler (Label Remover) was exposed to continuous noise at 238.6% of the permissible daily noise (8-hour time weighted average sound level of 90 dBA) or equivalent sound level of approximately 96.27 dBA during the 455 minute sampling period on November 16, 2010. Zero exposure was assumed for the 25 minutes not sampled. The last audiogram for this employee was performed in February of 2009.

b) Tote Line (Line 3) - A Valve Installer was exposed to continuous noise at 230.1% of the permissible daily noise (8-hour time weighted average sound level of 90 dBA) or equivalent sound level of approximately 96.01 dBA during the 460 minute sampling period on November 16, 2010. Zero exposure was assumed for the 20 minutes not sampled. The last audiogram for this employee was performed in February of 2009.

c) Tote Line (Line 3) - A Valve Washer was exposed to continuous noise at 141.0% of the permissible daily noise (8-hour time weighted average sound level of 90 dBA) or equivalent sound level of approximately 92.48 dBA during the 455 minute sampling period on November 16, 2010. Zero exposure was assumed for the 25 minutes not sampled. The last audiogram for this employee was performed in February of 2009.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 11a Type of Violation: **Serious**

29 CFR 1910.95(g)(7)(iii)(A): The audiologist, otolaryngologist, or physician who reviewed problem audiograms and determined whether there was a need for further evaluation was not provided a copy of the requirements for hearing conservation as set forth in paragraphs (c) through (n) of this section:

Facility Wide - The employer used a Beltone Model 119 Audiometer (Serial Number 11B0221) to perform all of the baseline and annual audiograms for all of the employees in the facility. All of these audiograms were then sent to and reviewed by a physician at the St. Francis Occupational Health Center. Prior to the physician reviewing any of these audiograms, the employer did not provide or assure that the physician had access to a copy of 29 CFR 1910.95 (OSHA's Standard on Occupational Noise Exposure).

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$7,000.00**

Safety Order 1 Item 11b Type of Violation: **Serious**

29 CFR 1910.95(g)(7)(iii)(C): The audiologist, otolaryngologist, or physician who reviewed problem audiograms and determined whether there was a need for further evaluation was not provided measurements of background sound pressure levels in the audiometric test room as required in Appendix D: Audiometric Test Rooms:

Facility Wide - The employer used a Beltone Model 119 Audiometer (Serial Number 11B0221) to perform all of the baseline and annual audiograms for all of the employees in the facility. All of the audiograms performed after approximately 2007 were administered inside of an Industrial Acoustics Company, Inc. (IAC) Audiometric Testing Booth (Order Number 121). Prior to obtaining the IAC Audiometric Testing Booth, the employer administered all of the audiograms in a vacant house located across the street from the facility. All of these audiograms were then sent to and reviewed by a physician at the St. Francis Occupational Health Center. Prior to the physician reviewing any of these audiograms, the employer did not provide the physician with the sound pressure level (SPL) measurements for the locations where the audiograms were performed.

Date By Which Violation Must be Abated: **03/03/2011**

Safety Order 1 Item 11c Type of Violation: **Serious**

29 CFR 1910.95(g)(7)(iii)(D): The audiologist, otolaryngologist, or physician who reviewed problem audiograms and determined whether there was a need for further evaluation was not provided records of audiometer calibrations required by paragraph (h)(5) of this section:

Facility Wide - The employer used a Beltone Model 119 Audiometer (Serial Number 11B0221) to perform all of the baseline and annual audiograms for all of the employees in the facility. All of these audiograms were then sent to and reviewed by a physician at the St. Francis Occupational Health Center. Prior to the physician reviewing any of these audiograms, the employer did not provide the physician with the audiometer calibration certificates or records.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order 1 Item 11d Type of Violation: **Serious**

29 CFR 1910.95(m)(2)(ii)(D): The audiometric test record did not include the date of the last acoustic or exhaustive calibration of the audiometer:

Facility Wide - The employer used a Beltone Model 119 Audiometer (Serial Number 11B0221) to perform all of the baseline and annual audiograms for all of the employees in the facility. Prior to 2010, the audiometer was last exhaustively calibrated on December 23, 2008. However, the December 23, 2008, calibration date was not listed on the line/space labeled "Calibration" on all of the 2009 audiograms performed by the employer. On some of the 2009 audiograms, the employer listed the date of "23 Dec 2009" as the audiometer calibration date. On the vast majority of the 2009 audiograms, the employer had the printed/typed calibration date of "27 Oct 2006" crossed/lined out, and had hand written the calibration date of "10-17-08" next to the crossed/lined out date. Neither of these dates (23 Dec 2009 or 10-17-08) listed on the calibration line/space on all of the 2009 audiograms matched any of the calibration dates listed on the audiometer calibration certificate(s).

Date By Which Violation Must be Abated: 03/03/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 12a Type of Violation: **Serious**

29 CFR 1910.106(e)(2)(ii): Flammable or combustible liquid(s) were not stored in tanks or closed container(s):

Tote Line (Line 3) - A five-gallon plastic container of Dissolve II, a Class II Combustible Liquid with a flash point of 110 °F, was stored without a lid or cover over the top portion of the container.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$5,000.00**

Safety Order 1 Item 12b Type of Violation: **Serious**

29 CFR 1910.106(e)(2)(iv)(d): Flammable or combustible liquids were not drawn from or transferred into vessels, containers, or portable tanks within a building only through a closed piping system, from safety cans, by means of a device drawing through the top, or from a container or portable tanks by gravity through an approved self-closing valve:

Paint Room Located Near the Tote Line (Line 3) - Employees transferred Aromatic 100, a Class II Combustible Liquid (Flash Point - 108 °F), from a 55-gallon drum to various five-gallon plastic containers approximately three times per day. The 55-gallon drum of Aromatic 100 was equipped with a plastic manually activated dispensing valve, which was not an approved self-closing valve.

Date By Which Violation Must be Abated: **03/03/2011**

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 1 Item 12c Type of Violation: **Serious**

29 CFR 1910.106(e)(9)(iii): Combustible waste material and residues were not stored in covered metal receptacles and disposed of daily:

Tote Line (Line 3) - Employees used rags to apply Aromatic 100, a Class II Combustible Liquid with a flash point of 108 °F, to the outside of various 275-gallon and 330-gallon plastic totes. These rags, which were impregnated with flammable and/or combustible liquids/residues, were disposed of in plastic trash cans which contained combustible materials such as, but not limited to paper and plastic products.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.106(e)(6)(i): Adequate precautions against the ignition of flammable vapors were not taken:

a) Tote Line (Line 3) - Employees used a Milwaukee Dual Temperature Heat Gun (rated at 570/1,000 °F and 1,400 Watts) to remove the placards and/or labeling on the metal plates on the outside of the 275-gallon and 330-gallon plastic totes. The heat gun was plugged into a damaged extension cord which shorted out and emitted sparks. An open five-gallon container of Dissolve II, a Class II Combustible Liquid with a flash point of 110 °F, was located and stored approximately 8-12 inches to the right of the damaged portion of the extension cord (i.e. where the spark was emitted).

ABATEMENT NOTE: Instance (a) was Corrected During Inspection

b) Tote Line (Line 3) - Employees used a Milwaukee Dual Temperature Heat Gun (rated at 570/1,000 °F and 1,400 Watts) to remove the placards and/or labeling on the metal plates on outside of the 275-gallon and 330-gallon plastic totes which contained flammable and combustible liquids such as, but not limited to acetone, alcohols, toluene, xylene and styrene. Smoke and small pieces of paper (which were still combusting) were emitted or thrown into the air while employees used the heat gun to remove the labels and/or placards. Due to conduction and convection, the metal plates where the labels and/or placards were attached to the outside of the totes became hot and reached temperatures above approximately 100 °F.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$5,000.00**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068
Inspection Dates: 05/18/2010 - 12/20/2010
Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service
Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 14a Type of Violation: **Serious**

29 CFR 1910.120(q)(1): Employers whose employees were engaged in emergency response no matter where it occurs except for employees engaged in operations specified in 29 CFR 1910.120(a)(1)(i) through (a)(1)(iv), did not develop and implement an emergency response plan to handle anticipated emergencies prior to commencement of emergency response operations:

Facility Wide - The employer's Emergency Response Plan (ERP) was not effectively implemented prior to commencing emergency response operations such as, but not limited to a spill/release of unidentified/unknown chemicals that occurred on or about the second week of August 2010 (August 9-13, 2010). In addition to not being effectively implemented, the employer's ERP also did not address the following elements:

- Personnel roles, lines of authority and level of training for all Hazardous Materials (HAZMAT) team members
- Emergency recognition and prevention
- Safe distances and places of refuge
- Evacuation routes and procedures
- Decontamination procedures
- Emergency medical treatment and first aid
- Critique of emergency response and follow-up
- Personal protective equipment (PPE) and emergency equipment to be used during a response or clean-up

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$5,000.00**

Safety Order 1 Item 14b Type of Violation: **Serious**

29 CFR 1910.120(q)(10): Chemical protective clothing and equipment to be used by organized and designated HAZMAT team members, or to be used by hazardous materials specialists, did not meet the requirements of 29 CFR 1910.120(g)(3) through (5):

Facility Wide - The employer's Personal Protective Equipment (PPE) Program for emergency response operations did not address all of the minimum elements listed in 29 CFR 1910.120(g)(5)(i)-(x). Specifically, the PPE Program did not address the following elements:

- PPE use and limitations of the equipment
- Work mission duration
- PPE maintenance and storage
- PPE decontamination and disposal
- PPE donning and doffing procedures
- PPE inspection procedures prior to, during and after use
- Evaluation of the effectiveness of the PPE Program
- Limitations during temperature extremes, heat stress and other appropriate medical considerations

Date By Which Violation Must be Abated: 03/03/2011

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 15a Type of Violation: **Serious**

29 CFR 1910.120(q)(3)(ii): The individual in charge of the ICS did not identify, to the extent possible, all hazardous substances or conditions present and did not address as appropriate site analysis, use of engineering controls, maximum exposure limits, hazardous substance handling procedures, and use of any new technologies:

Tote Line (Line 3) - On or about the second week of August 2010 (August 9-13, 2010), an incident occurred while an employee was moving a 55-gallon plastic drum which contained a variety of unidentified hazardous chemicals which were potentially moderately to highly toxic, corrosive, flammable and/or reactive. The employee had sealed and was in the process of moving the 55-gallon plastic drum, when the chemicals contained inside of the drum exploded and/or spilled out of the drum and onto the employee and the surrounding area. Prior to initiating clean-up operations, none of the employees who responded to the incident identified, to a feasible extent, the hazardous chemicals or substances that were once contained inside of the drum.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$5,000.00**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 1 Item 15b Type of Violation: **Serious**

29 CFR 1910.120(q)(3)(iv): Positive-pressure self-contained breathing apparatus was not worn by employees engaged in emergency response and exposed to hazardous substances presenting an inhalation hazard or potential inhalation hazard, until such time that the individual in charge of the ICS determined through the use of air monitoring that a decreased level of respiratory protection would not result in hazardous exposures to employees:

Tote Line (Line 3) - On or about the second week of August 2010 (August 9-13, 2010), an incident occurred while an employee was moving a 55-gallon plastic drum which contained a variety of unidentified hazardous chemicals which were potentially moderately to highly toxic, corrosive, flammable and/or reactive. The employee had sealed and was in the process of moving the 55-gallon plastic drum, when the chemicals contained inside of the drum exploded and/or spilled out of the drum and onto the employee and the surrounding area. Several chemicals which were processed on the Tote Line and emptied into the 55-gallon drums presented potential inhalation and/or skin absorption hazards. However, no air monitoring was performed and employees were not provided with or required to wear any respiratory protection prior to initiating clean-up operations.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order 1 Item 16 Type of Violation: **Serious**

29 CFR 1910.120(q)(6): The skill and knowledge levels required for all new responders, those hired after the effective date of this standard, were not conveyed to them through training before they were permitted to take part in actual emergency operations on an incident:

Facility Wide - The employer's Emergency Response Team (ERT), which consisted of approximately six to fourteen members (employees), was required to mobilize and respond to emergencies such as, but not limited to fires, explosions, material spills, or accidental releases of contaminates to the tributary waterway bordering the facility. Prior to being assigned duties on the ERT and/or responding to an emergency situation, members of the ERT were not provided training on the specific role(s) they would be required to perform during an emergency response (i.e. first responder, hazardous material technician, incident commander, etc.).

Date By Which Violation Must be Abated: **03/03/2011**
Proposed Penalty: **$5,000.00**

Safety Order 1 Item 17 Type of Violation: **Serious**

29 CFR 1910.120(q)(9)(i): Members of an organized and designated HAZMAT team and hazardous materials specialists did not receive a baseline physical examination and were not provided with medical surveillance as required in 29 CFR 1910.120(f):

Facility Wide - The employer's Emergency Response Team (ERT), which consisted of approximately six to fourteen members (employees), was required to mobilize and respond to emergencies such as, but not limited to fires, explosions, material spills, or accidental releases of contaminates to the tributary waterway bordering the facility. Prior to being assigned duties on the ERT and/or responding to an emergency situation, members of the ERT were not provided baseline physical examinations, as well as additional medical examinations once every twelve months.

Date By Which Violation Must be Abated: **03/03/2011**
Proposed Penalty: **$5,000.00**

Safety Order 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace with an evaluation which included a reasonable estimate of employee exposures to respiratory hazard(s) and an identification of the contaminant's chemical state and physical form. Where the employer could not identify or reasonably estimate the employee exposure, the employer did not consider the atmosphere to be IDLH:

a) Regrind Line (Area) - Employees transferred and emptied 55-gallon plastic and metal drums that contained various quantities of hazardous and/or highly reactive chemicals into the Regrind Flush Tank which contained approximately 600-800 gallons of water. The chemicals which were emptied into the collection tank included, but were not limited to acids, caustics, oxidizers, flammables/combustibles, highly toxic single or multi organ/system substances and suspected or confirmed carcinogens. No procedures or systems were in place to segregate the chemicals or drums prior to them being emptied. Thus, various incompatible chemicals were allowed to combine and mix together which could potentially cause violent chemical reactions to occur, as well as potentially dangerous quantities of hazardous decomposition products to be generated and/or released. No personal monitoring was performed by the employer to determine employees' exposure to the various chemicals located inside of the drums, or the various hazardous decomposition products generated or emitted due to incompatible chemicals being combined. Engineering controls such as, but not limited to local exhaust ventilation (LEV) were also not installed on or near the areas where employees worked with or were potentially exposed to the chemicals or hazardous decomposition products. Employees were also not required to and did not wear respirators while working with or around the areas where they were potentially exposed to the chemicals or hazardous decomposition products.

b) Tote Line (Line 3) - Employees transferred and emptied 275-gallon and 330-gallon plastic totes that contained various quantities of hazardous and/or highly reactive chemicals into several open 55-gallon plastic drums which were located underneath the left side of the elevated platform. The chemicals which were emptied into the 55-gallon plastic drums included, but were not limited to acids, caustics, oxidizers, flammables/combustibles, highly toxic single or multi organ/system substances and suspected or confirmed carcinogens. No procedures or systems were in place to segregate the chemicals or totes prior to them being emptied. Thus, various incompatible chemicals were allowed to combine and mix together which could potentially cause violent chemical reactions to occur, as well as potentially dangerous quantities of hazardous decomposition products to be generated and/or released from each of the 55-gallon drums. No personal monitoring was performed by the employer to determine employees' exposure to the various chemicals located inside of the totes and drums, or the various hazardous decomposition products generated or emitted due to incompatible chemicals being combined inside of the drums. Engineering controls such as, but not limited to LEV were also not installed on or near the areas where employees worked with or were potentially exposed to the chemicals or hazardous decomposition products. Employees were also not required to and did not wear respirators while working with or around the areas where they were potentially exposed to the chemicals or hazardous decomposition products.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$7,000.00**

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 19a Type of Violation: **Serious**

29 CFR 1910.141(g)(2): Employees were permitted to consume food or beverage in area(s) exposed to toxic materials:

a) Break Room - On July 15, 2010, wipe samples were conducted on the surface of the tabletop located directly in front of the Quastar Microwave, the surfaces of two tabletops where employees eat and drink, and the surface of the refrigerator located underneath the freezer door. The amounts of hydrochloric acid found on these wipe samples ranged from 25.1 μg to 270 μg, approximately 10.0 to 82.8 times the limit of quantification (LOQ) of 2.5 μg. The amounts of nitric acid found on these wipe samples ranged from 46.0 μg to 70.3 μg, approximately 9.2 to 14.1 times the LOQ of 5.0 μg. The amounts of sulfuric acid found on these wipe samples ranged from 10.6 μg to 20.5 μg, approximately 2.1 to 4.1 times the LOQ of 5.0 μg.

b) Break Room - On July 15, 2010, wipe samples were conducted on the surface of the tabletop located between two of the microwaves, the surface of a tabletop where employees eat and drink, the surface of the refrigerator located underneath the freezer door, and the surface of the first Mountain Dew button located on the Pepsi vending machine. The amounts of toluene found on these wipe samples ranged from 23.5 μg to 38.0 μg, approximately 1.6 to 2.5 times the LOQ of 15 μg.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$5,000.00**

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service
Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 1 Item 19b Type of Violation: **Serious**

29 CFR 1910.141(g)(4): Food or beverages were stored in area(s) exposed to toxic material(s):

a) Break Room - On July 15, 2010, wipe samples were conducted on the surface of the tabletop located directly in front of the Quastar Microwave, the surfaces of two tabletops where employees eat and drink, and the surface of the refrigerator located underneath the freezer door. The amounts of hydrochloric acid found on these wipe samples ranged from 25.1 μg to 270 μg, approximately 10.0 to 82.8 times the limit of quantification (LOQ) of 2.5 μg. The amounts of nitric acid found on these wipe samples ranged from 46.0 μg to 70.3 μg, approximately 9.2 to 14.1 times the LOQ of 5.0 μg. The amounts of sulfuric acid found on these wipe samples ranged from 10.6 μg to 20.5 μg, approximately 2.1 to 4.1 times the LOQ of 5.0 μg.

b) Break Room - On July 15, 2010, wipe samples were conducted on the surface of the tabletop located between two of the microwaves, the surface of a tabletop where employees eat and drink, the surface of the refrigerator located underneath the freezer door, and the surface of the first Mountain Dew button located on the Pepsi vending machine. The amounts of toluene found on these wipe samples ranged from 23.5 μg to 38.0 μg, approximately 1.6 to 2.5 times the LOQ of 15 μg.

Date By Which Violation Must be Abated: **03/03/2011**

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 20a Type of Violation: **Serious**

29 CFR 1910.303(b)(2): Listed or labeled electrical equipment was not used or installed in accordance with instructions included in the listing or labeling:

a) Tote Line (Line 3) - Two sensors located above and near the end of the automatic conveyor system were connected to the facility's electrical system with two Turck electrical cables. The Turck electrical cables

disseminated out of an electrical box unprotected (i.e. not inside of conduit) and were attached to a pipe with plastic zip-ties. The Turck electrical cables were marked and categorized as appliance wiring material (AWM). AWM cable was intended and listed by United Laboratories (UL) for internal wiring of factory-assembled, factory-installed or factory-provided components of complete equipment. The Truck electrical cables used for the sensors were also not approved for use in environments where corrosive chemicals were used or present (NEMA Type 4X).

b) Tote Line (Line 3) - A yellow extension cord was plugged into the bottom receptacle on the electrical box located along the East wall. The insulation on the extension cord located just above the plug was pulled loose, which exposed the electrical wires located inside of the extension cord to the hazardous conditions (water, corrosives, heat, vibration, etc.) located in and around the Tote Line. UL Category ZJCZ covers flexible cords constructed and listed for use in accordance with Article 400 of the *National Electrical Code*. Section 400.8(7) of the *National Electrical Code* (NFPA 70-2008) states that flexible cords and cables shall not be used where subject to physical damage. Thus, the yellow extension cord was not used in accordance with the instructions included in the listing or labeling.

ABATEMENT NOTE: Instance (b) was Corrected During Inspection

c) Tote Line (Line 3) - Employees used a Milwaukee Dual Temperature Heat Gun (rated at 570/1,000 °F and 1,400 Watts) to remove the placards and/or labeling on the metal plates on the outside of the 275-gallon and 330-gallon plastic totes. The heat gun was plugged into a damaged extension cord where the insulation located just beneath the cord's receptacle was completely cut, which allowed the ground wire to protrude out of the extension cord's insulation. This exposed the electrical wires located inside of the extension cord to the hazardous conditions (water, corrosives, heat, vibration, etc.) located in and around the Tote Line. UL Category ZJCZ covers flexible cords constructed and listed for use in accordance with Article 400 of the *National Electrical Code*. Section 400.8(7) of the *National Electrical Code* (NFPA 70-2008) states that flexible cords and cables shall not be used where subject to physical damage. Thus, the extension cord that was plugged into the heat gun was not used in accordance with the instructions included in the

listing or labeling.

ABATEMENT NOTE: Instance (c) was Corrected During Inspection

d) Tote Line (Line 3) - Electrical equipment and installations such as, but not limited to busways and bus plugs were exposed to the hazardous conditions (water, steam, corrosives, heat, vibration, etc.) located in and around the Tote Line. Two of the busways and several of the bus plugs were rusted and/or corroded. Neither the busways nor the bus plugs were approved for use in wet environments and environments where corrosive chemicals were used or present (NEMA Type 4X).

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$7,000.00**

Safety Order 1 Item 20b Type of Violation: **Serious**

29 CFR 1910.303(b)(6): Unless identified for use in the operating environment, conductors or equipment were located in damp or wet locations; were exposed to gases, fumes, vapors, liquids, or other agents that had a deteriorating effect on the conductors or equipment; or were exposed to excessive temperatures:

Tote Line (Line 3) - Electrical equipment and installations such as, but not limited to busways and bus plugs were exposed to the hazardous conditions (water, steam, corrosives, heat, vibration, etc.) located in and around the Tote Line. Two of the busways and several of the bus plugs were rusted and/or corroded. Neither the busways nor the bus plugs were approved for use in wet environments and environments where corrosive chemicals were used or present (NEMA Type 4X).

Date By Which Violation Must be Abated: **03/03/2011**

Safety Order 1 Item 20c Type of Violation: **Serious**

29 CFR 1910.303(b)(7)(i): Unused openings in boxes, raceways, auxiliary gutters, cabinets, equipment cases, or housings were not effectively closed to afford protection substantially equivalent to the wall of the equipment:

Tote Line (Line 3) - Electrical equipment and installations such as, but not limited to busways and bus plugs were exposed to the hazardous conditions (water, steam, corrosives, heat, vibration, etc.) located in and around the Tote Line. The bus plug located nearest to the entrance on the East wall was missing a knockout, which exposed a hole on the right side of the bottom of the bus plug. The hole caused by the missing knockout plug could allow steam, water and chemicals (corrosives) to enter the inside of the bus plug and potentially contact the internal conductors on the bus plug and busway.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order 1 Item 20d Type of Violation: **Serious**

29 CFR 1910.303(b)(7)(iii): Internal parts of electrical equipment, including busbars, wiring terminals, insulators, and other surfaces, may not be damaged or contaminated by foreign materials such as paint, plaster, cleaners, abrasives, or corrosive residues:

Tote Line (Line 3) - Electrical equipment and installations such as, but not limited to busways and bus plugs were exposed to the hazardous conditions (water, steam, corrosives, heat, vibration, etc.) located in and around the Tote Line. Two of the busways and several of the bus plugs were rusted and/or corroded. The bus plug located nearest to the entrance on the East wall was missing a knockout, which exposed a hole on the right side of the bottom of the bus plug. The hole caused by the missing knockout plug could allow steam, water and chemicals (corrosives) to enter the inside of the bus plug and potentially contact the internal conductors on the bus plug and busway.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order 1 Item 20e Type of Violation: **Serious**

29 CFR 1910.303(b)(7)(iv): There were damaged parts that may have adversely affected safe operation or mechanical strength of the equipment, such as parts that were broken, bent, cut, or deteriorated by corrosion, chemical action, or overheating:

a) Tote Line (Line 3) - A yellow extension cord which was plugged into the bottom receptacle of an electrical box located along the East wall was damaged. The insulation on the extension cord located just above the plug was pulled loose, which exposed the electrical wires located inside of the extension cord to the hazardous conditions (water, corrosives, heat, vibration, etc.) located in and around the Tote Line.

b) Tote Line (Line 3) - Electrical equipment and installations such as, but not limited to busways and bus plugs were exposed to the hazardous conditions (water, steam, corrosives, heat, vibration, etc.) located in and around the Tote Line. Two of the busways and several of the bus plugs were rusted and/or corroded. The bus plug located nearest to the entrance on the East wall was missing a knockout, which exposed a hole on the right side of the bottom of the bus plug. The hole caused by the missing knockout plug could allow steam, water and chemicals (corrosives) to enter the inside of the bus plug and potentially contact the internal conductors on the bus plug and busway.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order 1 Item 20f Type of Violation: **Serious**

29 CFR 1910.303(f)(2): Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, was not legibly marked to indicate its purpose, unless located and arranged so the purpose was evident:

Tote Line (Line 3) - The disconnecting means and/or overcurrent devices for electrical equipment and installations such as, but not limited to busways and busbars were not marked or labeled with information indicating their purpose.

Date By Which Violation Must be Abated: 03/03/2011

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 21a Type of Violation: **Serious**

29 CFR 1910.303(b)(3): Completed wiring installations were not free from short circuits and from grounds other than those required or permitted by this subpart:

Tote Line (Line 3) - Employees used a Milwaukee Dual Temperature Heat Gun (rated at 570/1,000 °F and 1,400 Watts) to remove the placards and/or labeling on the metal plates on the outside of the 275-gallon and 330-gallon plastic totes. The heat gun was plugged into a damaged extension cord where the insulation located just beneath the cord's receptacle was completely cut, which allowed the ground wire to protrude out of the extension cord's insulation. While employees used the heat gun, the damaged extension cord would periodically short out and emit sparks.

Date By Which Violation Must be Abated: **Corrected During Inspection**

Proposed Penalty: **$7,000.00**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 1 Item 21b Type of Violation: **Serious**

29 CFR 1910.334(a)(2)(i): Portable cord and plug-connected electric equipment and flexible cord sets (extension cords) were not visually inspected before use on any shift for external defects (such as loose parts, deformed and missing pins, or damage to outer jacket or insulation) and for evidence of possible internal damage (such as pinched or crushed outer jacket):

Tote Line (Line 3) - The employer had not developed or implemented a system or procedure to inspect plug-and-cord equipment or flexible cord sets (extension cords) used throughout the facility. A Milwaukee Dual Temperature Heat Gun (rated at 570/1,000 °F and 1,400 Watts) was plugged into a damaged extension cord where the insulation located just beneath the cord's receptacle was completely cut, which allowed the ground wire to protrude out of the extension cord's insulation. The insulation located just above the plug on a yellow extension cord that was plugged into the bottom receptacle on the electrical box located along the East wall was pulled loose, which exposed the electrical wires located inside of the extension cord. The damaged portions on both of these extension cords were exposed to the hazardous conditions (water, corrosives, heat, vibration, etc.) located in and around the Tote Line. Despite the damage to both of these extension cords, they continued to be used and neither of these damaged extension cords were removed from service.

Date By Which Violation Must be Abated: 03/03/2011

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 1 Item 21c Type of Violation: **Serious**

29 CFR 1910.334(a)(2)(ii): When there was a defect or evidence of damage that could expose an employee to injury, the defective or damaged item was not removed from service until the repairs and tests necessary to render the electric equipment safe had been made:

Tote Line (Line 3) - The employer had not developed or implemented a system or procedure to inspect plug-and-cord equipment or flexible cord sets (extension cords) used throughout the facility. A Milwaukee Dual Temperature Heat Gun (rated at 570/1,000 °F and 1,400 Watts) was plugged into a damaged extension cord where the insulation located just beneath the cord's receptacle was completely cut, which allowed the ground wire to protrude out of the extension cord's insulation. The insulation located just above the plug on a yellow extension cord that was plugged into the bottom receptacle on the electrical box located along the East wall was pulled loose, which exposed the electrical wires located inside of the extension cord. The damaged portions on both of these extension cords were exposed to the hazardous conditions (water, corrosives, heat, vibration, etc.) located in and around the Tote Line. Despite the damage to both of these extension cords, they continued to be used and neither of these damaged extension cords were removed from service.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 22a Type of Violation: **Serious**

29 CFR 1910.305(b)(1)(i): Conductors entering cutout boxes, cabinets, or fittings were not protected from abrasion, and openings through which conductors entered were not effectively closed:

Tote Line (Line 3) - The metal conduit that fed into an electrical box located along the East wall of the Tote Line was detached from the top of the electrical box, which allowed the electrical box to hang directly below the conduit. Because the electrical box was forced to hang directly below the conduit, parts of the electrical wiring which were once located inside of the metal conduit were exposed to abrasion and other physical and chemical hazards (water, corrosives (acids/bases), flammable/combustible chemicals, heat, vibration, etc.).

Date By Which Violation Must be Abated: **Corrected During Inspection**

Proposed Penalty: **$5,000.00**

Safety Order 1 Item 22b Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(A): Unless specifically permitted otherwise in paragraph (g)(1)(ii) of this section, flexible cords and cables were used as a substitute for the fixed wiring of a structure:

a) Tote Line (Line 3) - A yellow extension cord was used as a substitute for the fixed wiring of a structure to operate a ceiling fan which was located above and to the left of the back portion of the elevated platform.

b) Tote Line (Line 3) - A black extension cord was used as a substitute for the fixed wiring of a structure to operate a flourescent lighting fixture which was located near the ceiling in the Boiler Room.

Date By Which Violation Must be Abated: **Corrected During Inspection**

Safety Order 1 Item 22c Type of Violation: **Serious**

29 CFR 1910.305(g)(1)(iv)(B): Unless specifically permitted otherwise in paragraph (g)(1)(ii) of this section, flexible cords and cables were run through holes in walls, ceilings, or floors:

Tote Line (Line 3) - A black extension cord was plugged into the top receptacle on the electrical box located along the East wall of the Tote Line. The black extension cord was run through a small horizontal hole located directly on top of the East wall and connected to a flourescent lighting fixture located near the ceiling in the Boiler Room.

Date By Which Violation Must be Abated: Corrected During Inspection

Safety Order 1 Item 22d Type of Violation: **Serious**

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables were not connected to devices and fittings so that strain relief was provided that would prevent pull from being directly transmitted to joints or terminal screws:

Tote Line (Line 3) - A yellow extension cord which was plugged into the bottom receptacle of an electrical box located along the East wall was damaged. The insulation on the extension cord located just above the plug was pulled loose, which damaged the strain relief that was inherently designed into the extension cord.

Date By Which Violation Must be Abated: Corrected During Inspection

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 23a Type of Violation: **Serious**

29 CFR 1910.332(b)(1): Employees were not trained in and familiar with the safety-related work practices required by 29 CFR 1910.331 through 29 CFR 1910.335 that pertained to their respective job assignments:

Facility Wide - Maintenance employees who performed electrical work such as, but not limited to breaker and fuse changes in electrical boxes/panels and rewiring electrical equipment and installations were not provided formal electrical training on topics such as, but not limited to electrical safety-related work practices and the potential hazards associated with electrical work (including arc flash or arc blast).

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$5,000.00**

Safety Order 1 Item 23b Type of Violation: **Serious**

29 CFR 1910.332(b)(2): Employees who were covered by paragraph (a) of this section but who were not qualified persons were also not trained in and familiar with any electrically related safety practices not specifically addressed by 1910.331 through 1910.335 but which were necessary for their safety:

Facility Wide - Maintenance employees who performed electrical work such as, but not limited to breaker and fuse changes in electrical boxes/panels and rewiring electrical equipment and installations were not provided formal electrical training on topics such as, but not limited to electrical safety-related work practices and the potential hazards associated with electrical work (including arc flash or arc blast).

Date By Which Violation Must be Abated: **03/03/2011**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 24a Type of Violation: **Serious**

29 CFR 1910.333(a)(1): Live parts to which an employee could be exposed were not de-energized before the employee worked on or near them:

Facility Wide - Maintenance employees performed live (i.e. with the power on) electrical work such as, but not limited to changing circuit breakers. Maintenance employees removed and installed circuit breakers located inside of electrical boxes/panels, which were rated at approximately 208/240 volts, without turning the power off to the electrical box. Changing circuit breakers live could potentially cause an arc flash and/or arc blast to occur, especially if the energized electrical parts were contacted during removal or installation of the circuit breaker(s).

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$5,000.00**

Safety Order 1 Item 24b Type of Violation: **Serious**

29 CFR 1910.333(a)(2): Where exposed live parts were not de-energized, other safety-related work practices were not used to protect employees who could be exposed to the electrical hazards involved:

Facility Wide - Maintenance employees performed live (i.e. with the power on) electrical work such as, but not limited to changing circuit breakers. Maintenance employees removed and installed circuit breakers located inside of electrical boxes/panels, which were rated at approximately 208/240 volts, without turning the power off to the electrical box. Maintenance employees who performed live electrical work were not required to and did not wear flame-resistant clothing (FRC), 100% cotton clothing and rubber-insulated gloves. Maintenance employees who performed live electrical work were also not provided and did not use insulated or insulating tools (wrenches, screwdrivers, etc.).

Date By Which Violation Must be Abated: **03/03/2011**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 1 Item 24c Type of Violation: **Serious**

29 CFR 1910.333(b)(2): While any employee was exposed to contact with parts of fixed electric equipment or circuits which had been de-energized, the circuits energizing the parts were not locked out or tagged or both:

Facility Wide - Maintenance employees performed electrical work such as, but not limited to breaker and fuse changes in electrical boxes/panels and rewiring electrical equipment and installations. Although the electrical disconnects on the electrical equipment and installations were sometimes de-energized , maintenance employees did not apply locks and/or tags on all of the electrical disconnects or shut-off points prior to performing the electrical work.

Date By Which Violation Must be Abated: 03/03/2011

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 25a Type of Violation: **Serious**

29 CFR 1910.1003(c): A regulated area was not established by an employer where methyl chloromethyl ether and bis-chloromethyl ether were manufactured, processed, used, repackaged, released, handled or stored: (General Industry Reference: 1910.1006 and 1910.1008)

Regrind Line (Area) - Employees transferred and emptied 55-gallon drums which contained various quantities of hydrochloric acid and formaldehyde into the open-top Regrind Flush Tank which normally contained between approximately 600-gallons to 800-gallons of water. Hydrochloric acid and formaldehyde (incompatible chemicals) were allowed to mix together and potentially react because none of the 55-gallon drums processed on the Regrind Line were segregated prior to, or while emptying the contents of each drum into the Regrind Flush Tank. When hydrochloric acid and formaldehyde were mixed together, chemicals such as, but not limited to chloromethyl methyl ether (CMME), a suspected human carcinogen (A2), and bis(chloromethyl) ether (BCME), a confirmed human carcinogen (A1), had the potential to be released as by-products of the chemical reaction.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$7,000.00**

Safety Order 1 Item 25b Type of Violation: **Serious**

29 CFR 1910.1003(c)(3): Open vessel system operations as defined in paragraph (b)(13) of this section were not prohibited: (General Industry Reference: 1910.1006 and 1910.1008)

Regrind Line (Area) - Employees transferred and emptied 55-gallon drums which contained various quantities of hydrochloric acid and formaldehyde into the open-top Regrind Flush Tank which normally contained between approximately 600-gallons to 800-gallons of water. Hydrochloric acid and formaldehyde (incompatible chemicals) were allowed to mix together and potentially react because none of the 55-gallon drums processed on the Regrind Line were segregated prior to, or while emptying the contents of each drum into the Regrind Flush Tank. When hydrochloric acid and formaldehyde were mixed together, chemicals such as, but not limited to chloromethyl methyl ether (CMME), a suspected human carcinogen (A2), and bis(chloromethyl) ether (BCME), a confirmed human carcinogen (A1), had the potential to be released as by-products of the chemical reaction.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order 1 Item 25c Type of Violation: **Serious**

29 CFR 1910.1003(c)(5)(i): In cleanup of leaks of spills, maintenance, or repair operations on contaminated systems or equipment, or any operations involving work in an area where direct contact with methyl chloromethyl ether or bis-chloromethyl ether could result, each authorized employee entering that area was not provided with and required to wear clean, impervious garments, including gloves, boots, and continuous-air supplied hood in accordance with Section 1910.134: (General Industry Reference: 1910.1006 and 1910.1008)

Regrind Line (Area) - Employees transferred and emptied 55-gallon drums which contained various quantities of hydrochloric acid and formaldehyde into the open-top Regrind Flush Tank which normally contained between approximately 600-gallons to 800-gallons of water. Hydrochloric acid and formaldehyde (incompatible chemicals) were allowed to mix together and potentially react because none of the 55-gallon drums processed on the Regrind Line were segregated prior to, or while emptying the contents of each drum into the Regrind Flush Tank. When hydrochloric acid and formaldehyde were mixed together, chemicals such as, but not limited to chloromethyl methyl ether (CMME), a suspected human carcinogen (A2), and bis(chloromethyl) ether (BCME), a confirmed human carcinogen (A1), had the potential to be released as by-products of the chemical reaction.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 1 Item 25d Type of Violation: **Serious**

29 CFR 1910.1003(d)(1): The employer did not implement a respiratory protection program in accordance with 1910.134 (b), (c), (d) (except (d)(1)(iii) and (iv), and (d)(3)), and (e) through (m), which covered each employee required by this section to use a respirator: (General Industry Reference: 1910.1006 and 1910.1008)

Regrind Line (Area) - Employees transferred and emptied 55-gallon drums which contained various quantities of hydrochloric acid and formaldehyde into the open-top Regrind Flush Tank which normally contained between approximately 600-gallons to 800-gallons of water. Hydrochloric acid and formaldehyde (incompatible chemicals) were allowed to mix together and potentially react because none of the 55-gallon drums processed on the Regrind Line were segregated prior to, or while emptying the contents of each drum into the Regrind Flush Tank. When hydrochloric acid and formaldehyde were mixed together, chemicals such as, but not limited to chloromethyl methyl ether (CMME), a suspected human carcinogen (A2), and bis(chloromethyl) ether (BCME), a confirmed human carcinogen (A1), had the potential to be released as by-products of the chemical reaction.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order 1 Item 25e Type of Violation: **Serious**

29 CFR 1910.1003(d)(3)(i): Storage or consumption of food, storage or use of containers of beverages, storage or application of cosmetics, smoking, storage of smoking materials, tobacco products or other products for chewing, or the chewing of such products were not prohibited in regulated areas: (General Industry Reference: 1910.1006 and 1910.1008)

Regrind Line (Area) - Employees transferred and emptied 55-gallon drums which contained various quantities of hydrochloric acid and formaldehyde into the open-top Regrind Flush Tank which normally contained between approximately 600-gallons to 800-gallons of water. Hydrochloric acid and formaldehyde (incompatible chemicals) were allowed to mix together and potentially react because none of the 55-gallon drums processed on the Regrind Line were segregated prior to, or while emptying the contents of each drum into the Regrind Flush Tank. When hydrochloric acid and formaldehyde were mixed together, chemicals such as, but not limited to chloromethyl methyl ether (CMME), a suspected human carcinogen (A2), and bis(chloromethyl) ether (BCME), a confirmed human carcinogen (A1), had the potential to be released as by-products of the chemical reaction.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order 1 Item 25f Type of Violation: **Serious**

29 CFR 1910.1003(d)(4)(i): Except for outdoor systems, regulated areas were not maintained under pressure negative with respect to non-regulated areas: (General Industry Reference: 1910.1006 and 1910.1008)

Regrind Line (Area) - Employees transferred and emptied 55-gallon drums which contained various quantities of hydrochloric acid and formaldehyde into the open-top Regrind Flush Tank which normally contained between approximately 600-gallons to 800-gallons of water. Hydrochloric acid and formaldehyde (incompatible chemicals) were allowed to mix together and potentially react because none of the 55-gallon drums processed on the Regrind Line were segregated prior to, or while emptying the contents of each drum into the Regrind Flush Tank. When hydrochloric acid and formaldehyde were mixed together, chemicals such as, but not limited to chloromethyl methyl ether (CMME), a suspected human carcinogen (A2), and bis(chloromethyl) ether (BCME), a confirmed human carcinogen (A1), had the potential to be released as by-products of the chemical reaction.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order 1 Item 25g Type of Violation: **Serious**

29 CFR 1910.1003(e)(1)(i): Entrances to regulated areas were not posted with signs bearing the legend:

CANCER-SUSPECT AGENT AUTHORIZED PERSONNEL ONLY: (General Industry Reference: 1910.1006 and 1910.1008)

Regrind Line (Area) - Employees transferred and emptied 55-gallon drums which contained various quantities of hydrochloric acid and formaldehyde into the open-top Regrind Flush Tank which normally contained between approximately 600-gallons to 800-gallons of water. Hydrochloric acid and formaldehyde (incompatible chemicals) were allowed to mix together and potentially react because none of the 55-gallon drums processed on the Regrind Line were segregated prior to, or while emptying the contents of each drum into the Regrind Flush Tank. When hydrochloric acid and formaldehyde were mixed together, chemicals such as, but not limited to chloromethyl methyl ether (CMME), a suspected human carcinogen (A2), and bis(chloromethyl) ether (BCME), a confirmed human carcinogen (A1), had the potential to be released as by-products of the chemical reaction.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order 1 Item 25h Type of Violation: **Serious**

29 CFR 1910.1003(e)(5)(i): Each employee prior to being authorized to enter a regulated area did not receive a training and indoctrination program: (General Industry Reference: 1910.1006 and 1910.1008)

Regrind Line (Area) - Employees transferred and emptied 55-gallon drums which contained various quantities of hydrochloric acid and formaldehyde into the open-top Regrind Flush Tank which normally contained between approximately 600-gallons to 800-gallons of water. Hydrochloric acid and formaldehyde (incompatible chemicals) were allowed to mix together and potentially react because none of the 55-gallon drums processed on the Regrind Line were segregated prior to, or while emptying the contents of each drum into the Regrind Flush Tank. When hydrochloric acid and formaldehyde were mixed together, chemicals such as, but not limited to chloromethyl methyl ether (CMME), a suspected human carcinogen (A2), and bis(chloromethyl) ether (BCME), a confirmed human carcinogen (A1), had the potential to be released as by-products of the chemical reaction.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order 1 Item 25i Type of Violation: **Serious**

29 CFR 1910.1003(g): At no cost to the employee, a program of medical surveillance was not established and implemented for employees considered for assignment to enter regulated areas, and for authorized employees: (General Industry Reference: 1910.1006 and 1910.1008)

Regrind Line (Area) - Employees transferred and emptied 55-gallon drums which contained various quantities of hydrochloric acid and formaldehyde into the open-top Regrind Flush Tank which normally contained between approximately 600-gallons to 800-gallons of water. Hydrochloric acid and formaldehyde (incompatible chemicals) were allowed to mix together and potentially react because none of the 55-gallon drums processed on the Regrind Line were segregated prior to, or while emptying the contents of each drum into the Regrind Flush Tank. When hydrochloric acid and formaldehyde were mixed together, chemicals such as, but not limited to chloromethyl methyl ether (CMME), a suspected human carcinogen (A2), and bis(chloromethyl) ether (BCME), a confirmed human carcinogen (A1), had the potential to be released as by-products of the chemical reaction.

Date By Which Violation Must be Abated: 03/03/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 1 Item 26 Type of Violation: **Serious**

29 CFR 1910.1200(g)(8): The employer did not maintain copies of the required material safety data sheets for each hazardous chemical in the workplace:

Tote Line (Line 3) - All of the chemicals contained inside of the 275-gallon and 330-gallon plastic totes were emptied into several open 55-gallon plastic drums. The mixture of chemicals inside of each of the drums contained significant hazards due to several incompatible chemicals being mixed together inside of the drums. By combining and mixing all of the various chemicals contained inside of the totes, the employer created a mixture inside of the drums which potentially may have possessed far different chemical properties to the chemicals that comprised the mixture. This mixture of chemicals located inside of the drums represented a new chemical, and thus, would require the entity who produced or made the chemical (i.e. the employer) to develop a Material Safety Data Sheet (MSDS) for the newly formed chemical. However, the employer never developed a MSDS for the chemical mixture contained in each of the 55-gallon plastic drums.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$7,000.00**

Safety Order 1 Item 27 Type of Violation: **Serious**

29 CFR 1910.1200(h)(1): The employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees had not been previously trained about was introduced to their work area:

Facility Wide - While processing and/or transferring drums and totes, employees were exposed to moderately to highly toxic, corrosive, flammable and/or reactive chemicals including, but are not limited to hydrochloric acid, nitric acid, phosphoric acid, sulfuric acid, acrylic acid, sodium hydroxide, ammonium hydroxide, sodium hypochlorite, organic peroxide, formaldehyde, trichloroethylene and trimethylbezene (Aromatic 100). Employees were also potentially exposed to hazardous decomposition products such as, but not limited to carbon monoxide, chlorine, ammonia, phosgene, phosphine, hydrogen, hydrogen chloride (hydrochloric acid), hydrogen fluoride (hydrofluoric acid), hydrogen cyanide, dimethylethylamine, isocyanates, monoethanolamine, hydrogen sulfide, and oxides of nitrogen and sulfur (NO_x and SO_x) due to mixing incompatible chemicals together.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$7,000.00**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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

29 CFR 1910.133(a)(1): The employer did not assure that each affected employee used appropriate eye or face equipment when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

Tote Line (Line 3) - Employees who applied Aromatic 100 onto the labels and/or placards located on the outside of the 275-gallon and 330-gallon plastic totes were not required to and did not wear appropriate eye or face protection such as, but not limited to chemical splash goggles and/or chemical splash face shields.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$55,000.00**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 3 Item 1 Type of Violation: **Repeat**

29 CFR 1910.146(c)(1): The employer did not evaluate the workplace to determine if any spaces were permit-required confined spaces:

Plant 4 - Maintenance employees entered permit-required confined spaces (PRCSs) such as, but not limited to the Hot Caustic Tank on or about every Friday to clean and remove the sludge and other debris located on the bottom of the tank. The Hot Caustic Tank contained approximately 650 to 800 gallons of 3% sodium hydroxide (NaOH) solution, which was heated to approximately 180 °F.

Indianapolis Drum Service was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 29 CFR 1910.146(c)(1), which was contained in OSHA inspection number 313195315, Citation Number 1, Item Number 2a, issued on 10/19/2009, with respect to a workplace located at 3619 East Terrace Avenue, Indianapolis, IN 46203.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$25,000.00**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 3 Item 2 Type of Violation: **Repeat**

29 CFR 1910.146(c)(2): The employer did not inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces:

Plant 4 - Maintenance employees entered permit-required confined spaces (PRCSs) such as, but not limited to the Hot Caustic Tank on or about every Friday to clean and remove the sludge and other debris located on the bottom of the tank. The Hot Caustic Tank contained approximately 650 to 800 gallons of 3% sodium hydroxide (NaOH) solution, which was heated to approximately 180 °F.

Indianapolis Drum Service was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 29 CFR 1910.146(c)(2), which was contained in OSHA inspection number 313195315, Citation Number 1, Item Number 2b, issued on 10/19/2009, with respect to a workplace located at 3619 East Terrace Avenue, Indianapolis, IN 46203.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$25,000.00**

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 3 Item 3 Type of Violation: **Repeat**

29 CFR 1910.146(c)(4): When the employer decided that its employees would enter permit spaces, the employer did not develop and implement a written permit space entry program that complied with 29 CFR 1910.146:

Facility Wide - Maintenance employees entered permit-required confined spaces (PRCSs) such as, but not limited to the Hot Caustic Tank located in Plant 4 on or about every Friday to clean and remove the sludge and other debris located on the bottom of the tank. Although the employer developed a written Confined Space Entry Program (CSEP), this CSEP did not contain all of the information required under 29 CFR 1910.146(d)-(k). Specifically, the CSEP had deficiencies such as, but not limited to:

- Only listed one PRCS for the entire facility, and did not list the Plant 4 Hot Caustic Tank as a PRCS
- CSEP allowed employees to use alternate entry procedures for PRCSs that contained not only an actual or potential hazardous atmosphere, but also additional hazards
- PRCSs were permanently reclassified by the employer and treated as non-permit spaces at all times, including during entry into the spaces
- The employer did not develop or use a confined space entry permit during entries into PRCSs
- No air monitoring of the atmosphere inside of the PRCS was performed prior to or at any time during entry into any PRCSs
- Although the CSEP had a "Training" Section, employees were not provided any formal PRCS training prior to, during or after entering PRCSs
- Although the employer relied upon fire departments to perform confined space rescue, the employer did not evaluate these prospective fire departments' ability to respond in a timely manner, or determine if they were equipped or trained to respond and perform confined space rescue duties

Indianapolis Drum Service was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 29 CFR 1910.146(c)(2), which was contained in OSHA inspection number 313195315, Citation Number 1, Item Number 2b, issued on 10/19/2009, with respect to a workplace located at 3619 East Terrace Avenue, Indianapolis, IN 46203.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$25,000.00**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

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Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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 3 Item 4a Type of Violation: **Repeat**

29 CFR 1910.1200(f)(5)(i): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the identity of the hazardous chemical(s) contained therein:

Tote Line (Line 3) - All of the chemicals contained inside of the 275-gallon and 330-gallon plastic totes were emptied into several open 55-gallon plastic drums. Each of these 55-gallon plastic drums were not labeled, tagged or marked with the identity of the hazardous chemicals contained in each drum, or appropriate hazard warning information for the chemicals contained in each drum. Although each of the 55-gallon plastic drums were labeled by the employer as "Non-Hazardous Waste," the mixture of chemicals inside of each of the drums contained significant hazards due to several incompatible chemicals being mixed together inside of the drums. The mixing of these incompatible chemicals inside of the drums had the potential to create extremely violent chemical reactions, as well as generate and release dangerous quantities of hazardous decomposition products into the work environment.

Indianapolis Drum Service was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 29 CFR 1910.1200(f)(5)(ii), which was contained in OSHA inspection number 313195315, Citation Number 2, Item Number 1, issued on 10/19/2009, with respect to a workplace located at 3619 East Terrace Avenue, Indianapolis, IN 46203.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$25,000.00**

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 3 Item 4b Type of Violation: **Repeat**

29 CFR 1910.1200(f)(5)(ii): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the appropriate hazard warnings:

Tote Line (Line 3) - All of the chemicals contained inside of the 275-gallon and 330-gallon plastic totes were emptied into several open 55-gallon plastic drums. Each of these 55-gallon plastic drums were not labeled, tagged or marked with the identity of the hazardous chemicals contained in each drum, or appropriate hazard warning information for the chemicals contained in each drum. Although each of the 55-gallon plastic drums were labeled by the employer as "Non-Hazardous Waste," the mixture of chemicals inside of each of the drums contained significant hazards due to several incompatible chemicals being mixed together inside of the drums. The mixing of these incompatible chemicals inside of the drums had the potential to create extremely violent chemical reactions, as well as generate and release dangerous quantities of hazardous decomposition products into the work environment.

Indianapolis Drum Service was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 29 CFR 1910.1200(f)(5)(ii), which was contained in OSHA inspection number 313195315, Citation Number 2, Item Number 1, issued on 10/19/2009, with respect to a workplace located at 3619 East Terrace Avenue, Indianapolis, IN 46203.

Date By Which Violation Must be Abated: 03/03/2011

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

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

29 CFR 1904.29(b)(1): A Log of all recordable work-related injuries and illnesses (OSHA Form 300 or equivalent) was not completed in the detail as required by the regulation:

Facility Wide - Case Number 08-09 on Indianapolis Drum Service's 2009 OSHA 300 Log states that an employee experienced an injury on August 20, 2009, while working on the Tote Line (Line 3) due to a "foreign object in (his) left eye." However, the employee's left eye injury occurred on August 13, 2009, and was caused by a chemical(s) splashing into their left eye. Thus, the date this left eye injured occurred and the description of this left eye injury were incorrectly recorded on the 2009 OSHA 300 Log.

Date By Which Violation Must be Abated: **Corrected During Inspection**

Proposed Penalty: **$1,000.00**

Safety Order 4 Item 2 Type of Violation: **Nonserious**

29 CFR 1910.1028(e)(2)(i): The employer did not monitor each workplace and work operation to determine accurately the airborne concentrations of benzene to which employees could be exposed:

Regrind Line (Area) - Employees transferred and emptied 55-gallon drums which contained various quantities of benzene into the open-top Regrind Flush Tank which normally contained between approximately 600-gallons to 800-gallons of water. Benzene was also potentially generated and/or released as a hazardous decomposition product due to various incompatible chemicals which were allowed to combine and mix together inside of the Regrind Flush Tank.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$0.00**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313128068

Inspection Dates: 05/18/2010 - 12/20/2010

Issuance Date: 02/04/2011

Safety Order and Notification of Penalty

Company Name: Indianapolis Drum Service

Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203

Safety Order 4 Item 3 Type of Violation: **Nonserious**

29 CFR 1910.1048(d)(1)(i): Employees of a workplace covered by this standard were not monitored to determine their exposure to formaldehyde:

Regrind Line (Area) - Employees transferred and emptied 55-gallon drums which contained various quantities of formaldehyde into the open-top Regrind Flush Tank which normally contained between approximately 600-gallons to 800-gallons of water. Formaldehyde was also potentially generated and/or released as a hazardous decomposition product due to various incompatible chemicals which were allowed to combine and mix together inside of the Regrind Flush Tank.

Date By Which Violation Must be Abated: **03/03/2011**

Proposed Penalty: **$0.00**

Robert A. Kattau
Director, Industrial Compliance

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: Indianapolis Drum Service
Inspection Site: 3619 East Terrace Avenue, Indianapolis, IN 46203
Issuance Date: 02/04/2011

Summary of Penalties for Inspection Number 313128068

Safety Order 01, Serious	=	$152,000.00
Safety Order 02, Knowing	=	$55,000.00
Safety Order 03, Repeat	=	$100,000.00
Safety Order 04, Nonserious	=	$1,000.00
Total Proposed Penalties		$308,000.00

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 n 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).

Robert A. Kattau
Director, Industrial Compliance

2-4-11
Date