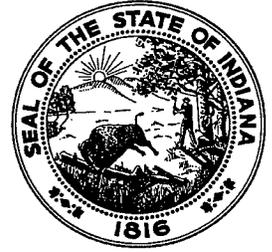


Indiana Department of Labor
Indiana Occupational Safety and Health Administration
402 West Washington Street
Room W195
Indianapolis, IN 46204-2751
Phone: 317/232-1979 Fax: 317/233-8509



Safety Order and Notification of Penalty

To:

King Systems Corporation,
and its successors
15011 Herriman Boulevard
Noblesville, IN 46060

Inspection Number: 312658875

Inspection Date(s): 07/29/2009 - 09/29/2009

Issuance Date: 10/26/2009

Inspection Site:

15011 Herriman Boulevard
Noblesville, IN 46060

The violation(s) described in this Safety Order and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

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

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

Right to Contest - You are hereby also notified that you are entitled to seek administrative review of the safety order(s), penalty(ies), or both by filing a written petition for review at the above address postmarked within fifteen working days of your receipt of the safety order(s) and notification(s) of penalty. ("Working days" means Mondays through Fridays, but does not include Saturdays, Sundays, legal holidays under a state statute or days

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Notice to Employees - The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the Indiana Department of Labor/IOSHA at the address shown above within fifteen (15) working days (excluding weekends and State holidays) or receipt by the employer of this safety order and penalty.

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 10/26/2009. The conference will be held at the IOSHA office located at 402 West Washington Street, Room W195, Indianapolis, IN 46204 on _____ at _____.

Employees and/or representatives of employees have a right to attend an informal conference.

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 312658875
Inspection Dates: 07/29/2009 - 09/29/2009
Issuance Date: 10/26/2009



Safety Order and Notification of Penalty

Company Name: King Systems Corporation
Inspection Site: 15011 Herriman Boulevard, Noblesville, IN 46060

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

29 CFR 1910.1052(f)(2): The employer implemented a schedule of employee rotation as a means of compliance with the Permissible Exposure Limits (PELs):

Circuit Room, Circuit Line 1 - A production employee was exposed to methylene chloride at 28.45 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 1.14 times the Permissible Exposure Limit (PEL) of 25.0 ppm. The exposure level was derived from a 404 minute sampling period on August 21, 2009. Zero exposure was assumed for the 76 minutes not sampled. After hand-dipping plastic parts into the methylene chloride for two hours, the production employee was required by the employer to rotate to a non-methylene chloride job on Circuit Line 1. On August 21, 2009, the production employee performed four jobs on Circuit Line 1 (two methylene chloride jobs and two non-methylene chloride jobs) for approximately two hours each and rotated three times.

NOTE: Assuming no job rotation schedule was in place on Circuit Line 1, a production employee who performed the Cuffer job on Circuit Line 1 would have been exposed to methylene chloride at 47.77 ppm for an 8-hour TWA; approximately 1.91 times the PEL of 25.0 ppm. This exposure level was derived by combining the four production employees' methylene chloride exposures who performed the Cuffer job on August 21, 2009, into a 401 minute sampling period. Zero exposure was assumed for the 79 minutes not sampled. On August 21, 2009, each of the four production employees performed four jobs on Circuit Line 1 (two methylene chloride jobs and two non-methylene chloride jobs) for approximately two hours each, and each of the four production employees rotated three times.

Date By Which Violation Must be Abated: 11/20/2009
Proposed Penalty: \$70,000.00

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 312658875
Inspection Dates: 07/29/2009 - 09/29/2009
Issuance Date: 10/26/2009



Safety Order and Notification of Penalty

Company Name: King Systems Corporation
Inspection Site: 15011 Herriman Boulevard, Noblesville, IN 46060

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

29 CFR 1910.134(d)(1)(i): The employer did not select and provide an appropriate respirator based on the respiratory hazard(s) to which the worker was exposed and workplace and user factors that affected respirator performance and reliability:

Circuit Line employees in the Circuit Room voluntarily wore DuraMask 1895N Dust Masks when the correct respirator was either a supplied-air respirator (SAR) or a self-contained breathing apparatus (SCBA) when an overexposure to methylene chloride was documented in the following instance:

Circuit Room, Circuit Line 1 - A production employee was exposed to methylene chloride at 28.45 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 1.14 times the Permissible Exposure Limit (PEL) of 25.0 ppm. The exposure level was derived from a 404 minute sampling period on August 21, 2009. Zero exposure was assumed for the 76 minutes not sampled.

King Systems Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 1910.134(d)(1)(i), which was contained in OSHA inspection number 308198852, citation number 1, item number 1a, issued on 06/04/2007, with respect to a workplace located at 15011 Herriman Boulevard, Noblesville, IN 46060.

Date By Which Violation Must be Abated: 11/20/2009
Proposed Penalty: \$25,000.00

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 312658875
Inspection Dates: 07/29/2009 - 09/29/2009
Issuance Date: 10/26/2009



Safety Order and Notification of Penalty

Company Name: King Systems Corporation
Inspection Site: 15011 Herriman Boulevard, Noblesville, IN 46060

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 2 Item 2a Type of Violation: Repeat

29 CFR 1910.1052(c)(1): Employee(s) were exposed to an airborne concentration of methylene chloride in excess of twenty-five parts of methylene chloride per million parts of air (25 ppm) as an 8-hour time-weighted average:

Circuit Room, Circuit Line 1 - A production employee was exposed to methylene chloride at 28.45 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 1.14 times the Permissible Exposure Limit (PEL) of 25.0 ppm. The exposure level was derived from a 404 minute sampling period on August 21, 2009. Zero exposure was assumed for the 76 minutes not sampled.

King Systems Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 1910.1052(c)(1), which was contained in OSHA inspection number 308198852, citation number 1, item number 1c, issued on 06/04/2007, with respect to a workplace located at 15011 Herriman Boulevard, Noblesville, IN 46060.

Date By Which Violation Must be Abated: 03/12/2010
Proposed Penalty: \$25,000.00

Safety Order 2 Item 2b Type of Violation: Repeat

29 CFR 1910.1052(f)(1): The employer did not institute and maintain the effectiveness of engineering controls and work practices to reduce employee exposure to or below the Permissible Exposure Limits (PELs):

Circuit Room, Circuit Line 1 - A production employee was exposed to methylene chloride at 28.45 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 1.14 times the Permissible Exposure Limit (PEL) of 25.0 ppm. The exposure level was derived from a 404 minute sampling period on August 21, 2009. Zero exposure was assumed for the 76 minutes not sampled.

King Systems Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 1910.1052(f)(1), which was contained in OSHA inspection number 308198852, citation number 1, item number 1f, issued on 06/04/2007, with respect to a workplace located at 15011 Herriman Boulevard, Noblesville, IN 46060.

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 312658875
Inspection Dates: 07/29/2009 - 09/29/2009
Issuance Date: 10/26/2009



Safety Order and Notification of Penalty

Company Name: King Systems Corporation
Inspection Site: 15011 Herriman Boulevard, Noblesville, IN 46060

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 12/12/2009

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 01/28/2010

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: 03/12/2010

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 312658875
Inspection Dates: 07/29/2009 - 09/29/2009
Issuance Date: 10/26/2009



Safety Order and Notification of Penalty

Company Name: King Systems Corporation
Inspection Site: 15011 Herriman Boulevard, Noblesville, IN 46060

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

29 CFR 1910.1052(e)(1): The employer did not establish a regulated area wherever an employee's exposure to airborne concentrations of methylene chloride exceeded or was reasonably expected to exceed either the 8-hour time-weighted average (TWA) Permissible Exposure Limit (PEL) or the Short Term Exposure Limit (STEL):

Circuit Room, Circuit Line 1 - A production employee was exposed to methylene chloride at 28.45 parts per million (ppm) for an 8-hour time-weighted average (TWA); approximately 1.14 times the Permissible Exposure Limit (PEL) of 25.0 ppm. The exposure level was derived from a 404 minute sampling period on August 21, 2009. Zero exposure was assumed for the 76 minutes not sampled.

King Systems Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 1910.1052(e)(1), which was contained in OSHA inspection number 308198852, citation number 1, item number 1e, issued on 06/04/2007, with respect to a workplace located at 15011 Herriman Boulevard, Noblesville, IN 46060.

Date By Which Violation Must be Abated: **11/20/2009**
Proposed Penalty: **\$25,000.00**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 312658875
Inspection Dates: 07/29/2009 - 09/29/2009
Issuance Date: 10/26/2009



Safety Order and Notification of Penalty

Company Name: King Systems Corporation
Inspection Site: 15011 Herriman Boulevard, Noblesville, IN 46060

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

29 CFR 1910.1052(f)(3)(ii): The employer did not ensure that all incidental leaks were repaired and that incidental spills were cleaned promptly by employees who used the appropriate personal protective equipment and were trained in proper methods of cleanup:

Circuit Room, Circuit Lines 1-7 - Circuit Line employees hand dipped plastic ventilator parts into metal containers which contained approximately 12-ounces of methylene chloride. The metal containers that held the methylene chloride leaked, and employees used paper towels to catch the methylene chloride that was leaking out of the containers. All incidental spills of methylene chloride were also not promptly cleaned up. For example, small methylene chloride spills were not cleaned up and were instead allowed to evaporate.

King Systems Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 1910.1052(f)(3)(i), which was contained in OSHA inspection number 308198852, citation number 1, item number 2, issued on 06/04/2007, with respect to a workplace located at 15011 Herriman Boulevard, Noblesville, IN 46060.

Date By Which Violation Must be Abated: 11/20/2009
Proposed Penalty: \$12,500.00

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 312658875
Inspection Dates: 07/29/2009 - 09/29/2009
Issuance Date: 10/26/2009



Safety Order and Notification of Penalty

Company Name: King Systems Corporation
Inspection Site: 15011 Herriman Boulevard, Noblesville, IN 46060

Safety Order 2 Item 5 Type of Violation: **Repeat**

29 CFR 1910.1052(h)(1): Where needed to prevent methylene chloride-induced skin or eye irritation, the employer did not provide clean protective clothing and equipment which was resistant to methylene chloride, at no cost to the employee, and ensure that each affected employee used it:

a) Circuit Room, Circuit Lines 1-7 - Circuit Line employees were required to wear Majestic M-Safe Industrial Grade Nitrile Gloves (#3277 & #3278), which were not resistant to methylene chloride, while hand dipping and assembling plastic ventilator parts into containers which contained methylene chloride. During the hand dipping and assembly processes, the Majestic M-Safe Industrial Grade Nitrile Gloves quickly degraded (ripped, tore, etc.) which exposed employees' hands and fingers to chemical burns.

b) Circuit Room, Circuit Lines 1-7 - Circuit Line employees who hand dipped and assembled plastic ventilator parts into containers which contained methylene chloride were not required to wear methylene chloride resistant sleeves.

King Systems Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 1910.1052(h)(1), which was contained in OSHA inspection number 308198852, citation number 1, item number 3, issued on 06/04/2007, with respect to a workplace located at 15011 Herriman Boulevard, Noblesville, IN 46060.

Date By Which Violation Must be Abated: **11/20/2009**

Proposed Penalty: **\$12,500.00**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 312658875
Inspection Dates: 07/29/2009 - 09/29/2009
Issuance Date: 10/26/2009



Safety Order and Notification of Penalty

Company Name: King Systems Corporation
Inspection Site: 15011 Herriman Boulevard, Noblesville, IN 46060

Safety Order 2 Item 6 Type of Violation: **Repeat**

29 CFR 1910.1052(j)(8)(i): The employer did not provide a copy of this section including its applicable appendices to a physician or other licensed health care professional who was involved in the diagnosis of methylene chloride-induced health effects:

Circuit Room, Circuit Lines 1-7 - In 2007, the employer implemented a medical surveillance program in which all of the Circuit Line employees who worked with methylene chloride had their carboxyhemoglobin (HbCO) and hematocrit blood levels examined one to three times per year. However, the employer did not provide the physician and/or the professional health care provider with a copy of the methylene chloride standard (29 CFR 1910.1052) and its appendices before or after the medical surveillance program began.

King Systems Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 1910.1052(j)(1)(i), which was contained in OSHA inspection number 308198852, citation number 1, item number 1g, issued on 06/04/2007, with respect to a workplace located at 15011 Herriman Boulevard, Noblesville, IN 46060.

Date By Which Violation Must be Abated: 11/20/2009
Proposed Penalty: \$5,000.00

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 312658875
Inspection Dates: 07/29/2009 - 09/29/2009
Issuance Date: 10/26/2009



Safety Order and Notification of Penalty

Company Name: King Systems Corporation
Inspection Site: 15011 Herriman Boulevard, Noblesville, IN 46060

Safety Order 2 Item 7 Type of Violation: **Repeat**

29 CFR 1910.1052(j)(8)(ii): The employer did not provide a description of the affected employee's past, current and anticipated future duties as they related to the employee's methylene chloride exposure to a physician or other licensed health care professional who was involved in the diagnosis of methylene chloride-induced health effects:

Circuit Room, Circuit Lines 1-7 - In 2007, the employer implemented a medical surveillance program in which all of the Circuit Line employees who worked with methylene chloride had their carboxyhemoglobin (HbCO) and hematocrit blood levels examined one to three times per year. However, the employer did not provide the physician and/or the professional health care provider with a written description of each Circuit Line employee's duties as they related to methylene chloride exposure before or after the medical surveillance program began.

King Systems Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 1910.1052(j)(1)(i), which was contained in OSHA inspection number 308198852, citation number 1, item number 1g, issued on 06/04/2007, with respect to a workplace located at 15011 Herriman Boulevard, Noblesville, IN 46060.

Date By Which Violation Must be Abated: 11/20/2009
Proposed Penalty: \$5,000.00

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 312658875
Inspection Dates: 07/29/2009 - 09/29/2009
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Safety Order and Notification of Penalty

Company Name: King Systems Corporation
Inspection Site: 15011 Herriman Boulevard, Noblesville, IN 46060

Safety Order 2 Item 8 Type of Violation: **Repeat**

29 CFR 1910.1052(j)(8)(iii): The employer did not provide the employee's former or current exposure levels or, for employees not yet occupationally exposed to methylene chloride, the employee's anticipated exposure levels and the frequency and exposure levels anticipated to be associated with emergencies to a physician or other licensed health care professional who was involved in the diagnosis of methylene chloride-induced health effects:

Circuit Room, Circuit Lines 1-7 - In 2007, the employer implemented a medical surveillance program in which all of the Circuit Line employees who worked with methylene chloride had their carboxyhemoglobin (HbCO) and hematocrit blood levels examined one to three times per year. However, the employer did not provide the physician and/or the professional health care provider the methylene chloride sampling results for the Circuit Line employees or any other methylene chloride exposure monitoring levels for the Circuit Room performed by the employer before or after the medical surveillance program began.

King Systems Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 1910.1052(j)(1)(i), which was contained in OSHA inspection number 308198852, citation number 1, item number 1g, issued on 06/04/2007, with respect to a workplace located at 15011 Herriman Boulevard, Noblesville, IN 46060.

Date By Which Violation Must be Abated: **11/20/2009**

Proposed Penalty: **\$5,000.00**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 312658875
Inspection Dates: 07/29/2009 - 09/29/2009
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Safety Order and Notification of Penalty

Company Name: King Systems Corporation
Inspection Site: 15011 Herriman Boulevard, Noblesville, IN 46060

Safety Order 2 Item 9 Type of Violation: **Repeat**

29 CFR 1910.1052(j)(8)(iv): The employer did not provide a description of any personal protective equipment, such as respirators, used or to be used to a physician or other licensed health care professional who was involved in the diagnosis of methylene chloride-induced health effects:

Circuit Room, Circuit Lines 1-7 - In 2007, the employer implemented a medical surveillance program in which all of the Circuit Line employees who worked with methylene chloride had their carboxyhemoglobin (HbCO) and hematocrit blood levels examined one to three times per year. However, the employer did not provide the physician and/or the professional health care provider with a description of the personal protective equipment (PPE) that was used by Circuit Line employees while they worked with methylene chloride before or after the medical surveillance program began.

King Systems Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 1910.1052(j)(1)(i), which was contained in OSHA inspection number 308198852, citation number 1, item number 1g, issued on 06/04/2007, with respect to a workplace located at 15011 Herriman Boulevard, Noblesville, IN 46060.

Date By Which Violation Must be Abated: 11/20/2009
Proposed Penalty: \$5,000.00

Indiana Department of Labor

Occupational Safety and Health Administration

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Inspection Dates: 07/29/2009 - 09/29/2009
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Safety Order and Notification of Penalty

Company Name: King Systems Corporation
Inspection Site: 15011 Herriman Boulevard, Noblesville, IN 46060

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

29 CFR 1910.1052(d)(5)(i): The employer did not, within 15 working days after the receipt of the results of any monitoring performed under this section, notify each affected employee of these results in writing, either individually or by posting of results in an appropriate location that was accessible to affected employees:

Circuit Room, Circuit Lines 1-7 - On various days in 2007, 2008, and 2009, the employer performed personal air monitoring to determine Circuit Line employees' exposure to methylene chloride by using equipment such as, but not limited to passive dosimeter badges. However, Circuit Line employees were not notified in writing or provided a copy of the sampling results/report for the methylene chloride air sampling performed in the Circuit Room.

Date By Which Violation Must be Abated: **11/20/2009**
Proposed Penalty: **\$1,000.00**

Jeffrey S. Carter
Deputy Commissioner of Labor

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: King Systems Corporation
Inspection Site: 15011 Herriman Boulevard, Noblesville, IN 46060
Issuance Date: 10/26/2009
Summary of Penalties for Inspection Number 312658875

Safety Order 01, Knowing	=	\$70,000.00
Safety Order 02, Repeat	=	\$120,000.00
Safety Order 03, Nonserious	=	\$1,000.00
Total Proposed Penalties		\$191,000.00

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

IOSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

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

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the safety order(s).



Jeffrey S. Carter

10/26/09

Date

Deputy Commissioner of Labor