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 5732 5306 11-19-12 JTO

Safety Order and Notification of Penalty

To:

Parma Acquisition Corporation
d/b/a Custom Cryogenic Grinding (CCG)
and its successors
1428 West Henry Street, Suite A
Indianapolis, IN 46221

and

c/o Brian Bash, Trustee
PNC Cener 1900 E. 9th Street, Suite 3200
Cleveland, Ohio 44114

Inspection Site:

1428 West Henry Street
Indianapolis, IN 46221

Inspection Number: 315870634

Inspection Date(s): 05/30/2012 - 10/26/2012

Issuance Date: 11/19/2012

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.

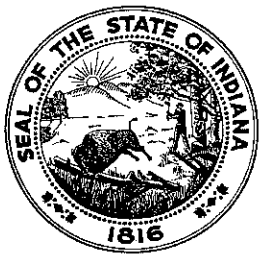
Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an

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 11/19/2012. 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: 315870634

Inspection Dates: 05/30/2012 - 10/26/2012

Issuance Date: 11/19/2012

Safety Order and Notification of Penalty

Company Name: Parma Acquisition Corporation d/b/a Custom Cryogenic Grinding (CCG) Corporation

Inspection Site: 1428 West Henry Street, Indianapolis, IN 46221

Safety Order 1 Item 1 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 potential fire, deflagration and/or explosion hazards because methods were not utilized to contain combustible dusts such as, but not limited to: rubber dust from becoming airborne and combining with an ignition source.

(a) Shredder Area - A dust collection unit comprised of a cyclonic separator (cyclone) followed by a set of nine unenclosed pendant (vertical) fabric filters collected rubber dust, a Class II Group G combustible dust, as well as other fugitive dust emissions generated from the Granulator. The dust collection unit was located inside the facility and was not equipped with explosion protection such as, but not limited to: explosion (deflagration) venting or a deflagration suppression system. If a fire and/or explosion occurred, the dust collection unit could potentially explode because it was not designed to minimize the damage that would occur in the event of a dust deflagration and/or explosion inside of one or all of the components of the dust collection unit.

Among other methods, one feasible and acceptable method to correct this hazard is to protect the cyclonic separator (cyclone) in accordance with Section 7.13.1.2.2 of the National Fire Protection Association's (NFPA) *Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids* (NFPA 654-2013). Section 7.13.1.2.2 of NFPA 654-2013 states that "where an explosion hazard exists, air-material separators shall be protected in accordance with 7.1.4." Section 7.1.4.1 of NFPA 654-2013 states that "the design of explosion protection for equipment shall incorporate one or more of the following methods of protection:

(1) Oxidant concentration reduction in accordance with NFPA 69, *Standard on Explosion Prevention Systems*
  (a) Where oxygen monitoring is used, it shall be installed in accordance with ISA 84.00.01, *Functional Safety: Application of Safety Instrumented Systems for the Process Industry Sector*.
  (b) Where the chemical properties of the material being conveyed require a minimum concentration of oxygen to control pyrophoricity, that level of concentration shall be maintained.
(2)*Deflagration venting in accordance with NFPA 68, *Standard on Explosion Protection by Deflagration Venting*
(3) Deflagration pressure containment in accordance with NFPA 69, *Standard on Explosion Prevention Systems*
(4) Deflagration suppression systems in accordance with NFPA 69, *Standard on Explosion Prevention Systems*
(5) Dilution with a noncombustible dust to render the mixture noncombustible (See 7.1.4.2.)
(6) Deflagration venting through a listed dust retention and flame-arresting device."

ABATEMENT NOTE: Although only the dust collection unit located inside of the Shredder Area is mentioned in Instance (a) of this Safety Order, there are also several other similar dust collection units located inside of the Hammer Mill Area. Each of these dust collection units also pose a potential fire, deflagration and/or explosion hazard. Thus, all of these dust collection units must also be equipped with explosion protection.

(b) Shredder Area - The dust collection system used a closed-loop supply (recirculation) system to provide make-up air to all of the parts of the Shredder Area. In this supply system, contaminated and dust-laden air from the Granulator was cleaned by a dust collection unit comprised of a cyclonic separator (cyclone) followed by a set of nine unenclosed pendant (vertical) fabric filters. As the exhausted air passed through the porous fabric walls of the filters, the air was released (recycled) back into the Shredder Area. If a fire and/or explosion occurred inside of the cyclone, the fire and/or explosion could propagate out of the cyclone, through the manifold and into the filters. If a fire and/or explosion occurred inside of the fabric filters, the fire and/or explosion could propagate upwards along the length of the filters, through the manifold and into the cyclone. No matter which direction the fire and/or explosion propagated, the fire and/or explosion could potentially ignite any settled or moving dust inside of dust collection system (cyclone, filters, ducts, etc.), which would lead to secondary deflagrations and/or explosions. The fire and/or explosion(s) could also potentially ignite the dispersed and accumulated rubber dust/powder located directly outside of the dust collection system.

Among other methods, one feasible and acceptable method to correct this hazard is to follow the requirements listed Section 7.13.1.6.3 of NFPA's *Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids* (NFPA 654-2013). Section 7.13.1.6.3 of NFPA 654-2013 states that "recycling of air-material separator exhaust to buildings or rooms shall be permitted when all of the following requirements are met:

(1) Combustible or flammable gases or vapors are not present either in the intake or the recycled air in concentrations above applicable industrial hygiene exposure limits or 1 percent of the LFL, whichever is lower.
(2) Combustible particulate solids are not present in the recycled air in concentrations above applicable industrial hygiene exposure limits or 1 percent of the MEC, whichever is lower.
(3) The oxygen concentration of the recycled air stream is between 19.5 percent and 23.5 percent by volume.
(4) Provisions are incorporated to prevent transmission of flame and pressure effects from a deflagration in an air-material separator back to the facility unless a process hazard analysis indicates that those effects do not pose a threat to the facility or the occupants.
(5) Provisions are incorporated to prevent transmission of smoke and flame from a fire in an air-material separator back to the facility unless a process hazard analysis indicates that those effects do not pose a threat to the facility or the occupants.
(6) The system includes a method for detecting air-material separator malfunctions that would reduce

collection efficiency and allow increases in the amount of combustible particulate solids returned to the building.
(7) The building or room to which the recycled air is returned meets the fugitive dust control and housekeeping requirements of this standard (Chapter 8).
(8) Recycled-air ducts are inspected and cleaned at least annually."

(c) Hammer Mill Area - On each of the three Mills, rubber dust, a Class II Group G combustible dust, was continuously moved/transferred through enclosed screw conveyors (augers) and deposited into the top of unenclosed Shaker Screens/Separators. A cyclonic separator (cyclone) was attached to the top of each of these enclosed screw conveyors. Each of these cyclones were connected to a hammer mill enclosure and a dust collection unit that was comprised of a cyclonic separator (cyclone) followed by a set of nine unenclosed pendant (vertical) fabric filters. None of the screw conveyors were isolated to prevent deflagration propagation between the multiple pieces of connected equipment. If a fire and/or deflagration and/or explosion occurred inside of the cyclone connected to the top of the screw conveyor or inside of the dust collection unit, the pressure wave and resulting flame front would propagate throughout the dust collection system in all allowable directions (including inside of the enclosed screw conveyor), which could potentially lead to secondary deflagrations and/or explosions.

Among other methods, one feasible and acceptable method to correct this hazard is to install chemical isolation devices/systems on the screw conveyors (augers) which are designed to prevent deflagration propagation between connected pieces of equipment in accordance with NFPA's *Standard on Explosion Prevention Systems* (NFPA 69-2008). Deflagration propagation methods are also discussed in Annex E of NFPA's *Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids* (NFPA 654-2013).

(d) Shredder Area - Employees used compressed air rated above approximately 100 psig to clean rubber dust, a Class II Group G combustible dust, off of the fabric filters, floors and surfaces located around and on the dust collection unit located inside of the Shredder Area. The use of compressed air for cleaning and/or removing rubber dust could cause significant amounts of rubber dust to be suspended in air, which could potentially lead to flash fires, deflagrations and/or explosions.

Among other methods, one feasible and acceptable method to correct this hazard is to develop and implement a written procedure for using compressed air to clean rubber dust off of machinery/equipment, floors and/or surfaces. This procedure should follow Section 8.2.2.4 of NFPA's *Standard for the Prevention of Fire and Dust Explosions from the Manufacturing, Processing, and Handling of Combustible Particulate Solids* (NFPA 654-2013). Section 8.2.2.4 of NFPA 654-2013 states that "blow-downs using compressed air or steam shall be permitted to be used for cleaning inaccessible surfaces or surfaces where other methods of cleaning result in a greater personal safety risk. Where blow-down using compressed air is used, the following precautions shall be followed:

(1) Vacuuming, sweeping, or water wash-down methods are first used to clean surfaces that can be safely accessed prior to using compressed air.
(2) Dust accumulations in the area after vacuuming, sweeping, or water wash-down do not exceed the threshold dust accumulation.
(3) Compressed air hoses are equipped with pressure relief nozzles limiting the discharge gauge pressure to 30 psi (207 kPa) in accordance with the OSHA requirements in 29 CFR 1910.242(b), "Hand and Portable Power Tools and Equipment, General."
(4) All electrical equipment potentially exposed to airborne dust in the area meets, as a minimum, the requirements of NFPA 70, *National Electrical Code*, NEMA 12 as defined by NEMA 250: or the equivalent.
(5) All ignition sources and hot surfaces capable of igniting a dust cloud or dust layer are shut down or removed from the area."

(e) Facility Wide - Enclosed dust-generating equipment such as, but not limited to the hammers and screw conveyors leaked substantial amounts of rubber dust, a Class II Group G combustible dust, onto the floor and other horizontal surfaces. Other pieces of dust-generating equipment including, but not limited to screens/separators, hoppers and conveyor systems was not fully or partially enclosed, which allowed rubber dust and/or powder to escape and accumulate on top of and underneath the machinery, as well as on top of horizontal surfaces (pipes, beams, ledges, etc.). The leaking, open and non-dusttight process equipment caused significant amounts of rubber dust to be suspended in air, which could potentially lead to flash fires, deflagrations and/or explosions.

Among other methods, one feasible and acceptable method to correct this hazard is to maintain and operate all process equipment in a manner that minimizes the escape of dust. All holes, cracks, or other openings in process equipment that allow combustible dust to escape should be repaired immediately.

(f) Facility Wide - The employer's Emergency Action Plan (EAP) and Fire Prevention Plan (FPP) did not adequately address the potential flash fire, deflagration and explosion hazards associated with rubber dust, a Class II Group G combustible dust. The employer's EAP did not specifically address or discuss what to do in the event of a fire, and none of the emergency exit routes to any of the designated emergency exits were documented or shown on the facility's Emergency Exit Route Map. Also, three of the emergency exits listed on the Emergency Exit Route Map would not be considered emergency exits. The employer's FPP did not list or discuss rubber dust/powder or combustible dust, all potential sources of ignition, housekeeping procedures for minimizing the amount of combustible dust on floor areas and other surfaces (pipes, beams, ledges, equipment, etc.), and the type of fire protection equipment necessary to control each major hazard.

Among other methods, one feasible and acceptable method to correct this hazard is to develop and implement an EAP and FPP which meet the minimal requirements listed in 29 CFR 1910.38(c) and 29 CFR 1910.39(c) respectively.

Date By Which Violation Must be Abated: **12/14/2012**
Proposed Penalty: **$2,000.00**

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

Safety Order 1 Item 2a 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 an insufficient amount of emergency exits and/or excessive travel distances to the existing emergency exits:

(a) Shredder Area - Employees who worked in and around the Shredder Area, a high hazard area, would have to travel an excessive distance to reach the nearest emergency exit(s). The closest primary emergency exit to the Shredder Area was located along the East wall of the facility, directly to the right of an electrical cage (Exit #1). The alternative emergency exit to the Shredder Area was located along the East wall of the facility, directly to the right of the Loading Dock (Exit #2). Exit #1 was located approximately 137.67-feet from the furthest point where Shredder Area employees would access the emergency exit. Exit #2 was located approximately 311.58-feet from the furthest point where Shredder Area employees would access the emergency exit.

(b) Hammer Mill Area - Employees who worked in and around the Hammer Mill Area, a high hazard area, would have to travel an excessive distance to reach the nearest emergency exit(s). The closest primary emergency exit to the Hammer Mill Area was located along the East wall of the facility, directly to the right of an electrical cage (Exit #1). The alternative emergency exit to the Hammer Mill Area was located along the East wall of the facility, directly to the right of the Loading Dock (Exit #2). Exit #1 was located approximately 209.17-feet from the furthest point where Shredder Area employees would access the emergency exit. Exit #2 was located approximately 383.42-feet from the furthest point where Shredder Area employees would access the emergency exit.

Among other methods, one feasible and acceptable method to correct these hazards is to provide or designate additional emergency exits in or near the Shredder and Hammer Mill Areas that meet the requirements listed in the National Fire Protection Agency's (NFPA) *Life Safety Code* (NFPA 101-2012). Specifically, Section 7.11.1 of the

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 315870634

Inspection Dates: 05/30/2012 - 10/26/2012

Issuance Date: 11/19/2012

Safety Order and Notification of Penalty

Company Name: Parma Acquisition Corporation d/b/a Custom Cryogenic Grinding **(CCG)** Corporation

Inspection Site: 1428 West Henry Street, Indianapolis, IN 46221

Life Safety Code (NFPA 101-2012) 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).

Date By Which Violation Must be Abated: 12/14/2012
Proposed Penalty: $2,000.00

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

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

East Wall of the Facility - Materials such as, but not limited to large plastic bins, compressed gas cylinders and large rolls of materials were stored within approximately 23.50-inches of the front of the emergency exit door located along the East wall of the facility (Exit #1). These materials would not allow direct entry (front access) or use of Exit #1 when using the designated emergency exit route (aisleway).

Date By Which Violation Must be Abated: 12/14/2012

Safety Order 1 Item 2c 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:

(a) Shredder Area - The closest primary emergency exit to the Shredder Area was located along the East wall of the facility, directly to the right of an electrical cage (Exit #1). The alternative emergency exit to the Shredder Area was located along the East wall of the facility, directly to the right of the Loading Dock (Exit #2). Exit #1 was located approximately 137.67-feet from the furthest point where Shredder Area employees would access the emergency exit. Exit #2 was located approximately 311.58-feet from the furthest point where Shredder Area employees would access the emergency exit. Each of these emergency exits cannot be easily seen (i.e. partially to fully obstructed line-of-sight) from the Shredder Area, 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 Shredder Area to Exit #1 or Exit #2.

(b) Hammer Mill Area - The closest primary emergency exit to the Hammer Mill Area was located along the East wall of the facility, directly to the right of an electrical cage (Exit #1). The alternative emergency exit to the

Hammer Mill Area was located along the East wall of the facility, directly to the right of the Loading Dock (Exit #2). Exit #1 was located approximately 209.17-feet from the furthest point where Shredder Area employees would access the emergency exit. Exit #2 was located approximately 383.42-feet from the furthest point where Shredder Area employees would access the emergency exit. Each of these emergency exits cannot be easily seen (i.e. partially to fully obstructed line-of-sight) from the Hammer Mill Area, 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 Hammer Mill Area to Exit #1 or Exit #2.

Date By Which Violation Must be Abated: 12/14/2012

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

29 CFR 1910.110(f)(2)(ii): LP gas container(s) stored inside were located near or in area(s) normally used or intended for the safe exit of employees:

East Wall of the Facility - A metal cage that contained twelve propane cylinders was located approximately 18.50-inches to the right of the emergency exit located along the East wall of the facility (Exit #1). Seven propane cylinders were also stored outside of this metal cage within approximately 12.0-inches to the right of Exit #1.

Date By Which Violation Must be Abated: 12/14/2012

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

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

(a) Shredder Area - Accumulations of between approximately 0.25-inches to 3.0-inches of rubber dust/powder, a Class II Group G combustible dust, had settled on surfaces such as, but not limited to the top of the augers (screw conveyors) and the horizontal ledges of an unfinished wall located above the dust collector.

(b) Hammer Mill Area - Accumulations of between approximately 0.75-inches to 6.0-inches of rubber dust/powder, a Class II Group G combustible dust, had settled on surfaces such as, but not limited to the top of the pillar footings, the top of the elevated platforms and inside of the metal pipes located behind the mills.

ABATEMENT NOTE: In order to prevent potential deflagrations and/or explosions (primary and secondary) from occurring, the rubber dust layers on all surfaces and floors of the facility must be cleaned at a frequency which keeps the dust layers below 1/32 of an inch (0.03125-inches) thick.

Date By Which Violation Must be Abated: **12/14/2012**
Proposed Penalty: **$2,000.00**

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

29 CFR 1910.22(a)(2): The floor of every workroom was not maintained in a clean and, so far as possible, a dry condition:

(a) Shredder Area - Accumulations of between approximately 4.0-inches to 8.0-inches of rubber dust/powder, a Class II Group G combustible dust, had settled on the floor area around and underneath the Screener and the filters of the dust collector.

(b) Hammer Mill Area - Accumulations of between approximately 0.25-inches to 3.0-inches of rubber dust/powder, a Class II Group G combustible dust, had settled on a vast amount of the floor area around and behind the mills.

ABATEMENT NOTE: In order to prevent potential deflagrations or explosions (primary and secondary) from occurring, the rubber dust layers on all surfaces and floors of the facility must be cleaned at a frequency which keeps the dust layers below 1/32 of an inch (0.03125-inches) thick.

Date By Which Violation Must be Abated: **12/14/2012**
Proposed Penalty: **$2,000.00**

Safety Order 1 Item 5 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. The intermediate rail was not approximately halfway between the top rail and the floor, platform, runway, or ramp:

Shredder Area - The back and right sides of the elevated platform located directly to the right of the top of the Hopper were not equipped with standard railings. The elevated platform was was located approximately 121.50-inches (10.13-feet) above the floor, and the back and right sides of the elevated platform were equipped with

railings. However, the intermediate rail on each section of railings was located approximately 15.0-inches below the top rail and approximately 23.0-inches above the platform floor. Also, the top rail for each section of railings was located approximately 38.0-inches above the platform floor.

Date By Which Violation Must be Abated: 12/14/2012
Proposed Penalty: $2,000.00

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

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

29 CFR 1910.132(a): Protective equipment was not used when necessary whenever hazards capable of causing injury and impairment were encountered:

(a) Shredder Area - Employees who worked on or near the Shredder Area were not required to wear flame-resistant clothing (FRC) and wore clothing which were blends of synthetics and cotton. A potential combustible dust flash fire hazard existed inside of the Shredder Area due to the significant airborne concentrations (i.e. clouds) of rubber dust, a Class II Group G combustible dust, that were dispersed and suspended throughout the Shredder Area. Vast amounts of rubber dust had also accumulated on various surfaces and floor areas located throughout the Shredder Area.

(b) Hammer Mill Area - Employees who worked on or near the Hammer Mill Area were not required to wear flame-resistant clothing (FRC) and wore clothing which were blends of synthetics and cotton. A potential combustible dust flash fire hazard existed inside of the Hammer Mill Area due to the significant airborne concentrations (i.e. clouds) of rubber dust, a Class II Group G combustible dust, that were dispersed and suspended throughout the Hammer Mill Area. Vast amounts of rubber dust had also accumulated on various surfaces and floor areas located throughout the Hammer Mill Area.

ABATEMENT NOTE: Any flame-resistant clothing (FRC) or flame-resistant garments (FRGs) purchased or used by the employer must meet the minimum elements listed in the National Fire Protection Agency's (NFPA) *Standard on Flame-Resistant Garments for Protection of Industrial Personnel Against Flash Fire* (NFPA 2112-2012)

Date By Which Violation Must be Abated: 12/14/2012
Proposed Penalty: $2,000.00

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

29 CFR 1910.132(d)(1): The employer did not assess the workplace to determine if hazards were present, or were likely to be present, which necessitated the use of personal protective equipment (PPE):

Facility Wide - The Personal Protective Equipment (PPE) Hazard Assessment for the various jobs, processes and/or pieces of machinery/equipment located throughout the facility did not specifically address why PPE was needed and when PPE was required to be worn. The PPE Hazard Assessment also did not discuss the potential flash fire, deflagration and explosion hazards created by rubber dust/powder, a Class II Group G combustible dust, which was dispersed and suspended under normal operating conditions in areas such as, but not limited to the Shredder Area and Hammer Mill Area.

Date By Which Violation Must be Abated: 12/14/2012

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

29 CFR 1910.178(c)(2)(vi)(a): Approved power operated industrial trucks designated as EX were not used in atmospheres in which combustible dust was or may have been in suspension continuously, intermittently, or periodically under normal operating conditions, in quantities sufficient to produce explosive or ignitable mixtures, or where mechanical failure or abnormal operation of machinery or equipment might have caused such mixtures to be produced:

Facility Wide - Forklifts such as, but not limited to a Linde Model H25CI-600 Propane (Type LP) Forklift and a Clark Model CGC 25 Propane (Type LP) Forklift were used to transport unfinished and finished materials into and out of the Shredder and Hammer Mill Areas. Significant airborne concentrations (i.e. clouds) of rubber dust, a Class II Group G combustible dust, were dispersed and suspended throughout the atmospheres of the Shredder and Hammer Mill Areas. Vast amounts of rubber dust had also accumulated on various surfaces and floor areas located throughout the Shredder and Hammer Mill Areas.

Date By Which Violation Must be Abated: 12/14/2012
Proposed Penalty: $2,000.00

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 315870634

Inspection Dates: 05/30/2012 - 10/26/2012

Issuance Date: 11/19/2012

Safety Order and Notification of Penalty

Company Name: Parma Acquisition Corporation d/b/a Custom Cryogenic Grinding **(CCG)** Corporation

Inspection Site: 1428 West Henry Street, Indianapolis, IN 46221

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

29 CFR 1910.242(b): Effective chip guarding and personal protective equipment was not used when compressed air was used for cleaning purposes:

Facility Wide - Employees who used compressed air rated above approximately 100 pounds per square inch (psig) to clean dust, powder and/or debris from their clothing and body (including their face and hair) were not required and did not wear personal protective equipment (PPE) such as, but not limited to safety glasses.

Date By Which Violation Must be Abated: **12/14/2012**
Proposed Penalty: **$2,000.00**

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

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

29 CFR 1910.252(a)(2)(iv): Before cutting or welding was permitted, the area was not inspected by the individual responsible for authorizing cutting and welding operations and they did not designate precautions to be followed in granting authorization to proceed preferably in the form of a written permit:

Facility Wide - An outside contractor performed hot work operations such as, but not limited to welding in the Shredder and Hammer Mill Areas where vast amounts of accumulated and airborne concentrations of rubber dust, a Class II Group G combustible dust, were present. Prior to performing hot work operations in the Shredder and Hammer Mill Areas, the employer did not clean or remove the accumulations of rubber dust from the surfaces and/or floor areas in and around the areas where the hot work was performed. The employer also did not fill out hot work permits, or assure that the ignition sources created by the hot work (sparks, embers, open flames, etc.) would not ignite any accumulated or dispersed combustible dust(s).

ABATEMENT NOTE: An example of a Hot Work Permit that could be used for hot work operations (welding, cutting, grinding, etc.) can be found in Figure A.5.4.1 of the National Fire Protection Association's (NFPA) *Standard for Fire Protection During Welding, Cutting, and Other Hot Work* (NFPA 51B-2009).

Date By Which Violation Must be Abated: **12/14/2012**
Proposed Penalty: **$2,000.00**

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

29 CFR 1910.252(a)(2)(vi)(C): Cutting or welding was permitted in the presence of explosive atmospheres (mixture of flammable gases, vapors, liquids, or dusts with air), or explosive atmospheres that could develop inside uncleaned or improperly prepared tanks or equipment which had previously contained such materials, or that could develop in areas with an accumulation of combustible dusts:

Facility Wide - An outside contractor performed hot work operations such as, but not limited to: welding in the Shredder and Hammer Mill Areas where vast amounts of accumulated and airborne concentrations of rubber dust, a Class II Group G combustible dust, were present. Prior to performing hot work operations in the Shredder and Hammer Mill Areas, the employer did not clean or remove the accumulations of rubber dust from the surfaces and/or floor areas in and around the areas where the hot work was performed. The employer also did not fill out hot work permits, or assure that the ignition sources created by the hot work (sparks, embers, open flames, etc.) would not ignite any accumulated or dispersed combustible dust(s).

Date By Which Violation Must be Abated: 12/14/2012

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

(a) Shredder Area - Electrical equipment, apparatus and installations such as, but not limited to disconnect switches, electrical boxes and electrical panels were exposed to rubber dust, a Class II Group G combustible dust, under normal operating conditions. Vast amounts of rubber dust had accumulated on and/or around electrical equipment, apparatus and installations located throughout the Shredder Area. None of the electrical enclosures located inside of the Shredder Area were identified, listed and/or approved for use in environments where combustible dust was present (NEMA Type 9).

(b) Hammer Mill Area - Electrical equipment, apparatus and installations such as, but not limited to disconnect switches, electrical boxes and electrical panels were exposed to rubber dust, a Class II Group G combustible dust,

under normal operating conditions. Vast amounts of rubber dust had accumulated on and/or around electrical equipment, apparatus and installations located throughout the Shredder Area. None of the electrical enclosures located inside of the Shredder Area were identified, listed and/or approved for use in environments where combustible dust was present (NEMA Type 9).

Date By Which Violation Must be Abated: 12/14/2012
Proposed Penalty: $2,000.00

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

29 CFR 1910.307(c): Equipment, wiring methods, and installations of equipment in hazardous (classified) locations were not intrinsically safe, or approved for the hazardous (classified) location, or safe for the hazardous (classified) location:

(a) Shredder Area - Electrical equipment, apparatus and installations such as, but not limited to lighting fixtures, switches, motors, boxes, circuit breaker panels, receptacles (outlets) and electrical wiring (in and out of conduit) were not approved, rated and/or designed for a Class II, Division 1 hazardous location. Electrical equipment, apparatus and installations were exposed to rubber dust, a Class II Group G combustible dust, under normal operating conditions, and vast amounts of rubber dust had accumulated on the floor and other surfaces (ledges, machinery, equipment, etc.) located throughout the Shredder Area.

(b) Hammer Mill Area - Electrical equipment, apparatus and installations such as, but not limited to lighting fixtures, switches, motors, boxes, circuit breaker panels, receptacles (outlets) and electrical wiring (in and out of conduit) were not approved, rated and/or designed for a Class II, Division 1 hazardous location. Electrical equipment, apparatus and installations were exposed to rubber dust, a Class II Group G combustible dust, under normal operating conditions, and vast amounts of rubber dust had accumulated on the floor and other surfaces (ledges, machinery, equipment, etc.) located throughout the Hammer Mill Area.

Date By Which Violation Must be Abated: 12/14/2012

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 1910.303(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:

(a) Shredder Area - The left side of the Square D Catalog Number QOC24U Circuit Breaker Cabinet was not effectively closed and was missing a pre-punched knockout. The missing pre-punched knockout left an opening near the top left rear corner of the cabinet that measured approximately 1.50-inches in diameter. The opening on the left side of the circuit breaker cabinet allowed fugitive rubber dust, a Class II Group G combustible dust, generated during cleaning operations to accumulate inside of the cabinet.

(b) Shredder Area - The bottom of the Siemens Catalog Number ID361 Industrial Duty (Disconnect) Switch was not effectively closed and was missing a pre-punched knockout. The missing pre-punched knockout left an opening near the left rear corner on the bottom of the switch that measured approximately 1.50-inches in diameter. The opening on the bottom of the disconnect switch allowed fugitive rubber dust, a Class II Group G combustible dust, generated from the various operations located throughout the Shredder Area to accumulate inside of the switch.

Date By Which Violation Must be Abated: **12/14/2012**
Proposed Penalty: **$2,000.00**

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

29 CFR 1910.305(b)(2)(i): All pull boxes, junction boxes, and fittings were not provided with covers identified for the purpose:

Hammer Mill Area - An electrical junction box located underneath the elevated platform on Mill #1 was not equipped with a cover. The bottom of the electrical junction box was completely exposed and was located approximately 41.50-inches above the floor. The exposed portion(s) of the electrical junction box allowed fugitive rubber dust, a Class II Group G combustible dust, generated from the various operations located throughout the Hammer Mill Area to accumulate inside of the box.

Date By Which Violation Must be Abated: **12/14/2012**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number:	315870634
Inspection Dates:	05/30/2012 - 10/26/2012
Issuance Date:	11/19/2012

Safety Order and Notification of Penalty

Company Name: Parma Acquisition Corporation d/b/a Custom Cryogenic Grinding **(CCG)** Corporation

Inspection Site: 1428 West Henry Street, Indianapolis, IN 46221

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 1910.304(a)(1)(i): A conductor used as a grounded conductor was not identifiable and distinguishable from all other conductors:

Shredder Area - A flexible cord was hard-wired into a 3-Phase Siemens Catalog Number ID361 Industrial Duty Switch (600-Volts (AC), 30 Amps). Three of the electrical wires (two hots and a neutral) emanating from the flexible cord were connected to three individual terminals (screws) located near the bottom of the switch. The hot (ungrounded conductor) wires were not distinguishable from the neutral (grounded conductor) wire by color or by some other means.

ABATEMENT NOTE: Article 200 of the *National Electrical Code* (NFPA 70-2011), states that insulated grounded conductors must be identified by a continuous white outer finish, a continuous gray outer finish, or by other means (three continuous white stripes, etc.).

Date By Which Violation Must be Abated: **12/14/2012**
Proposed Penalty: **$2,000.00**

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

29 CFR 1910.304(f)(1)(i): Conductors and equipment were not protected from overcurrent in accordance with their ability to safely conduct current:

Shredder Area - A flexible cord was hard-wired into a 3-Phase 600-Volt (AC) Siemens Catalog Number ID361 Industrial Duty (Disconnect) Switch, which was equipped with overcurrent protection in the form of three Fusetron FRS-R-30 600-Volt (AC) 30-Amp Fuses. The flexible cord that was connected to the disconnect switch was a #12 American Wire Gauge (AWG) cord which contained three current-carrying conductors. The 30-Amp fuses connected to the flexible cord were too large (in terms of current) and would not offer effective overcurrent protection.

Date By Which Violation Must be Abated: **12/14/2012**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 315870634

Inspection Dates: 05/30/2012 - 10/26/2012

Issuance Date: 11/19/2012

Safety Order and Notification of Penalty

Company Name: Parma Acquisition Corporation d/b/a Custom Cryogenic Grinding (CCG) Corporation

Inspection Site: 1428 West Henry Street, Indianapolis, IN 46221

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

29 CFR 1910.147(c)(4)(i): Procedures were not developed, documented and utilized for the control of potentially hazardous energy when employees in activities covered by this section:

Shredder Area - The facility's shredding system contained sources of energy including, but not limited to electrical, hydraulic and pneumatic. Employees performed maintenance and servicing activities on the shredding system such as, but not limited to unclogging/removing jammed material, greasing/lubrication of internal parts, and changing internal and external parts (screens, blades, etc.). Although the shredding system contained multiple sources of energy, no machine-specific lockout/tagout (LOTO) procedures were developed or implemented for either the shredding system as a whole and/or its individual components (hopper, Granulator, conveyor system, etc.).

Parma Acquisition Corporation d/b/a Custom Cryogenic Grinding (CCG) Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 1910.147(c)(4)(i), which was contained in OSHA inspection number 315045989, citation number 1, item number 1, issued on 5/26/2011, with respect to a workplace located at1428 West Henry Street, Indianapolis, Indiana 46221.

Date By Which Violation Must be Abated: **12/14/2012**
Proposed Penalty: **$4,000.00**

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

29 CFR 1910.147(c)(5)(ii): Lockout devices and tagout devices were not singularly identified and were utilized for other purposes than controlling energy:

(a) Facility Wide - All of the locks used by employees for lockout/tagout (LOTO) purposes were kept on a designated LOTO station (board) located inside of the Maintenance Shop. Although several of the holes on the LOTO station were identified with numbers, the locks themselves were not singularly identified by name, color, number or other effective means. Once a lock was removed from the LOTO station, no information existed to link it back to the employee who removed it from the station and used it throughout the facility.

(b) Maintenance Shop - Lockout/Tagout (LOTO) devices such as a clasp and a lock were used to secure the door of a Test Rite Cabinet. Neither of these LOTO devices were utilized for individual or group LOTO purposes or operations.

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 315870634

Inspection Dates: 05/30/2012 - 10/26/2012

Issuance Date: 11/19/2012

Safety Order and Notification of Penalty

Company Name: Parma Acquisition Corporation d/b/a Custom Cryogenic Grinding (CCG) Corporation

Inspection Site: 1428 West Henry Street, Indianapolis, IN 46221

Parma Acquisition Corporation d/b/a Custom Cryogenic Grinding (CCG) Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 1910.147(c)(5)(iii), which was contained in OSHA inspection number 315045989, citation number 1, item number 1b, issued on 5/26/2011, with respect to a workplace located at1428 West Henry Street, Indianapolis, Indiana 46221.

Date By Which Violation Must be Abated: **12/14/2012**
Proposed Penalty: **$4,000.00**

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

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

Shredder Area - Employees performed maintenance and servicing activities on the shredding system such as, but not limited to unclogging/removing jammed material, greasing/lubrication of internal parts, and changing internal and external parts (screens, blades, etc.). Prior to performing maintenance and servicing activities that required the use lockout-tagout (LOTO) devices and/or procedures, authorized and affected employees were not provided effective lockout-tagout (LOTO) training.

Parma Acquisition Corporation d/b/a Custom Cryogenic Grinding (CCG) Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 1910.147(c)(7)(i), which was contained in OSHA inspection number 315045989, citation number 1, item number 1c, issued on 5/26/2011, with respect to a workplace located at1428 West Henry Street, Indianapolis, Indiana 46221.

Date By Which Violation Must be Abated: **12/14/2012**
Proposed Penalty: **$4,000.00**

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

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:

(a) Shredder Area - A section of the flexible cord that was connected to the Allen Bradley Push Button (Start/Stop) Switch had broke loose from the fitting located on the bottom of the switch, which exposed the electrical wires inside of the cord to the outside environment. Because the electrical wires were no longer protected by the flexible

cord, the electrical wires were exposed to abrasion and other physical and chemical hazards. The opening created by the missing connection point also allowed fugitive rubber dust, a Class II Group G combustible dust, generated from the various dust-producing operations located throughout the Shredder Area to accumulate inside of the switch.

(b) Shredder Area - The connection point where flexible conduit was run through a pre-punched knockout located on the bottom of a 600-Volt (AC) electrical box had come loose (i.e. unscrewed/unfastened), which completely exposed the missing pre-punched knockout and all of the electrical wires inside of the conduit to the outside environment. The opening on the bottom of the disconnect switch allowed fugitive rubber dust, a Class II Group G combustible dust, generated from the various dust-producing operations located throughout the Shredder Area to accumulate inside of the box.

Parma Acquisition Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 29 CFR 1910.305(b)(1), which was contained in OSHA inspection number 315045989, Citation 1, Item Number 4, issued on 05/26/2011, with respect to a workplace located at 1428 West Henry Street, Indianapolis, IN 46221.

Date By Which Violation Must be Abated: **12/14/2012**
Proposed Penalty: **$4,000.00**

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

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:

Shredder Area - Flexible cords were hard-wired into a Siemens Catalog Number ID361 Industrial Duty Switch (600-Volts (AC), 30 Amps), an Allen Bradley (AB) Push Button (Start/Stop) Switch and an electrical box. The flexible cords emanating from these three pieces of electrical equipment were connected using Hubbell Twist Lock Plugs (male and female), which were affixed to the ends of the flexible cords.

Parma Acquisition Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 29 CFR 1910.305(g)(1)(iv)(A), which was contained in OSHA inspection number 315045989, Citation 1, Item Number 5a, issued on 05/26/2011, with respect to a workplace located at 1428 West Henry Street, Indianapolis, IN 46221.

Date By Which Violation Must be Abated: **12/14/2012**
Proposed Penalty: **$4,000.00**

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

29 CFR 1910.305(g)(2)(iii): Flexible cords were not connected to devices and fittings so that tension would not be transmitted to joints or terminal screws:

(a) Shredder Area - A flexible cord was hard-wired into an Allen Bradley (AB) Push Button (Start/Stop) Switch. The insulation on the flexible cord that was connected to the switch had broke loose from the fitting located on the bottom of the switch which exposed the electrical wires inside the cord to the outside environment. This section of the cord was not equipped with strain relief, which put considerable stress on the connection point(s) between the cord and switch.

(b) Shredder Area - A Crouse-Hinds Electrical Box was plugged into the electrical receptacle (outlet) that was connected to the Allen Bradley (AB) Push Button (Start/Stop) Switch. The flexible electrical cord that was attached to the electrical box was not equipped with strain relief anywhere along the cord including at the connection points. The electrical box was allowed to hang, without support from the electrical receptacle, which put considerable stress on the entire cord and plug assembly that was attached to the electrical box.

(c) Shredder Area - A flexible cord was hard-wired into an electrical box that was affixed to the left side of the Tilter located in front of the bottom portion of the screw conveyor. The bottom portion of the flexible cord located directly above the plug was not equipped with strain relief, which put considerable stress on the connection point(s) between the cord and electrical box.

Parma Acquisition Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 29 CFR 1910.305(g)(2)(iii), which was contained in OSHA inspection number 315045989, Citation 1, Item Number 5b, issued on 05/26/2011, with respect to a workplace located at 1428 West Henry Street, Indianapolis, IN 46221.

Date By Which Violation Must be Abated: **12/14/2012**

Proposed Penalty: **$4,000.00**

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

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:

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number:	315870634
Inspection Dates:	05/30/2012 - 10/26/2012
Issuance Date:	11/19/2012

Safety Order and Notification of Penalty

Company Name: Parma Acquisition Corporation d/b/a Custom Cryogenic Grinding (CCG) Corporation

Inspection Site: 1428 West Henry Street, Indianapolis, IN 46221

Facility Wide - Employees who worked inside of or near areas where significant airborne concentrations and vast amounts of accumulated rubber dust/powder, a Class II Group G combustible dust, were present were not trained on physical and health hazards such as, but not limited to flash fire hazards, deflagration hazards and explosion hazards.

Parma Acquisition Corporation was previously cited for a violation of this Occupational Safety and Health Standard or its equivalent Standard 29 CFR 1910.1200(h)(1), which was contained in OSHA inspection number 315045989, Citation 1, Item Number 6b, issued on 05/26/2011, with respect to a workplace located at 1428 West Henry Street, Indianapolis, IN 46221.

Date By Which Violation Must be Abated: **12/14/2012**

Proposed Penalty: **$4,000.00**

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 315870634

Inspection Dates: 05/30/2012 - 10/26/2012

Issuance Date: 11/19/2012

Safety Order and Notification of Penalty

Company Name: Parma Acquisition Corporation d/b/a Custom Cryogenic Grinding **(CCG)** Corporation

Inspection Site: 1428 West Henry Street, Indianapolis, IN 46221

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

29 CFR 1910.145(c)(3): Safety instruction signs were not used where there was a need for general instructions and suggestions relative to safety measures:

Facility Wide - Warning signs that described the hazard(s) associated with rubber dust, a Class II Group G combustible dust, were not posted on or around equipment which processed, used, produced and/or emitted rubber dust, or at the entrances to areas where explosive atmospheres had the potential to occur.

Date By Which Violation Must be Abated: **12/14/2012**

Proposed Penalty: **$.00**

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

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

INVOICE/DEBT COLLECTION NOTICE

Company Name: Parma Acquisition Corporation d/b/a Custom Cryogenic Grinding (CCG) Corporation
Inspection Site: 1428 West Henry Street, Indianapolis, IN 46221
Issuance Date: 11/19/2012

Summary of Penalties for Inspection Number315870634

Safety Order 01, Serious	=	$24,000.00
Safety Order 02, Repeat	=	$28,000.00
Safety Order 03, NON-SERIOUS Serious	=	$0.00
Total Proposed Penalties		$52,000.00

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

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

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

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

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

Date 11/19/2012