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 # 7002 0510 0003 8218 2652 3-1-10 jto

Safety Order and Notification of Penalty

To:

Transformations by Wieland, Inc.,
and its successors
P.O. Box 308
Harlan, IN 46743

Inspection Site:

16840 State Road 37
Harlan, IN 46743

Inspection Number: 313126997

Inspection Date(s): 11/16/2009 - 01/29/2010

Issuance Date: 03/01/2010

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 03/01/2010. The conference will be held at the IOSHA office located at 402 West Washington Street, Room W195, Indianapolis, IN 46204 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

Safety Order and Notification of Penalty

Company Name: Transformations by Wieland, Inc.
Inspection Site: 16840 State Road 37, Harlan, IN 46743

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 and/or deflagration (explosion) hazards because methods were not utilized to contain combustible dusts such as, but not limited to wood dust from becoming airborne and combining with an ignition source:

a) Mill Room - A United Air Specialists Dust-Hog Supra-Blast Model SBS-6 (Serial Number 60042687) Cartridge Dust Collector located in the front right corner of the Mill Room collected wood dust, a Class II Group G combustible dust, and other fugitive dust emissions generated from the two Thermwood CNC Machines and the SawStop Table Saw. The Dust-Hog Supra-Blast Model SBS-6 Dust Collector was located indoors and was not equipped with explosion protection such as, but not limited to explosion venting or a deflagration suppression system. If a fire and/or explosion occurred, the dust collector could potentially explode because it was not designed to minimize the damage that would occur in the event of a dust explosion inside of dust collector.

Among other methods, one feasible and acceptable method to correct this hazard is to protect the dust collection system in accordance with Section 8.2.2.5.1.4 of the National Fire Protection Agency's (NFPA) *Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities* (NFPA 664-2007). Section 8.2.2.5.1.4 of NFPA 664-2007 states that dust collectors with a deflagration hazard can only be located indoors if they are equipped with a listed deflagration suppression system, deflagration relief vents with relief pipes extending to safe areas outside the building, or deflagration relief vents exhausting through listed flame-quenching devices. If explosion vents are used to protect a dust collector located indoors, then the dust collector also is required to meet the strength requirements listed in NFPA 664-2007. Specifically, Section 8.2.2.5.3 of NFPA 664-2007 states that dust collectors with a deflagration hazard must be designed and constructed in accordance with one of the following options:

1. Constructed of welded steel or other non-combustible material of sufficient strength to withstand the maximum reduced deflagration pressure of the material being collected
2. Protected by a listed deflagration suppression system with a design strength exceeding the maximum reduced deflagration pressure of the material being collected
3. Equipped with adequate deflagration relief vents with a design strength exceeding the maximum reduced deflagration pressure of the material being collected

b) Mill Room - The employer designed and installed a wooden filter housing frame constructed entirely of plywood on the exhaust outlet of the Dust-Hog Supra-Blast Model SBS-6 Dust Collector. Due to its combustible structure(s) and construction, the wooden filter housing frame represents a potential fire hazard.

Among other methods, one feasible and acceptable method to correct this hazard is to assure that all dust collection equipment be designed and constructed entirely of noncombustible material suitable for the use intended per Section 8.2.2.5.1.2 of NFPA 664-2007 *Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities*. Noncombustible materials that are suitable for use and installation on a dust collection system include, but are not limited to steel and aluminum.

ABATEMENT NOTE: Instance (b) was Corrected During Inspection

c) Mill Room - A closed-loop supply (recirculation) system was used to provide make-up air to all of the parts of the Mill Room. In this supply system, contaminated and dust-laden air from the two Thermwood CNC Machines (#42 & #53) and the SawStop Table Saw was cleaned by the Dust-Hog Supra-Blast Model SBS-6 Dust Collector and exhausted (recycled) back into the Mill Room through the exhaust outlet located on top of the dust collector. The air exhausted from the exhaust outlet was not directed outside of the facility through ventilation ducts and was not filtered prior to being introduced into the Mill Room. Also, the supply (make-up) side of the ventilation system was not equipped with explosion protection such as, but not limited to explosion venting, a deflagration suppression system and/or an abort gate. The way in which the air was recycled (supplied) into the Mill Room, as well as the lack of explosion protection on the supply (recirculation) side of the ventilation system could potentially allow fire(s) and subsequent explosion(s) which occur inside of the dust collector to spread outside of the dust collector and be directed back into the Mill Room through the dust collector's exhaust outlet.

Among other methods, one feasible and acceptable method to correct this hazard is to protect the supply (recirculation) system in accordance with Section 8.2.2.6.2 of NFPA's *Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities* (NFPA 664-2007). Section 8.2.2.6.2 of NFPA 664-2007 requires that the dust collection system be equipped with a listed spark detection system, designed and installed in accordance with the relevant sections of the *National Fire Alarm Code* (NFPA 72-2010), located upstream from the dust collector and either downstream from the last material entry point or on the exhaust side of the dust collector. Section 8.2.2.6.2 also requires that the exhaust air duct conveying the recycled air back into the building must be equipped with a high-speed abort gate which is activated by the spark detection system. This abort gate must be sufficiently fast enough to intercept and divert any burning material to the atmosphere before it can enter the facility.

d) Mill Room - Employees used compressed air rated at approximately 80 psi to 120 psi to clean wood dust, a Class II Group G combustible dust, off of machinery and/or surfaces located throughout the Mill Room. The use of compressed air for cleaning and/or removing wood dust could cause significant amounts of combustible dust to be suspended in air, which could potentially lead to deflagrations (explosions) and/or fires.

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 wood dust off of machinery and/or surfaces. This procedure should follow Section 11.2.1.1 of NFPA's *Standard for the Prevention of Fires and Explosions in Wood Processing and Woodworking Facilities* (NFPA 664-2007) which states that blowing down with steam or compressed air or even vigorous sweeping are only permitted if the following requirements are met:

1. The floor area and equipment must be vacuumed prior to blowdown
2. Electrical power and other sources of ignition must be shut down, removed from the area, or classified for use in dusty areas (Class II, Division 1 and/or 2)
3. Only a low gauge pressure of 15 psi steam or compressed air must be used
4. No open flames, sparks from spark-producing equipment, or hot surfaces capable of igniting a dust cloud or layer must exist
5. All fire protection equipment must be in service

e) Facility Wide - The employer did not develop and implement an Emergency Action Plan (EAP) and a Fire Prevention Plan (FPP) where employees worked with and around machinery or surfaces which contained wood dust, a Class II Group G combustible dust.

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.

f) Mill Room - The local exhaust ventilation (LEV) system used to remove wood dust, a Class II Group G combustible dust, from the machinery and the surrounding environment was not configured, designed and/or maintained effectively to prevent wood dust from potentially settling and accumulating inside of the ventilation system.

Among other methods, feasible and acceptable methods to correct this hazard include, but are not limited to:

- Develop and implement a system to routinely perform maintenance checks on the ventilation system to make sure that the transport velocity is being maintained effectively. The American Conference of Governmental Industrial Hygienists (ACGIH) *Industrial Ventilation Manual of Recommended Practices for Design (26th Edition)* states that the required design (transport) velocity for dry dusts and powders should be 3,000-3,500 feet per minute (fpm). All parts of the ventilation system including, but not limited to ducts, fittings and elbows should also be checked at routine intervals for leaks and/or cracks.
- Examine and analyze all of the branch entries located throughout the LEV system inside of the Mill Room. The ACGIH *Industrial Ventilation Manual of Recommended Practices for Design (26th Edition)* states that "branches should enter at gradual expansions and at an angle of 30° or less (preferred) to 45° if necessary." Although all of the branch entries appeared to be made at proper angles (30° to 45°), the duct diameters downstream of the branch entries were potentially not sufficiently sized to maintain the required transport velocity for the LEV system.
- Eliminate all blanked off ducts from the ventilation system. The employer blanked off two of the ducts located on the horizontal duct located directly above the sanding table near the back right corner of the Mill Room. Blanking off ducts in a ventilation system starves the system for air and can potentially lower the transport velocity downstream of the blanked off ducts. This can potentially cause dust to fall out (dropout) of the airstream during transfer and settle and/or accumulate on the walls inside of the duct. One way to fix this problem is to remove the unneeded branch from the main horizontal duct and re-balance the LEV system by installing adjustable dampers or fixed orifice plates on the unneeded duct. The employer could also remove the unneeded branch and install a new straight duct section in the main horizontal duct. No matter how the employer decides to eliminate the blanked off ducts, the employer must test and measure the design parameters of the LEV system after each change to make sure that the measured velocity, flowrate and static pressure match the designed velocity, flowrate and static pressure.

Date By Which Violation Must be Abated: **03/25/2010**

Proposed Penalty: **$4,200.00**

Safety Order and Notification of Penalty

Company Name: Transformations by Wieland, Inc.
Inspection Site: 16840 State Road 37, Harlan, IN 46743

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**

29 CFR 1910.22(a)(1): Place(s) of employment were not kept clean and orderly, or in a sanitary condition:
a) Mill Room - Accumulations of between approximately 0.125-inches to 1.0-inch of wood dust, a Class II Group G combustible dust, had settled on surfaces such as, but not limited to water and sprinkler pipes, electrical conduit and beams located near the ceiling of the Mill Room.

b) Area Outside of and in Front of the Mill Room - Accumulations of between approximately 0.50-inches to 2.0-inches of wood dust, a Class II Group G combustible dust, had settled on surfaces such as, but not limited to pipes and I-beams located near the ceiling of the facility.

ABATEMENT NOTE: The wood dust layers on all surfaces and floors of the facility must be cleaned at a frequency which keeps the dust layers below 1/8 of an inch (0.125-inches) thick.

Date By Which Violation Must be Abated: **03/25/2010**
Proposed Penalty: **$3,000.00**

Safety Order 1 Item 2b 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) Mill Room - Accumulations of between approximately 0.125-inches to 4.0-inches of wood dust, a Class II Group G combustible dust, had settled on the floor area around and underneath the Dust-Hog Supra-Blast Model SBS-6 Dust Collector located in the front right corner of the Mill Room.

b) Mill Room - Accumulations of between approximately 0.125-inches to 0.25-inches of wood dust, a Class II Group G combustible dust, had settled on the floor of the loft (mezzanine) located in the front left corner of the Mill Room.

c) Mill Room - Accumulations of between approximately 0.125-inches to 2.0-inches of wood dust, a Class II Group G combustible dust, had settled throughout the floor area of Mill Room.

ABATEMENT NOTE: The wood dust layers on all surfaces and floors of the facility must be cleaned at a frequency which keeps the dust layers below 1/8 of an inch (0.125-inches) thick.

Date By Which Violation Must be Abated: **03/25/2010**

Safety Order and Notification of Penalty

Company Name: Transformations by Wieland, Inc.
Inspection Site: 16840 State Road 37, Harlan, IN 46743

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

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

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

Mill Room - Employees changed and/or cleaned cartridges and filters used inside of the United Air Specialists Dust-Hog Supra-Blast Model SBS-6 (Serial Number 60042687) Cartridge Dust Collector. Employees also used a hammer/mallet and compressed air to loosen and clean wood dust accumulations located inside of the dust collector. While performing these maintenance and cleaning operations, a potential flash fire hazard existed inside of the dust collector due to the significant airborne concentrations of wood dust, a Class II Group G combustible dust, which was suspended or dispersed throughout the inside of the dust collector. However, employees were not required to and did not wear flame-resistant clothing (FRC) or flame-resistant garments (FRGs) while performing these maintenance and cleaning operations on and inside of the dust collector.

ABATEMENT NOTE: Any FRC or 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 2112-2010)

Date By Which Violation Must be Abated: **03/25/2010**
Proposed Penalty: **$3,000.00**

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

29 CFR 1910.132(d)(2): The employer did not verify that the required workplace hazard assessment was performed through a written certification that identified the workplace evaluated; the person certifying that the evaluation had been performed; the date(s) of the hazard assessment; and which identified the document as a certification of hazard assessment:

Mill Room - The Personal Protective Equipment (PPE) Hazard Assessment for the various jobs and pieces of equipment located throughout the Mill Room did not specifically address what PPE was required to be worn or when PPE was required to be worn. The PPE Hazard Assessment also did not discuss the potential fire and deflagration (explosion) hazards created due to the wood dust, a Class II Group G combustible dust, that was suspended periodically and intermittently under normal operating conditions throughout the Mill Room.

Date By Which Violation Must be Abated: **03/25/2010**

Safety Order and Notification of Penalty

Company Name: Transformations by Wieland, Inc.
Inspection Site: 16840 State Road 37, Harlan, IN 46743

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

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

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

Mill Room - Employees used a Comac Model CA-80 Wet/Dry Vacuum (Serial Number 276679) to clean up wood dust, a Class II Group G combustible dust, located on the floors and surfaces of the Mill Room. However, this vacuum was not listed or rated for use in Class II hazardous locations and was not approved or designed to collect combustible dusts.

Date By Which Violation Must be Abated: **03/25/2010**
Proposed Penalty: **$3,000.00**

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

29 CFR 1910.305(b)(1)(ii): Unused openings in cabinets, boxes, and fittings were not effectively closed:

Loft (Mezzanine) Located Inside of the Mixing Room - All of the openings on the electrical box located on the South Wall of the Mill Room were not effectively closed. Although the electrical box was equipped with a hinged metal cover, the metal cover could not close due to the electrical wires which protruded from the inside of the electrical box. The openings caused by the open metal cover on the electrical box allowed wood dust, a Class II Group G combustible dust, generated inside of the Mill Room to accumulate inside of the electrical box.

Date By Which Violation Must be Abated: **03/25/2010**

Safety Order 1 Item 4c 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) Mill Room - Employees used a Comac Model CA-80 Wet/Dry Vacuum (Serial Number 276679) to clean up wood dust, a Class II Group G combustible dust, located on the floors and surfaces of the Mill Room. However, this vacuum was not listed or rated for use in Class II hazardous locations and was not approved or designed to collect combustible dusts.

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

Date By Which Violation Must be Abated: 03/25/2010

Indiana Department of Labor

Occupational Safety and Health Administration

Inspection Number: 313126997

Inspection Dates: 11/16/2009 - 01/29/2010

Issuance Date: 03/01/2010

Safety Order and Notification of Penalty

Company Name: Transformations by Wieland, Inc.
Inspection Site: 16840 State Road 37, Harlan, IN 46743

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

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:

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

Date By Which Violation Must be Abated: **Corrected During Inspection**
Proposed Penalty: **$.00**

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

29 CFR 1910.1200(g)(1): Chemical manufacturers and importers did not obtain or develop a material safety data sheet for each hazardous chemical they produced or imported:

Facility Wide - Wood dust, a Class II Group G combustible dust, was created and generated as a by-product while cutting, shaping and/or sanding plywood boards and sheets inside of the Mill Room. The employer collected and sold this wood dust to another company who used the wood dust for fuel. However, the employer did not develop and/or distribute a Material Safety Data Sheet (MSDS) for the wood dust generated inside of the Mill Room to the company that purchased their wood dust.

ABATEMENT NOTE: Any MSDS for the wood dust that the employer plans to develop and/or distribute must include specific information about the physical hazards associated with the wood dust. These physical hazards include, but are not limited to the combustibility of the wood dust, the classification of the wood dust (Class II Group G combustible dust), fire and deflagration (explosion) hazard information and the extinguishing media which should be used to extinguish a wood dust fire.

Date By Which Violation Must be Abated: **03/25/2010**
Proposed Penalty: **$600.00**

Robert A. Kattau
Director, Industrial Compliance

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

INVOICE/DEBT COLLECTION NOTICE

Company Name: Transformations by Wieland, Inc.
Inspection Site: 16840 State Road 37, Harlan, IN 46743
Issuance Date: 03/01/2010

Summary of Penalties for Inspection Number 313126997

Safety Order 01, Serious	=	$13,200.00
Safety Order 02, Nonserious	=	$600.00
Total Proposed Penalties		$13,800.00

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).

Robert A. Kattau
Director, Industrial Compliance

3-1-10
Date