

Indiana Department of Labor

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



Safety Order and Notification of Penalty

To:
K & S Pallets, Inc.
and its successors
1025 Osage Street
Fort Wayne, IN 46808

Inspection Number: 1653883
CSHO ID: K1084
Optional Report No.: 23-6
Inspection Date(s): 02/28/2023 - 06/01/2023
Issuance Date: 07/05/2023

Inspection Site:
1025 Osage Street
Fort Wayne, IN 46808

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 workplace 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 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 board appointed by the governor with authority to conduct legal proceedings leading up to and including administrative hearings or assign an Administrative Law Judge (ALJ) to conduct the same, and to issue decisions concerning disputed safety orders and notifications of penalties. 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.

PMA's - 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
402 West Washington Street, Room W195
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NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with IOSHA to discuss the Safety Order(s) issued on 07/05/2023.

The Informal Conference will be held:

Date: _____

Time: _____

_____ **Virtually/Telephonically via Microsoft Teams**

Call-in Number: _____

Conference ID: _____

_____ **In-person at the Indiana Department of Labor, located at the following address:**

402 West Washington Street, Room W195
Indianapolis, Indiana 46204

Meeting/Conference Room: _____

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: 1653883
CSHO ID: K1084
Optional Report No.: 23-6
Inspection Date(s): 02/28/2023 - 06/01/2023
Issuance Date: 07/05/2023



Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

IC 22-8-1.1 Section 2: The employer did not furnish employment and a place of employment which was free from recognized hazards that were causing or likely to cause death or serious physical harm to employees, in that the 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) Outside against the East wall of the Gray Building - A dust collector was used to collect the wood dust created during the ripping of boards on the XL Ripper. Although a dust collector was on site, it was not being utilized to collect the wood dust being created by the XL Ripper which resulted in wood dust accumulating under and around the XL Ripper, on rafters, on the dust collection air ducts, and an electrical transformer. Wood dust being created by the XL Ripper could potentially ignite when it comes into contact with an ignition source.

Among other methods, one feasible and acceptable method to correct this hazard is to protect the dust collectors in accordance with Section 9.6.1 of the National Fire Protection Agency's (NFPA) Standard for the Prevention of Fires and Dust Explosions in Wood Processing and Woodworking Facilities (NFPA 664-2020). Section 9.6.1 of NFPA 664-2020 states that when deflagrable wood dust is produced by process equipment, continuous suction to capture and contain fugitive dust shall be provided.

Indiana Department of Labor
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Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
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b) Outside against the East wall of the Red Building - A 53 foot semi trailer is used to collect the wood dust from the dust collection system created during the wood cutting process on the Pendu Saw, the Baker Saw, and the Baker Double Notcher. The dust collection system discharge was leaking wood dust as it was being collected in the trailer. This resulted in wood dust piling up between and both sides of the trailer and the building wall. Wood dust leaking out of the discharge could potentially ignite when it comes into contact with an ignition source.

Among other methods, one feasible and acceptable method to correct this hazard is to protect the dust collectors in accordance with Section 9.7.2.2 of the National Fire Protection Agency's (NFPA) Standard for the Prevention of Fires and Dust Explosions in Wood Processing and Woodworking Facilities (NFPA 664-2020). Section 9.7.2.2 of NFPA 664-2020 states that dust collectors that discharge into storage bins or silos shall do so in a manner that minimizes the generation of dust clouds. The discharge arrangement shall be constructed to minimize dust leaks and shall contain a choke to prevent explosion propagation between the collecting equipment and storage facilities.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: August 07, 2023
Proposed Penalty: \$2,400.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1653883
CSHO ID: K1084
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Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

29 CFR 1910.22(a)(1): The employer did not ensure that all places of employment, passageways, storerooms, service rooms, and walking-working surfaces are kept in a clean, orderly, and sanitary condition:

Gray building - Employees were exposed to fire and/or deflagration hazards when accumulations of between approximately 0.25 inches to 3 inches of combustible dust from the wood-cutting process had settled on surfaces such as, but not limited to, floors, equipment, rafters, dust collection system air ducts, electrical breaker boxes, and an electrical transformer.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 07, 2023
\$1,200.00

Indiana Department of Labor
Occupational Safety and Health Administration

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Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
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Safety Order 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.36(d)(1): Employee(s) were not able to open an exit route door from the inside at all times without keys, tools, or special knowledge:

Gray Building - Employees were exposed to 2nd-degree burns and respiratory irritation from smoke inhalation when egress out of the building was slowed from having to open a manual overhead door. The mandoor near the XL Ripper was damaged and inoperable.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 07, 2023
\$800.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1653883
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Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
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Safety Order 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

Gray Building - Employees were exposed to an ingoing nip point between the insert feed roll and the piece of wood or the feeding surface on the XL Ripper when feeding boards to be ripped. The XL Ripper was not adequately guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	August 07, 2023
Proposed Penalty:	\$1,600.00

Indiana Department of Labor
Occupational Safety and Health Administration

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Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

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

29 CFR 1910.213(c)(1): Circular handfed ripsaw(s) were not guarded by an automatically adjusting hood which completely enclosed that portion of the saw above the table and above the material being cut:

Red building - Employees were exposed to amputation hazards when making wedges on the SkilSaw 3310 table saw when the rotating saw blade was not protected by an automatically adjusting hood.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: August 07, 2023
Proposed Penalty: \$2,800.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1653883
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Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

29 CFR 1910.213(c)(2): Hand-fed circular ripsaw(s) were not furnished with a spreader to prevent material from squeezing the saw or being thrown back on the operator:

Red Building - Employees were exposed to struck-by and amputation hazards when making wedges on the SkilSaw table saw when a spreader was not installed on the table saw.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	August 07, 2023
Proposed Penalty:	\$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

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Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

29 CFR 1910.213(c)(3): Hand-fed rip saw(s) did not have non kickback fingers or dogs so located as to oppose the thrust or tendency of the saw to pick up the material or to throw it back toward the operator:

Red Building - Employees were exposed to struck-by and amputation hazards when making wedges on the SkilSaw table saw when non-kickback fingers or dogs were not installed on the table saw.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

August 07, 2023

Proposed Penalty:

\$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

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Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

29 CFR 1910.213(r)(4): Suitable guard(s) were not provided to reduce to a minimum the hazard due to the point of operation of the PRS Automatic Trimmer Saw:

Main Building Saw Area - Employees were exposed to amputations on the PRS Automatic Trimmer Saw when the blade guard was bypassed in the open position and was not adequately guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: **August 07, 2023**
Proposed Penalty: **\$1,600.00**

Indiana Department of Labor
Occupational Safety and Health Administration

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Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

29 CFR 1910.219(c)(4)(i): Unguarded projecting shaft end(s) did not present a smooth edge and end and projected more than one-half the diameter of the shaft:

- a) Main building, saw area - Employees were exposed to caught-on hazards when the PRS automatic trim saw had a shaft end projecting that did not have a smooth edge and was not guarded.
- b) Red Building - Employees were exposed to caught-on hazards when the Baker Double Notcher had 2 shaft ends projecting that did not have a smooth edge and were not guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: August 07, 2023
Proposed Penalty: \$1,600.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1653883
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Issuance Date: 07/05/2023



Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

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

29 CFR 1910.219(d)(1): Pulley(s) with part(s) seven feet or less from the floor or work platform were not guarded in accordance with the requirements specified in 29 CFR 1910.219(m) and (o):

- a) Outside by gray building - Employees were exposed to an ingoing nip point on the large chainsaw when the pulleys were not guarded.
- b) Red Building - Employees were exposed to an ingoing nip point on the Pendu Cut-off Saw when the pulleys for the saw blade were not guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: August 07, 2023
Proposed Penalty: \$1,600.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1653883
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Inspection Date(s): 02/28/2023 - 06/01/2023
Issuance Date: 07/05/2023



Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

29 CFR 1910.219(e)(1)(i): Horizontal belts which had both runs seven feet or less from the floor level were not guarded with a guard that extended to at least fifteen inches above the belt:

- a) Outside by gray building - Employees were exposed to an ingoing nip point on the large chainsaw when the belt was not guarded.
- b) Red Building - Employees were exposed to an ingoing nip point on the Pendu cut-off saw when 3 belts for the saw blade were not guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 07, 2023
\$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

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CSHO ID: K1084
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Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

29 CFR 1910.219(f)(3): Sprocket wheels and chains which were seven (7) feet or less above floors or platforms were not enclosed:

- a) Red Building - Employees were exposed to caught-in hazards on the Baker Double Notcher when the sprocket wheel and chain was not guarded.
- b) Red Building - Employees were exposed to caught-in hazards on the Pendu saw when the sprocket wheel and chain on the log conveyor was not guarded.
- c) Gray Building - Employees were exposed to caught-in hazards on the XL Ripper when the sprocket wheel and chains on the insert side and the exit side of the XL Ripper were not guarded.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: August 07, 2023
Proposed Penalty: \$1,600.00

Indiana Department of Labor
Occupational Safety and Health Administration

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Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

29 CFR 1910.303(b)(8)(iii): Electric equipment provided with ventilating openings was installed so that walls or other obstructions prevent the free circulation of air through the equipment:

Grey Building - An employee was exposed to fire hazards when Siemens 45 KVA transformer had wood dust accumulating around the transformer, creating a fire hazard.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	August 07, 2023
Proposed Penalty:	\$800.00

Indiana Department of Labor
Occupational Safety and Health Administration

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Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
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Safety Order 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.305(a)(1)(i): Metal raceways, cable armor, and other metal enclosures for conductors were not metallically joined together into a continuous electric conductor:

- a) Pallet Hog area - Employees were to exposed to electrical shock when the pallet hog E-Stop box had exposed wires.
- b) Gray Building - Employees were to exposed to electrical shock when a metal conduit pulled away from a disconnected switch near XL Ripper.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$800.00

Indiana Department of Labor
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Company Name: K & S Pallets, Inc.
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Safety Order 1 Item 12 Type of Violation: **Serious**

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

- a) Grey Building - An employee was exposed to shock hazards when Siemens 45 KVA transformer had an unused opening on the side with wood dust accumulating.
- b) Grey Building - An employee was exposed to electric shock when the XL Ripper had an unused opening on the bottom with exposed wires.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	August 07, 2023
Proposed Penalty:	\$1,600.00

Indiana Department of Labor
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Company Name: K & S Pallets, Inc.
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Safety Order 1 Item 13 Type of Violation: **Serious**

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

- a) Main Building, Saw area - Employees were exposed to electrical shock when a flexible cable was pulled from a junction box and did not have strain relief.
- b) Main Building, Northside wall - Employees were exposed to electrical shock when the air compressor power cable was pulled away from the 480-volt control panel.
- c) Red Building - Employees were exposed to electrical shock when electrical conductors were pulled away from the control panel for the Baker Double Notcher.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$800.00

Indiana Department of Labor
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Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

29 CFR 1910.213(g)(1): Swing cutoff saw(s) were not provided with an automatically adjusting hood that completely enclosed the upper half of the saw, the arbor end, and the point of operation at all positions of the saw:

Red Building - Employees were exposed to amputations when operating the Pendu Cut-off Saw when the saw blade was not guarded.

K & S Pallets, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.213(g)(1), which was contained in IOSHA inspection number 318120698, safety order 1, item number 2 and was affirmed as a final order on 7/21/2020, with respect to a workplace located at 1025 Osage Street, Fort Wayne, IN 46801.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 07, 2023
\$11,200.00

Indiana Department of Labor
Occupational Safety and Health Administration

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Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

Safety Order 2 Item 2 a Type of Violation: **Repeat-Serious**

29 CFR 1910.219(d)(1): Pulley(s) with part(s) seven feet or less from the floor or work platform were not guarded in accordance with the requirements specified in 29 CFR 1910.219(m) and (o):

Red Building - Employees were exposed to ingoing nip points on the Pendu Cut-off Saw when a belt and four serpentine pulleys for the conveyor were not guarded.

K & S Pallets, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.219(d)(1), which was contained in IOSHA inspection number 318120698, safety order 1, item number 3a and was affirmed as a final order on 7/21/2020, with respect to a workplace located at 1025 Osage Street, Fort Wayne, IN 46801.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: August 07, 2023
Proposed Penalty: \$11,200.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1653883
CSHO ID: K1084
Optional Report No.: 23-6
Inspection Date(s): 02/28/2023 - 06/01/2023
Issuance Date: 07/05/2023



Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

Safety Order 2 Item 2 b Type of Violation: **Repeat-Serious**

29 CFR 1910.219(e)(1)(i): Horizontal belts which had both runs seven feet or less from the floor level were not guarded with a guard that extended to at least fifteen inches above the belt:

Red Building - Employees were exposed to ingoing nip points on the Pendu Cut-off Saw when a belt and four serpentine pulleys for the conveyor were not guarded.

K & S Pallets, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1910.219(e)(1)(i), which was contained in IOSHA inspection number 318120698, safety order 1, item number 3b and was affirmed as a final order on 7/21/2020, with respect to a workplace located at 1025 Osage Street, Fort Wayne, IN 46801.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 07, 2023
\$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1653883
CSHO ID: K1084
Optional Report No.: 23-6
Inspection Date(s): 02/28/2023 - 06/01/2023
Issuance Date: 07/05/2023



Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

29 CFR 1910.157(c)(1): Portable fire extinguishers were not mounted, located and identified so that they were readily accessible without subjecting the employees to injuries:

- a) Main Building - A fire extinguisher was on the floor under the mounting location against the support beam.
- b) Gray Building - A fire extinguisher was mounted on the wall but was not identified.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	August 07, 2023
Proposed Penalty:	\$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1653883
CSHO ID: K1084
Optional Report No.: 23-6
Inspection Date(s): 02/28/2023 - 06/01/2023
Issuance Date: 07/05/2023



Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

Safety Order 3 Item 2 Type of Violation: **Non Serious**

29 CFR 1910.303(b)(7): Electrical equipment was not installed in a neat and workmanlike manner:

- a) Main building, Saw area - Employees were exposed to electrical shock while they worked near the electrical conductors hanging from the conduit pipe near the PRS saw.
- b) Main building, Saw area - Employees were exposed to electrical shock while they worked near an electrical conductor hanging out of a junction box near the PRS Saw motor.
- c) Main building North side wall - Employees were exposed to electrical shock with a live electrical conductor hanging out of the raceway that connect to 480-volt control panel.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

August 07, 2023
\$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1653883
CSHO ID: K1084
Optional Report No.: 23-6
Inspection Date(s): 02/28/2023 - 06/01/2023
Issuance Date: 07/05/2023



Safety Order and Notification of Penalty

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808

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

29 CFR 1910.303(g)(1)(i): The dimension of the working space in the direction of access to live parts operating at 600 volts or less and likely to require examination, adjustment, servicing, or maintenance while alive was less than indicated in Table S1:

Main Building, Northside wall - An employee was exposed to electric shock when the working space in the front 480-volt breaker panel was less than 3 feet from an air compressor and pallets.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: August 07, 2023
Proposed Penalty: \$0.00


Jameson Berry
IOSHA Director



INVOICE/DEBT COLLECTION NOTICE

Company Name: K & S Pallets, Inc.
Inspection Site: 1025 Osage Street, Fort Wayne, IN 46808
Issuance Date: 07/05/2023

Summary of Penalties for Inspection Number: 1653883

Safety Order 1 Item 1, Serious	\$2,400.00
Safety Order 1 Item 2, Serious	\$1,200.00
Safety Order 1 Item 3, Serious	\$800.00
Safety Order 1 Item 4, Serious	\$1,600.00
Safety Order 1 Item 5a, Serious	\$2,800.00
Safety Order 1 Item 5b, Serious	\$0.00
Safety Order 1 Item 5c, Serious	\$0.00
Safety Order 1 Item 6, Serious	\$1,600.00
Safety Order 1 Item 7, Serious	\$1,600.00
Safety Order 1 Item 8a, Serious	\$1,600.00
Safety Order 1 Item 8b, Serious	\$0.00
Safety Order 1 Item 9, Serious	\$1,600.00
Safety Order 1 Item 10, Serious	\$800.00
Safety Order 1 Item 11, Serious	\$800.00
Safety Order 1 Item 12, Serious	\$1,600.00
Safety Order 1 Item 13, Serious	\$800.00
Safety Order 2 Item 1, Repeat-Serious	\$11,200.00
Safety Order 2 Item 2a, Repeat-Serious	\$11,200.00
Safety Order 2 Item 2b, Repeat-Serious	\$0.00
Safety Order 3 Item 1, Non Serious	\$0.00
Safety Order 3 Item 2, Non Serious	\$0.00
Safety Order 3 Item 3, Non Serious	\$0.00

TOTAL PROPOSED PENALTIES: \$41,600.00

Penalties are due within fifteen (15) working days of receipt of this notification unless requested. Make your check or money order payable to: "Indiana DOL/IOSHA." Please indicate IOSHA's Inspection Number (indicated above) on the remittance. You may also make a payment online at <https://payingov.com/dol/>. Your account number is your inspection number.

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 worksheet has been provided to assist in providing the required abatement information. A completed copy of this worksheet should be posted at the worksite with safety orders.



Jameson Berry
IOSHA Director

7/5/2023

Date