

SETTLEMENT AGREEMENT

The Commissioner of Labor (hereinafter referred to as "Commissioner") and Alveys Sign Company Incorporated DBA Alvey's Signs (hereinafter referred to as "Employer" or "ER") hereby agree as follows:

The Commissioner amends the Safety Order(s) and Notification(s) of Penalty IOSHA Inspection No. 318112562 issued to the Employer on August 28, 2019 in the following manner:

SAFETY ORDER 01:

Item 1:	<u>Upheld</u>	. Penalty <u>\$546</u>	. Abatement <u>12/12/19</u>
Item 2:	<u>Upheld</u>	. Penalty <u>\$390</u>	. Abatement <u>12/12/19</u>
Item 3(a) – (i):	<u>Upheld</u>	. Penalty <u>\$780</u>	. Abatement <u>12/12/19</u>
Item 4:	<u>Upheld</u>	. Penalty <u>\$780</u>	. Abatement <u>12/12/19</u>
Item 5(a) – (c):	<u>Upheld</u>	. Penalty <u>\$780</u>	. Abatement <u>12/12/19</u>
Item 6(a) – (d):	<u>Upheld</u>	. Penalty <u>\$780</u>	. Abatement <u>12/12/19</u>
Item 7(a) – (b):	<u>Upheld</u>	. Penalty <u>\$546</u>	. Abatement <u>12/12/19</u>

SAFETY ORDER 02:

Item 1:	<u>Upheld</u>	. Penalty <u>\$260</u>	. Abatement <u>12/12/19</u>
Item 2:	<u>Upheld</u>	. Penalty <u>\$156</u>	. Abatement <u>12/12/19</u>

In consideration of the above amendments, the Employer:

1. Agrees to a 74% penalty reduction from \$19,300 to \$5,018 due to the capital expenditures to be incurred abating the hazards identified in the Safety Orders. Employer agrees to submit bills for materials, equipment, and for contractors to justify this reduction in addition to photos, programs, training material, and any other documentation required for abatement by 12/12/19.

The TOTAL AGREED PENALTY is \$ 5,018

THE EMPLOYER IS SATISFIED WITH THE AMENDMENTS STATED ABOVE AND ACCORDINGLY WAIVES ITS RIGHT TO FILE A NOTICE OF CONTEST OF THE SAFETY ORDER(S) AND NOTIFICATION(S) OF PENALTY AS AMENDED AND AGREES TO WITHDRAW ANY PREVIOUSLY FILED NOTICES OF CONTEST IN THIS MATTER.

Upon full execution of this Settlement Agreement ("Agreement") the Employer will post this Agreement for three (3) working days or until abatement is completed, whichever period is longer.

The Safety Order(s) and Notification(s) of Penalty are, and shall be, herein a final and enforceable Order of the Board of Safety Review.

The total AGREED PENALTY is due and payable within fifteen (15) working days from the Employer's execution of this Agreement. The Employer further agrees that if the AGREED PENALTY is not paid within fifteen working days from the Employer's execution of this Agreement, that the full amount of the penalty

initially assessed against the Employer in the Safety Order(s) and Notification(s) of Penalty which are the subject of this Agreement is due and payable immediately.

Except for this Agreement, and IOSHA matters arising out of this Agreement, and any other subsequent IOSHA proceedings between the parties, none of the foregoing agreements, statements, findings, and actions taken by Employer shall be deemed an admission by Employer of the allegations contained within the Safety Order(s) and Notification(s) of Penalty. The agreements, statements, findings and actions taken herein are made in order to compromise and settle this IOSHA matter economically and amicably, and they shall not be used for any other purpose, except as herein stated.

ALVEYS SIGN COMPANY INC.
DBA ALVEY'S SIGNS

COMMISSIONER OF LABOR

By: David Fulton
Title: GENERAL Manager
Date: 9-20-19

By: Evelyn [Signature]
Title: SUPERVISOR
Date: 9.23.19

*CDI denotes that abatement was Completed During Inspection.
Note: EE refers throughout the document to Employee

Indiana Department of Labor

Indiana Occupational Safety and Health Administration
402 West Washington St - Room W195
Indianapolis, IN 46204
Phone: (317)232-2691 FAX: (317)233-3790



Safety Order and Notification of Penalty

To:
Alveys Sign Company Incorporated
DBA Alvey's Signs
and its successors
13100 Highway 57 North
Evansville, IN 47725

Inspection Number: 318112562
CSHO ID: W7079
Optional Report No.: 2367-19
Inspection Date(s): 6/25/2019 - 7/30/2019
Issuance Date: 8/28/2019

Inspection Site:
13100 Highway 57 North
Evansville, IN 47725

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 and proof of abatement must be sent to the email address: AbatementGI@dol.in.gov 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 be sent to the email address: AbatementGI@dol.in.gov 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 sending the Petition to AbatementGI@dol.in.gov. 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 and sent to the email address AbatementGI@dol.in.gov. 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 via email at AbatementGI@dol.in.gov, 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 8/28/2019. 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: 318112562
Inspection Date(s): 6/25/2019 - 7/30/2019
Issuance Date: 8/28/2019
CSHO ID: W7079
Optional Report No.: 2367-19

Safety Order and Notification of Penalty

Company Name: Alveys Sign Company Incorporated DBA Alvey's Signs
Inspection Site: 13100 Highway 57 North, Evansville, IN 47725

Safety Order 01 Item 001 Type of Violation: **Serious**

29CFR 1910.37(a)(2): Exit routes must be arranged so that employees will not have to travel toward a high hazard area, unless the path of travel is effectively shielded from the high hazard area by suitable partitions or other physical barriers:

Decal, Sign Face Spray Area - Twenty-five (25) one (1) gallon cans of category 2 flammable paints and solvents were stored next to the exit door which exposed employees to the possibility of fire/burn hazards in the event of an emergency evacuation.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$2,100.00**

Indiana Department of Labor
Occupational Safety and Health Administration

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Company Name: Alveys Sign Company Incorporated DBA Alvey's Signs
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Safety Order 01 Item 002 Type of Violation: **Serious**

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

Decal, Sign Face Spray Area – The exit door to the left of the sign face spray booth was not marked as such.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$1,500.00**

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Occupational Safety and Health Administration

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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 01 Item 003a Type of Violation: **Serious**

29 CFR 1910.107(b)(1): Spray booths are not substantially constructed of steel, securely and rigidly supported, or of concrete or masonry except that aluminum or other substantial noncombustible material may be used for intermittent or low volume spraying:

Decal, Sign Face Paint Booth – The infrastructure (walls, ceiling, and room divider) were built of combustible materials such as, but not limited to, wood and drywall which created a potential fire hazard when utilizing category 2 flammable liquids to conduct spray finishing operations.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$3,000.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318112562
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Safety Order and Notification of Penalty

Company Name: Alveys Sign Company Incorporated DBA Alvey's Signs
Inspection Site: 13100 Highway 57 North, Evansville, IN 47725

Safety Order 01 Item 003c Type of Violation: **Serious**

29 CFR 1910.107(b)(5)(i): The spraying operations except electrostatic spraying operations were not designed, installed and maintained so that the average air velocity over the open face of the booth (or booth cross section during spraying operations) is not less than 100 linear feet per minute. Electrostatic spraying operations were not conducted with an air velocity over the open face of the booth of more than 60 linear feet per minute depending on the volume of the finishing material being applied and its flammability and explosion characteristics. Visible gauges or audible alarm or pressure activated devices were not installed to indicate or insure that the required air velocity is maintained. Filter rolls were not inspected to insure proper replacement of filter media:

Decal, Sign Face Paint Booth – The airflow being drawn/pulled into the booth and exhausted was insufficient, in that the average velocity at the open face/cross section of the booth was calculated with a velometer to be 82 linear feet per minute, which created the potential of a fire hazard from lingering flammable vapors and/or mists.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$0.00**

Indiana Department of Labor
Occupational Safety and Health Administration

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Inspection Site: 13100 Highway 57 North, Evansville, IN 47725

Safety Order 01 Item 003d Type of Violation: **Serious**

29 CFR 1910.107(b)(5)(iv): Space within the spray booth on the downstream and upstream sides of filters were not protected with approved automatic sprinklers:

Decal, Sign Face Paint Booth – No fire protection system was installed on either side of the filters to prevent potential fire hazards from the use of category 2 flammable liquids during spray operations.

Date By Which Violation Must Be Abated: **10/1/2019**
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: Alveys Sign Company Incorporated DBA Alvey's Signs
Inspection Site: 13100 Highway 57 North, Evansville, IN 47725

Safety Order 01 Item 003e Type of Violation: **Serious**

29 CFR 1910.107(b)(9): Spray booths were not so installed that all portions are readily accessible for cleaning:

Decal, Sign Face Paint Booth – The walls and ceiling had openings / holes; and the elevated wooden platform that surrounds the interior and center of the booth also had multiple openings and crevices which were not readily accessible to facilitate cleaning/removal of trapped and/or hidden combustible residues, which created potential fire hazards.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$0.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318112562
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Safety Order and Notification of Penalty

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Safety Order 01 Item 003f Type of Violation: **Serious**

29 CFR 1910.107(b)(10): When spraying areas are illuminated through glass panels or other transparent materials, only fixed lighting units shall be used as a source of illumination. Panels shall effectively isolate the spraying area from the area in which the lighting unit is located, and shall be of a noncombustible material of such a nature or so protected that breakage will be unlikely. Panels shall be so arranged that normal accumulations of residue on the exposed surface of the panel will not be raised to a dangerous temperature by radiation or conduction from the source of illumination:

Decal, Sign Face Paint Booth – The lighting assembly had areas that were not properly sealed which allowed combustible residues from the category 2 flammable paint products to enter and accumulate on the unprotected fluorescent glass tubes which created the possibility of fire hazards.

Date By Which Violation Must Be Abated: **10/1/2019**
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: Alveys Sign Company Incorporated DBA Alvey's Signs
Inspection Site: 13100 Highway 57 North, Evansville, IN 47725

Safety Order 01 Item 003g

Type of Violation: **Serious**

29 CFR 1910.107(c)(6): Electrical wiring, motors, and other equipment outside of but within twenty (20) feet of any spray area, and not separated therefrom by partitions, produced sparks under normal operating conditions and did not otherwise conform to the provisions of subpart S of this part for Class I, Division 2 Hazardous Locations:

- a) Decal, Sign Face Paint Booth – A 110/120 Volt-AC electrical outlet installed at the right of the entrance of the paint booth that was not rated for class 1 division 2 hazard locations which created a potential fire hazard from the category 2 flammable paints and solvents used in the spray finishing application process.
- b) Decal, Sign Face Paint Booth – A 110/120 Volt-AC electrical outlet installed at the right of the entrance of the paint booth that was not rated for class 1 division 2 hazard locations which created a potential fire hazard from the category 2 flammable paints and solvents used in the spray finishing application process.

Date By Which Violation Must Be Abated: 10/1/2019
Proposed Penalty: \$0.00

Indiana Department of Labor
Occupational Safety and Health Administration

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Safety Order and Notification of Penalty

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Safety Order 01 Item 003h Type of Violation: **Serious**

29 CFR 1910.107(f)(4): An adequate supply of suitable portable fire extinguishers were not installed near all spraying areas:

Decal, Sign Face Paint Booth – Portable fire extinguishers were not mounted and easily identifiable within the spray area which created the potential of a fire hazard.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$0.00**

Indiana Department of Labor
Occupational Safety and Health Administration

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Safety Order 01 Item 003i Type of Violation: **Serious**

29 CFR 1910.107(g)(7): "No smoking" signs. "No smoking" signs in large letters on contrasting color background were not conspicuously posted at all spraying areas and paint storage rooms:

Decal, Sign Face Paint Booth – "No Smoking" signage was not displayed within the spray area.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$0.00**

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Occupational Safety and Health Administration

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Company Name: Alveys Sign Company Incorporated DBA Alvey's Signs
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Safety Order 01 Item 004 Type of Violation: **Serious**

29 CFR 1910.107(c)(2): Open flame(s) or spark producing equipment, not separated by a partition, were located within 20 feet of spraying area(s):

Decal, Sign Face Paint Booth – An electric kerosene portable forced air heater which yields sparks and an open flame was used for purposes that included, but were not limited to; to speed up dry time on freshly painted products, which created a potential fire hazard from category 2 flammable vapors/mists that were produced in the spray finishing application process.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$3,000.00**

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Occupational Safety and Health Administration

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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 01 Item 005a Type of Violation: **Serious**

29 CFR 1910.107(d)(1): Ventilating and exhaust systems was not in accordance with the Standard for Blower and Exhaust Systems for Vapor Removal, NFPA No. 91-1961, which is incorporated by reference as specified in §1910.6, where applicable and shall also conform to the provisions of this section:

Decal, Sign Face Paint Booth – Deficiencies in the mechanical ventilation and exhaust system such as, but not limited to; air flow, fire protection, and exhaust fan requirements, created a potential fire hazard due to spray operations with category 2 materials.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$3,000.00**

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Safety Order 01 Item 005b Type of Violation: **Serious**

29 CFR 1910.107(d)(5): Electric motor(s) driving exhaust fan(s) for spray booth(s) were located inside the duct(s):

Decal, Sign Face Spray Booth – The electric motor that drives the exhaust fan was mounted inside the exhaust duct and was coated with combustible residue from category 2 flammable liquids used in the spray finishing application process which created the possibility of a fire hazard.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$0.00**

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Inspection Number: 318112562
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Safety Order 01 Item 005c Type of Violation: **Serious**

29 CFR 1910.107(d)(6): Belts shall not enter the duct or booth unless the belt and pulley within the duct or booth are thoroughly enclosed:

Decal, Sign Face Spray Booth – The exhaust fan belt and pulley assembly was mounted inside the duct and coated with combustible residue from category 2 flammable liquids in the spray finishing application process, which created the possibility of a fire hazard.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$0.00**

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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 01 Item 006a Type of Violation: **Serious**

29 CFR 1910.134(c)(1): A written respiratory protection program that included the provisions in 29 CFR 1910.134(c)(1)(i) - (ix) with worksite specific procedures was not established and implemented for required respirator use:

Facility – No written respiratory protection program was provided for employees required to wear negative pressure, tight-fitting, full facepiece respirators such as, but not limited to; a 3M 6000 series with OV cartridges, as part of normal spray finishing operations that utilized hazardous chemicals to include Lacryl Solvent Blend.

The employer shall include in the program the following provisions of this section, as applicable:
I. Procedures for selecting respirators for use in the workplace; II. Medical evaluations of employees required to use respirators; III. Fit testing procedures for tight-fitting respirators; IV. Procedures for proper use of respirators in routine and reasonably foreseeable emergency situations; V. Procedures and schedules for cleaning, disinfecting, storing, inspecting, repairing, discarding, and otherwise maintaining respirators; VI. Procedures to ensure adequate air quality, quantity, and flow of breathing air for atmosphere-supplying respirators; VII. Training of employees in the respiratory hazards to which they are potentially exposed during routine and emergency situations; VIII. Training of employees in the proper use of respirators, including putting on and removing them, any limitations on their use, and their maintenance; and IX. Procedures for regularly evaluating the effectiveness of the program.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$3,000.00**

Indiana Department of Labor
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Company Name: Alveys Sign Company Incorporated DBA Alvey's Signs
Inspection Site: 13100 Highway 57 North, Evansville, IN 47725

Safety Order 01 Item 006b Type of Violation: **Serious**

1910.134(e)(1): General. The employer shall provide a medical evaluation to determine the employee's ability to use a respirator, before the employee is fit tested or required to use the respirator in the workplace. The employer may discontinue an employee's medical evaluations when the employee is no longer required to use a respirator:

Facility – Medical evaluations were not provided for employees required to respirators such as, but not limited to; a 3M 6000 series with OV cartridges, as part of spray finishing operations which utilized hazardous chemicals to include Lacryl Solvent Blend.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$0.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318112562
Inspection Date(s): 6/25/2019 - 7/30/2019
Issuance Date: 8/28/2019
CSHO ID: W7079
Optional Report No.: 2367-19

Safety Order and Notification of Penalty

Company Name: Alveys Sign Company Incorporated DBA Alvey's Signs
Inspection Site: 13100 Highway 57 North, Evansville, IN 47725

Safety Order 01 Item 006c Type of Violation: **Serious**

29 CFR 1910.134(f)(1): The employer did not ensure that employee(s) required to use a tight-fitting facepiece respirator passed the appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT):

Facility – Qualitative and/or quantitative fit tests were not provided for employees required to respirators such as, but not limited to; a 3M 6000 series with OV cartridges, as part of spray finishing operations which utilized hazardous chemicals to include Lacryl Solvent Blend.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$0.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318112562
Inspection Date(s): 6/25/2019 - 7/30/2019
Issuance Date: 8/28/2019
CSHO ID: W7079
Optional Report No.: 2367-19

Safety Order and Notification of Penalty

Company Name: Alveys Sign Company Incorporated DBA Alvey's Signs
Inspection Site: 13100 Highway 57 North, Evansville, IN 47725

Safety Order 01 Item 006d Type of Violation: **Serious**

29 CFR 1910.134(k)(3): Training was not provided prior to requiring employees to use a respirator in the workplace:

Facility – Training for the donning, use, inspection, and care of respirators was not provided to employees required to wear tight fitting negative pressure full-face mask respirators to conduct spray finishing operations.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$0.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318112562
Inspection Date(s): 6/25/2019 - 7/30/2019
Issuance Date: 8/28/2019
CSHO ID: W7079
Optional Report No.: 2367-19

Safety Order and Notification of Penalty

Company Name: Alveys Sign Company Incorporated DBA Alvey's Signs
Inspection Site: 13100 Highway 57 North, Evansville, IN 47725

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 01 Item 007a Type of Violation: **Serious**

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

Facility – No written hazard communication program was developed or implemented for employees that conducted spray finishing operations with hazardous chemical products such as, but not limited to; Lacryl paint, Lacryl paint solvent, and lacquer thinner.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$2,100.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318112562
Inspection Date(s): 6/25/2019 - 7/30/2019
Issuance Date: 8/28/2019
CSHO ID: W7079
Optional Report No.: 2367-19

Safety Order and Notification of Penalty

Company Name: Alveys Sign Company Incorporated DBA Alvey's Signs
Inspection Site: 13100 Highway 57 North, Evansville, IN 47725

Safety Order 01 Item 007b Type of Violation: **Serious**

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

Facility – No hazard communication program training was provided for employees that conducted spray finishing operations with hazardous chemical products such as, but not limited to; Lacryl paint, Lacryl paint solvent, and lacquer thinner.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$0.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318112562
Inspection Date(s): 6/25/2019 - 7/30/2019
Issuance Date: 8/28/2019
CSHO ID: W7079
Optional Report No.: 2367-19

Safety Order and Notification of Penalty

Company Name: Alveys Sign Company Incorporated DBA Alvey's Signs
Inspection Site: 13100 Highway 57 North, Evansville, IN 47725

Safety Order 02 Item 001 Type of Violation: **NonSerious**

29 CFR 1904.41(a)(2): When your establishment had 20 or more employees but fewer than 250 employees at any time during the previous calendar year, and your establishment was classified in an industry listed in appendix A to subpart E of this part, then you must electronically submit information from OSHA Form 300A Summary of Work-Related Injuries and Illnesses to OSHA or OSHA's designee:

Facility – An establishment required to report 2018 OSHA-300 information did not electronically submit the data to Federal OSHA by March 2, 2018.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$1,000.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 318112562
Inspection Date(s): 6/25/2019 - 7/30/2019
Issuance Date: 8/28/2019
CSHO ID: W7079
Optional Report No.: 2367-19

Safety Order and Notification of Penalty

Company Name: Alveys Sign Company Incorporated DBA Alvey's Signs
Inspection Site: 13100 Highway 57 North, Evansville, IN 47725

Safety Order 02 Item 002

Type of Violation: **NonSerious**

29 CFR 1910.134(d)(1)(iii): The employer did not identify and evaluate the respiratory hazard(s) in the workplace; including a reasonable estimate of employee exposures to respiratory hazards and identification of the contaminant-s chemical state and physical form:

Facility - No evaluation of the potential respiratory hazards was performed for products such as, but not limited to; Lacryl 403 Lead-Free Paint and Lacryl Solvent blend which were utilized to conduct spray finishing operations.

Date By Which Violation Must Be Abated: **10/1/2019**
Proposed Penalty: **\$600.00**

Julie C. Alexander, JD
Director of General Industry

Indiana Department of Labor

Indiana Occupational Safety and Health Administration
402 West Washington St - Room W195
Indianapolis, IN 46204
Phone: (317)232-2691 FAX: (317)233-3790



INVOICE/DEBT COLLECTION NOTICE

Company Name: Alveys Sign Company Incorporated DBA Alvey's Signs
and its successors
Inspection Site: 13100 Highway 57 North, Evansville, IN 47725
Issuance Date: 8/28/2019

Summary of Penalties for Inspection Number: 318112562


Safety Order 1, Serious	= \$17,700.00
Safety Order 2, NonSerious	= \$1,600.00
TOTAL PENALTIES	= \$19,300.00

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. 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.

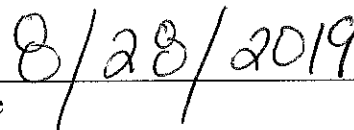
Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Safety Order and Notification of Penalty.

A 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 of General Industry

Date



8/28/2019