

U.S. Department of Labor
Occupational Safety and Health Administration
521 East Main Avenue, Suite 200
Bismarck, ND 58501
Phone: 701-250-4521 Fax: 701-250-4520



Citation and Notification of Penalty

To:
Larson Grain Company
and its successors
P.O. Box 198
Lamoure, ND 58458

Inspection Number: 1141439
Inspection Date(s): 04/19/2016 - 04/19/2016
Issuance Date: 07/28/2016

Inspection Site:
103 Railroad Avenue
Fredonia, ND 58440

The violation(s) described in this Citation 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.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type “OSHA” and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

Notification of Corrective Action – For each violation which you do not contest, you must provide ***abatement certification*** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that ***abatement documentation*** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

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 U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

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 U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/28/2016. The conference will be held by telephone or at the OSHA office located at 521 East Main Avenue, Suite 200, Bismarck, ND 58501 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1141439

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440
Issuance Date: 07/28/2016

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 521 East Main Avenue, Suite 200, Bismarck, ND 58501**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review

U.S. Department of Labor
Occupational Safety and Health Administration

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Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

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

Citation 1 Item 1 a Type of Violation: **Serious**

29 CFR 1910.23(a)(8): Every floor hole into which persons can accidentally walk were not guarded:

(a) On or about April 9, 2016, and at times prior to that date, for the employees exposed to fall and/or caught-in hazards while conducting grain bin cleaning operations with the conveyor in operation and the sump holes uncovered at 103 Railroad Avenue, Fredonia, North Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/23/2016
Proposed Penalty:	\$4,900.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1141439
Inspection Date(s): 04/19/2016 - 04/19/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

Citation 1 Item 1 b Type of Violation: **Serious**

29 CFR 1910.23(b)(1): Every wall opening from which there was a drop of more than 4 feet was not guarded:

(a) On or about April 9, 2016 and at times prior to that date, for the employees exposed to an approximate seven foot fall hazard while accessing and egressing from the wet bin access door at 103 Railroad Avenue, Fredonia, North Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/23/2016

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

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

Citation 1 Item 2 a 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:

(a) On or about April 9, 2016 and at times prior to that date, for the employees exposed to potential respiratory hazards where the employer mandated the use of Moldex, model no. 2300N95 and/or 3M, model no. 8511N95 particulate respirators while conducting grain elevator work activities at 103 Railroad Avenue, Fredonia, North Dakota.

Abatement Note: A minimally acceptable respiratory protection program shall include all of the following requirements:

1. Written standard operating procedures governing the selection and use of respirators shall be established.
2. Only approved respirators shall be used. Respirators shall be selected on the basis of hazards to which the worker is exposed.
3. Respirators must be provided free-of-charge where respirators are needed to protect the health of the employees.
4. Employers must provide (free-of-charge) a medical evaluation to determine each employee's fitness to wear a respirator before initial use.
5. Before initial respirator use, fit testing is required for all employees using negative or positive pressure tight-fitting respirators where such respirators are required by OSHA or where the employer requires the use of such a respirator.

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

6. The user shall be instructed and trained in the proper use of respirators and their limitations.
7. Surveillance of work area conditions and degree of employee exposure or stress shall be conducted.
8. Employer must ensure the use of respirators where respirators are needed to protect the health of the employees.
9. Respirators shall be regularly cleaned and disinfected to keep them in a sanitary condition.
10. Respirators shall be stored in a clean and sanitary location to prevent damage and contamination.
11. Respirators shall be inspected during cleaning and repaired when necessary.
12. There shall be regular inspection and evaluation to determine the continued effectiveness of the program.
13. Compressed breathing air must meet at least the requirements for Grade D breathing air.
14. The employer must establish and retain medical evaluations and fit-testing records.

Abatement Note: Abatement certification is required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated: 09/01/2016
Proposed Penalty: \$2,100.00

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1141439
Inspection Date(s): 04/19/2016 - 04/19/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

Citation 1 Item 2 b Type of Violation: **Serious**

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:

(a) On or about April 9, 2016 and at times prior to that date, for the employees exposed to potential respiratory hazards with potential overexposure to grain dust while conducting grain elevator work activities, to include but not limited to housekeeping and bin cleanout at 103 Railroad Avenue, Fredonia, North Dakota.

Abatement Note: Abatement certification is required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated:

09/01/2016

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1141439
Inspection Date(s): 04/19/2016 - 04/19/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

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

Citation 1 Item 3 a Type of Violation: **Serious**

29 CFR 1910.146(k)(1): The employer designated rescue and emergency services, pursuant to paragraph (d)(9) of this section and did not evaluate the prospective rescuer's ability by the criteria set in this section, (k)(1)(i) - (k)(1)(v):

(a) On or about June 2, 2016 and at times prior to that date, for the employees exposed to health and/or physical hazards where the boot pit was entered for cleaning and other maintenance activities in the main elevator at 103 Railroad Avenue, Fredonia, North Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$4,900.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1141439
Inspection Date(s): 04/19/2016 - 04/19/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

Citation 1 Item 3 b Type of Violation: **Serious**

29 CFR 1910.272(g)(3): In the grain handling facility an observer, equipped to provide assistance, was not stationed outside the bin, silo, or tank being entered by an employee:

(a) On or about April 9, 2016 and at times prior to that date, for the employees exposed to health and/or physical hazards where grain storage bins were entered for cleaning and other maintenance activities in the main elevator at 103 Railroad Avenue, Fredonia, North Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/16/2016

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1141439
Inspection Date(s): 04/19/2016 - 04/19/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

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

Citation 1 Item 4 a 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:

(a) On or about June 2, 2016 and at times prior to that date, for the employees exposed to caught-in hazards were the grain elevating leg inspection door was accessed on leg no. 1 at 103 Railroad Avenue, Fredonia, North Dakota.

(b) On or about June 2, 2016 and at times prior to that date, for the employees exposed to caught-in hazards were the grain elevating leg inspection door was accessed on leg no. 2 at 103 Railroad Avenue, Fredonia, North Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/16/2016
Proposed Penalty: \$4,900.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1141439
Inspection Date(s): 04/19/2016 - 04/19/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

Citation 1 Item 4 b 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) On or about June 2, 2016 and at times prior to that date, for the employees exposed to caught-in hazards were the CEA-Carter Day Disc Cylinder Separator, Order No. F-4296, Serial No. 214, Style No. RC9-X was operated in the main elevator at 103 Railroad Avenue, Fredonia, North Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/16/2016

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

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Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

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

Citation 2 Item 1 a Type of Violation: **Willful**

29 CFR 1910.146(d)(5)(i): The employer failed to test or adequately test conditions in the permit space to determine if acceptable entry conditions existed before entry was authorized to begin:

(a) On or about June 2, 2016 and at times prior to that date, for the employees exposed to potential health and/or physical hazards where the main elevator boot pit was entered for cleaning and other maintenance activities at 103 Railroad Avenue, Fredonia, North Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$38,500.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1141439
Inspection Date(s): 04/19/2016 - 04/19/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

Citation 2 Item 1 b Type of Violation: **Willful**

29 CFR 1910.146(e)(1): Before entry into a permit space was authorized, the employer did not document the completion of measures required by 29 CFR 1910.146(d)(3) by preparing an entry permit:

(a) On or about June 2, 2016 and at times prior to that date, for the employees exposed to potential health and/or physical hazards where the main elevator boot pit was entered for cleaning and other maintenance activities at 103 Railroad Avenue, Fredonia, North Dakota

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/16/2016

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1141439
Inspection Date(s): 04/19/2016 - 04/19/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

Citation 2 Item 1 c Type of Violation: **Willful**

29 CFR 1910.272(g)(1)(i): The employer did not issue a permit for entering bins, silos or tanks in the grain handling facility before the employees entered the bins, silos, or tanks:

(a) On or about April 9, 2016 and at times prior to that date for employees exposed to health and/or physical hazards where grain storage bins were entered for cleaning and other maintenance activities at 103 Railroad Avenue, Fredonia, North Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/16/2016

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1141439
Inspection Date(s): 04/19/2016 - 04/19/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

Citation 2 Item 1 d Type of Violation: **Willful**

29 CFR 1910.272(g)(1)(iii): The atmosphere within a bin, silo, or tank in the grain handling facility was not tested for the presence of combustible gases, vapors, and toxic agents prior to employee entry:

(a) On or about April 9, 2016 and at times prior to that date for employees exposed to health and/or physical hazards where grain storage bins were entered for cleaning and other maintenance activities at 103 Railroad Avenue, Fredonia, North Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/16/2016

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1141439
Inspection Date(s): 04/19/2016 - 04/19/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

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

Citation 2 Item 2 a Type of Violation: **Willful**

29 CFR 1910.272(e)(1)(ii): Current employees, and new employees prior to starting work in the grain handling facility were not trained in the specific procedures and safety practices applicable to their job tasks including but not limited to lock-out/tag-out procedures:

(a) On or about April 9, 2016 for the employees exposed to caught-in hazards including the employee who sustained injuries while conducting cleaning activities in the wet bin where the sweep auger was not locked out at 103 Railroad Avenue, Fredonia, North Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/09/2016
Proposed Penalty:	\$49,000.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 1141439
Inspection Date(s): 04/19/2016 - 04/19/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

Citation 2 Item 2 b Type of Violation: **Willful**

29 CFR 1910.272(g)(1)(ii): Prior to bin entry, all mechanical, electrical, hydraulic, and pneumatic equipment which presented a danger to employees inside grain storage structures in the grain handling facility were not disconnected, locked out and tagged, blocked-off, or otherwise prevented from operating by other equally effective means or methods:

(a) On or about April 9, 2016, for the employee who sustained serious injury while conducting cleaning activities in the wet bin where the sweep auger start switch was initiated at 103 Railroad Avenue, Fredonia, North Dakota.

Abatement Note: Abatement certification and documentation are required for this item (see enclosed "Sample Abatement Certification Letter").

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/09/2016

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

U.S. Department of Labor
Occupational Safety and Health Administration

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Citation and Notification of Penalty

Company Name: Larson Grain Company
Inspection Site: 103 Railroad Avenue, Fredonia, ND 58440

Citation 3 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1910.272(e)(2): Employees assigned special tasks in the grain handling facility, such as bin entry and handling of flammable or toxic substances, were not provided training to perform these tasks safely:

(a) On or about April 9, 2016 and at times prior to that date, for the employees exposed to potential health hazards where grain bins were entered and the employer failed to provide sufficient operational training on atmospheric testing equipment at 103 Railroad Avenue, Fredonia, North Dakota.

Abatement Note: Abatement certification is required for this item (see enclosed "Sample Abatement Certification Letter").

Date By Which Violation Must be Abated:
Proposed Penalty:

09/01/2016
\$0.00

A handwritten signature in blue ink, appearing to read "Eric R. Brooks", written over a horizontal line.

Eric R. Brooks
Area Director

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.