

U.S. Department of Labor

Occupational Safety and Health Administration

Robinson Plaza

55 N. Robinson, Suite 315

Oklahoma City, OK 73102

Phone: (405)278-9560 FAX: (111)222-3333



Citation and Notification of Penalty

To:
Wenco Energy Corporation
and its successors
PO Box 35444
Tulsa, OK 74153

Inspection Number: 316238278
Inspection Date(s): 03/02/2012-08/16/2012
Issuance Date: 08/28/2012

Inspection Site:
11129 E 56th Street S.
Tulsa, OK 74146

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 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 page 5 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.

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

Notification of Corrective Action - For each violation which you do not contest, you are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the OSHA office issuing the citation and identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

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.

ABATEMENT CERTIFICATION

David A. Bates, Area Director
U.S. Department of Labor - OSHA
Robinson Plaza
55 N. Robinson, Suite 315
Oklahoma City, OK 73102
Phone: (405)278-9560

Wenco Energy Corporation
PO Box 35444
Tulsa, OK 74153

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____.

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

Signature

Typed or Printed Name



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/28/2012. The conference will be held at the OSHA office located at Robinson Plaza, 55 N. Robinson, Suite 315, Oklahoma City, OK, 73102 on _____ at _____.

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



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

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

29 CFR 1910.22(a)(1): All places of employment, passageways, storerooms, and service rooms were not kept clean and orderly and in a sanitary condition:

On or about March 2, 2012, the employer does not ensure floors throughout the facility, including passageways, are kept free from materials such as, but not limited to, scrap metal, unused equipment and raw materials exposing employees to slips, trips, falls and struck-by hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that work areas are maintained in a clean, orderly and sanitary condition.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated:	09/21/2012
Proposed Penalty:	\$ 3850.00



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

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

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

29 CFR 1910.37(a)(3): Exit routes were not free and unobstructed:

On or about March 2, 2012, the employer does not ensure exit routes are kept free and unobstructed:

- a) In the Welding Shop exit routes are blocked by equipment and a piece of metal attached to the side of a welding screen.
- b) In the Machine Shop exit routes are blocked by materials in the process of being machined.
- c) In the Fabrication Shop exit routes are blocked by materials in the process of being manufactured and by unchained cylinders of argon.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that exit routes are kept unobstructed.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated:	09/05/2012
Proposed Penalty:	\$ 3850.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

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

29 CFR 1910.37(b)(1): Each exit route was not adequately lighted so that an employee with normal vision can see along the exit route:

On or about March 2, 2012, the employer does not provide emergency lighting exposing employees to slips, trips, falls and fire hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that exit routes are adequately illuminated.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated: 09/05/2012



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

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

29 CFR 1910.37(b)(5): Each doorway that could be mistaken for an exit was not marked "Not an Exit" or identified by a sign indicating its actual use (e.g., closet):

On or about March 2, 2012, the employer does not identify doors not intended to be an emergency exit with a sign indicating the room's actual use or with a label of "Not an Exit":

a) In the Machine Shop, the door leading into the office from the shop was not labeled as "Not an Exit" and did not have a sign indicating the actual use of the room.

b) In the Welding Shop, the door leading into a storage room/office in the welding shop was not labeled "Not an Exit" and did not have a sign indicating the actual use of the room.

c) In the Machine Shop, the door to the Machine Shop supervisor's office is not marked "Not an Exit" and did not have a sign indicating the actual use of the room.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that doors that are not emergency exits are properly labeled.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated: 09/05/2012



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

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

29 CFR 1910.95(g)(1): An audiometric testing program was not established and maintained for all employees whose noise exposure equaled or exceeded an 8 hour time weighted average of 85 DBA:

On or about March 8, 2012, the employer does not establish and maintain an audiometric testing program for employees with an 8-hour time-weighted-average exposure greater than 85 dBA:

- a) An employee operating shears in the fabrication department was exposed to continuous noise levels at 111.4% of the allowable 8-hour time-weighted-average Action Level (85dBA). The equivalent dBA level of the 111.4% is approximately 90.8 dBA. The sampling was performed for 512 minutes during one shift on March 8, 2012.
- b) An employee using a hand grinder in the fabrication department was exposed to continuous noise levels at 106.6% of the allowable 8-hour time-weighted-average Action Level (85dBA). The equivalent dBA level of the 106.6% is approximately 90.5 dBA. The sampling was performed for 425 minutes during one shift on March 8, 2012. Zero exposure was assumed for the unsampled period of time (55 minutes).
- c) An employee operating a strippet punch press in the fabrication department was exposed to continuous noise levels at 99.13% of the allowable 8-hour time-weighted-average Action Level (85dBA). The equivalent dBA level of the 99.13% is approximately 90.0 dBA. The sampling was performed for 499 minutes during one shift on March 8, 2012.
- d) The supervisor of the shipping/receiving and assembly departments was exposed to continuous noise levels at 97.4% of the allowable 8-hour time-weighted-average Action Level (85dBA). The equivalent dBA level of the 97.4% is approximately 89.8 dBA. The sampling was performed for 462 minutes during one shift on March 8, 2012. Zero exposure was assumed for the unsampled period of time (18 minutes).

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated:	10/12/2012
Proposed Penalty:	\$ 4620.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.101(b): The in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks shall be in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in Sec. 1910.6:

On or about March 2, 2012, and times prior thereto:

- a) In the Fabrication Shop beside the door leading into the Welding Shop, argon cylinders are stored unchained exposing employees to struck-by hazards.
- b) In the Fabrication Shop beside the door leading into the room where the rollers, shear, strippet and circular shear, argon cylinders are stored unchained exposing employees to struck-by hazards.
- c) In the Welding Shop by each welding station, argon cylinders are not secured to prevent them from falling over when in use exposing employees to struck-by hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that cylinders of compressed gas are properly stored.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated:	09/05/2012
Proposed Penalty:	\$ 2310.00



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

Citation 1 Item 5 Type of Violation: **Serious**

29 CFR 1910.133(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

On or about March 2, 2012, the employer does not ensure employees use appropriate eye or face protection while operating various machinery such as, but not limited to, sanders, shears, saws, brakes, drill presses and the strippet and using chemicals such as, but not limited to, battery acid and Wallover Wococlean 48.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are provided with appropriate eye protection.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated:	09/05/2012
Proposed Penalty:	\$ 4620.00



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

Citation 1 Item 6 Type of Violation: **Serious**

29 CFR 1910.136(a): The employer did not ensure that each affected employee uses protective footwear when working in areas where there is a danger of foot injuries due to falling or rolling objects:

On or about March 2, 2012, and times prior thereto, the employer does not enforce the use of appropriate foot protection by employees working with sheets of aluminum or rolling carbon steel pipe exposing employees to struck-by hazards.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are wearing appropriate foot protection.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated:	09/05/2012
Proposed Penalty:	\$ 4620.00



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

Citation 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.138(a): Employer did not select and require employees to use appropriate hand protection when employees' hands are exposed to hazards such as those from skin absorption of harmful substances and chemical burns:

On or about March 2, 2012, the employer does not provide and ensure employee use of appropriate hand protection while using chemicals such as, but not limited to, Wallover WocoClean 48.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are provided with appropriate hand protection.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated:	09/05/2012
Proposed Penalty:	\$ 3080.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

Citation 1 Item 8 Type of Violation: **Serious**

29 CFR 1910.151(c): Suitable facilities for quick drenching or flushing of the eyes and body have not been provided within the work area for immediate emergency use:

On or about March 2, 2012, and times prior thereto, the employer does not ensure employees are protected from injury to the eye or face from contact with corrosive chemicals:

- a) An eye wash is not available in the battery charging area.
- b) An eye wash is not available in the Machine Shop for use when employees use chemicals such as, but not limited to, WocoClean 48.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are provided suitable eye wash and shower.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated:	09/11/2012
Proposed Penalty:	\$ 3080.00



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.242(b): Compressed air used for cleaning purposes was not reduced to less than 30 p.s.i.:

On or about March 2, 2012, the employer allows employees to use compressed air above 30 p.s.i. to clean parts exposing employees to the hazard of struck-by.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees do not clean with compressed air above 30 psi.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated:	09/03/2012
Proposed Penalty:	\$ 3080.00



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.252(b)(2)(iii): Workers and other persons adjacent to the welding area were not protected from the rays by noncombustible or flameproof screens or shields:

On or about March 2, 2012, in the Welding Shop the employer does not provide noncombustible or flameproof screens or shields to protect employees from the hazard of ultraviolet radiation produced by welding:

- a) Employees walking through the welding area are not protected.
- b) The screen separating the Okuna lathe from the mild steel welding area is partially cardboard.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that protection from ultraviolet radiation is provided.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated:	09/05/2012
Proposed Penalty:	\$ 5390.00



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

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

Citation 1 Item 11a Type of Violation: **Serious**

29 CFR 1910.1200(g)(8): The employer did not maintain in the workplace copies of the required material safety data sheets for each hazardous chemical and ensure that they are readily accessible on each workshift to employees when they are in their work area:

On or about March 2, 2012:

- a) The employer does not maintain copies of Material Safety Data Sheets for chemicals such as, but not limited to, propane, Wallover Woco Clean 48, Exxon Kutwell 82 and Rustoleum High Performance Enamel.
- b) The employer does not make available to employees Material Safety Data Sheets such as, but not limited to, Rust-Oleum Spray Paint Gloss Dark Machine Gray.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that Material Safety Data Sheets for all hazardous chemicals in the workplace are maintained and readily available to employees.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated:	09/11/2012
Proposed Penalty:	\$ 3080.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

Citation 1 Item 11b Type of Violation: **Serious**

29 CFR 1910.1200(e)(1)(i): The employer did not develop a list of the hazardous chemicals known to be present using an identity that is referenced on the appropriate material safety data sheet:

On or about March 2, 2012, the employer does not keep a list in the facility for hazardous chemicals such as, but not limited to, propane, Wallover Woco Clean 48, Exxon Kutwell 82 and Rustoleum High Performance Enamel.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that a list of all hazardous chemicals in the workplace is included in the Hazard Communication Program.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated: 09/11/2012



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

Citation 1 Item 11c Type of Violation: **Serious**

29 CFR 1910.1200(h)(1): The employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees have not previously been trained about is introduced into their work area:

On or about March 2, 2012, the employer does not provide effective Hazard Communication training for employees using hazardous chemicals such as, but not limited to, propane, Wallover Woco Clean 48, Exxon Kutwell 82 and Rustoleum High Performance Enamel.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are provided effective hazard communication information and training.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated: 09/11/2012



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

Citation 2 Item 1 Type of Violation: **Repeat**

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

On or about March 2, 2012, the PPE (Personal Protective Equipment) Hazard Assessment, certified November 21, 2007, by facility management, does not include all recognized hazards in the facility.

WENCO ENERGY CORPORATION WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 29 CFR 1910.132(D), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 311000285, CITATION NUMBER 01, ITEM NUMBER 003, AND WAS AFFIRMED AS A FINAL ORDER ON JANUARY 2, 2008 WITH A FINAL ABATEMENT DATE OF DECEMBER 23, 2007, WITH RESPECT TO A WORKPLACE HAZARD AT 11102 E 56TH ST, TULSA, OK 74146.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that a thorough PPE Hazard Assessment is conducted

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated:	09/11/2012
Proposed Penalty:	\$ 1540.00



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

Citation 3 Item 1 Type of Violation: **Other**

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

On or about March 2, 2012, the employer does not evaluate respiratory hazards in the Welding Shop.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that an evaluation of the respiratory hazards is conducted.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated:	09/11/2012
Proposed Penalty:	\$ 0.00



Citation and Notification of Penalty

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146

Citation 3 Item 2 Type of Violation: **Other**

29 CFR 1910.254(d)(9)(iii): Cables with damaged insulation or exposed bare conductors were not replaced:

On or about March 2, 2012, the employer does not ensure that a welding lead with damaged outer sheathing is repaired exposing the welder to possible electrical shock.

Pursuant to 29 C.F.R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that welding leads are maintained in a safe condition.

*****Abatement Certification and Documentation Required*****

Date By Which Violation Must be Abated:	09/05/2012
Proposed Penalty:	\$ 770.00

David A. Bates
Area Director

U.S. Department of Labor

Occupational Safety and Health Administration

Robinson Plaza

55 N. Robinson, Suite 315

Oklahoma City, OK 73102

Phone: (405)278-9560 FAX: (405)278-9572



INVOICE/ DEBT COLLECTION NOTICE

Company Name: Wenco Energy Corporation
Inspection Site: 11129 E 56th Street S., Tulsa, OK 74146
Issuance Date: 08/28/2012

Summary of Penalties for Inspection Number 316238278

Citation 1, Serious	= \$	41580.00
Citation 2, Repeat	= \$	1540.00
Citation 3, Other	= \$	770.00
TOTAL PROPOSED PENALTIES	= \$	43890.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to:

"DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

OSHA does not agree to any restrictions or conditions 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 or conditions do not exist.

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to two (2) times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest. Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty),

unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges. A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs. Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.

David A. Bates
Area Director

Date