



## SC Dept. of Labor, Licensing and Regulation

Office of Occupational Safety and Health

P.O. Box 11329

Columbia, SC 29211-1329

Phone: 803-896-7665 FAX: 803-896-7670

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### Citation and Notification of Penalty

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**To:**  
Industrial Recovery & Recycling Inc  
3100 Green Road  
Greer, SC 29651

**Inspection Number:** 318069564  
**CSHO ID:** T2167  
**Optional Report No.:** 0327-22  
**Inspection Date(s):** 6/16/2022 - 10/21/2022  
**Issuance Date:** 10/27/2022

**Inspection Site:**  
3100 Green Road  
Greer, SC 29651

*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.*

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This Citation and Notification of Penalty serves as the Agency's Determination with regard to an inspection of a workplace under your operation, ownership or control. This inspection has revealed conditions which we believe, do not comply with certain safety and health rules and regulations promulgated pursuant to 41-15-210, South Carolina Code of Laws, 1976, as amended. The nature of such alleged violation(s) is described in the enclosed citation with references to applicable OSHA standards, rules and regulations, and provisions of the law. All applicable OSHA standards referenced have been adopted pursuant to S.C. Code Ann. §41-15-220 and are incorporated by reference into this state's regulations pursuant to S.C. Code Ann. Regs. 71-108.

**POSTING** - The law requires that a copy of the enclosed citation(s), unedited, be prominently posted immediately upon receipt at or near each place a violation referred to in the citation occurred ("affected work area"). In the event that it is not practical to post the citation in the affected work area, the citation must be prominently posted in a place readily observable by all affected employees. It must remain posted until all violations cited therein are corrected, or for three (3) days, whichever period is later.

**ABATEMENT** - Alleged violations that are not contested shall be corrected by the abatement date specified in the citation. Failure to correct an alleged violation within the abatement period may result in an additional assessment of penalties.

As to alleged violations, you are directed to certify to the Compliance Manager, within ten (10) calendar days following the abatement dates assigned, the specific corrective action taken for each violation and

date of such action. A copy or summary of this corrective action must be posted in the affected work area on or before submission to OSHA. Employees or their representatives (where applicable) must be informed of their right to examine and copy all abatement documents submitted. Employers must comply with these requests with five (5) working days. **For abatement dates over ninety (90) days, an Abatement Verification Plan may be required to be submitted.**

If additional time is needed to correct the alleged violations in the citation, you may request an extension by writing the Compliance Manager within the following applicable time frames: 1) any time within the thirty (30) day contest period, or 2) not later than one (1) day after the last abatement date for the alleged violation on which an extension is needed.

**PENALTY PAYMENT** - Penalties as outlined in this Citation and Notification of Penalty, the **Agency's Determination**, are due within thirty (30) days of receipt unless contested. Make your check or money order payable to the South Carolina Department of Labor, Licensing, and Regulation at the address listed above. Please indicate the inspection number on the remittance.

**RIGHT TO CONTEST** - You have the right to contest the citation(s), the abatement dates and/or the proposed penalty (ies) enclosed in this **Citation and Notification of Penalty**. As this is the **Agency's Determination**, you may file a Request for a Contested Case Hearing with the South Carolina Administrative Law Court (ALC) within thirty (30) calendar days of receipt of this Citation and Notification of Penalty. These procedures may be found on the ALC website at <http://www.scalc.net/rules.aspx> or you may contact the Clerk, SC Administrative Law Court, Edgar A. Brown Building, 1205 Pendleton Street, Suite 224, Columbia, SC 29201, (803) 734-0550.

**INFORMAL CONFERENCE** - If an employer wishes to have an informal discussion in the interest of reaching a settlement regarding the citation(s), the abatement date(s), and/or penalty(ies) without a formal contest, an informal conference can be arranged by contacting the Informal Conference Office at 803-896-7687. In order for a conference to be scheduled and a decision to be provided, the Informal Conference Office should be contacted as soon as possible after the receipt of the **Citation and Notification of Penalty**.

All informal conferences must be held within the thirty (30) day contest period. **AN INFORMAL CONFERENCE SHALL NOT OPERATE AS A STAY FOR THE THIRTY (30) DAY CONTEST PERIOD AND NO CONFERENCE OR REQUEST FOR A CONFERENCE WILL BE HELD OR ACCEPTED SUBSEQUENT TO RECEIPT OF A NOTICE OF CONTEST.**

If an informal conference is scheduled, the employer must notify the affected employees or union representative of the date, time, and location of the informal conference, the items to be discussed and their right to participate. Notice may be accomplished by the employer by posting a notice (see "Notice to Employees of Informal Conference" provided with this package) by the citation or by serving a copy of the notice on the union representative. A copy of the notice must be provided to the Informal Conference Hearing Officer at the time of the conference. An informal conference will not be conducted unless the employee or union representative has been afforded the opportunity to participate. Be sure to bring to the conference any and all supporting documentation of existing as well as any abatement steps taken thus far. If conditions warrant, we may enter into an informal settlement agreement (ISA) to resolve all issues.

**EMPLOYER DISCRIMINATION UNLAWFUL** - The law prohibits discrimination by an employer against any employee filing a complaint or for exercising any rights under the OSHA Act. An employee

who believes that he/she has been discriminated against may file a complaint no later than thirty (30) days after the discrimination occurred with the South Carolina Department of Labor, Licensing, and Regulation at the address shown above.

**CONCLUSION** - A follow-up inspection may be conducted for the purpose of determining that you have complied with the posting requirements outlined in the law and abated (corrected) the alleged violations as you have reported in the corrective action documentation. Note that the law provides that whoever knowingly gives false information will be subject to a fine and/or imprisonment.

If you wish further information, you may direct such requests to the Compliance Manager at the address listed above.

## **NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE**

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 10/27/2022. The conference will be held at the OSHA office located at 121 Executive Center Drive, Columbia, S.C. 29210 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

**SC Dept of Labor, Licensing & Regulation**  
Office of Occupational Safety and Health

**Inspection Number:** 318069564  
**Inspection Date(s):** 6/16/2022 - 10/21/2022  
**Issuance Date:** 10/27/2022  
**CSHO ID:** T2167  
**Optional Report No.:** 0327-22

**Citation and Notification of Penalty**

**Company Name:** Industrial Recovery & Recycling Inc  
**Inspection Site:** 3100 Green Road, Greer, SC 29651

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**Citation 01 Item 001 Type of Violation: **Serious****

SC Code Ann. Regs. 71-112(A): Failed to furnish a place of employment which is free of recognized hazards which may cause death or serious physical harm to his employees and comply with this regulation and other occupational safety and health rules and regulations promulgated under Chapter 15 of Title 41, Code of Laws, State of South Carolina, 1976, as amended, as follows:

A. The employer knew or should have known that employees, operating forklifts without wearing a seatbelt, were exposed to the hazard of being crushed by the forklift in the event of a tip over. A feasible and useful method to correct this hazard, among other methods, is to enforce the use of seatbelts while operating a forklift to perform tasks such as, but not limited to, moving and loading material into an elevated shredder hopper.

**ABATEMENT DOCUMENTATION REQUIRED**

<b>Date By Which Violation Must Be Abated:</b>	<b>11/8/2022</b>
<b>Proposed Penalty:</b>	<b>\$4,200.00</b>

**SC Dept of Labor, Licensing & Regulation**  
Office of Occupational Safety and Health

**Inspection Number:** 318069564  
**Inspection Date(s):** 6/16/2022 - 10/21/2022  
**Issuance Date:** 10/27/2022  
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**Optional Report No.:** 0327-22

### **Citation and Notification of Penalty**

**Company Name:** Industrial Recovery & Recycling Inc  
**Inspection Site:** 3100 Green Road, Greer, SC 29651

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#### **Citation 01 Item 002 Type of Violation: **Serious****

29 CFR 1910.28(b)(11), as adopted pursuant to SC Code Ann. §41-15-220 and incorporated by reference pursuant to SC Ann. Regs. 71-108: Failed to ensure: (i) Each employee exposed to an unprotected side or edge of a stairway landing that is 4 feet (1.2 m) or more above a lower level is protected by a guardrail or stair rail system; (ii) Each flight of stairs having at least 3 treads and at least 4 risers is equipped with stair rail systems and handrails as listed in Table D-2 - Stairway Handrail Requirements of § 1910.28(b)(11); (iii) Each ship stairs and alternating tread type stairs is equipped with handrails on both sides, as follows:

A. Stair rails were inadequate, (~32.5" high; did not extend from topmost step to platform; did not extend to first and second step), on the left and right sides of the stairway that led up to the Vecoplan Shredder platform, a height of up to approximately 8.75 ft, on Line 1 in Building 1 of the facility.

#### **ABATEMENT DOCUMENTATION REQUIRED**

<b>Date By Which Violation Must Be Abated:</b>	<b>11/14/2022</b>
<b>Proposed Penalty:</b>	<b>\$1,225.00</b>

**SC Dept of Labor, Licensing & Regulation**  
Office of Occupational Safety and Health

**Inspection Number:** 318069564  
**Inspection Date(s):** 6/16/2022 - 10/21/2022  
**Issuance Date:** 10/27/2022  
**CSHO ID:** T2167  
**Optional Report No.:** 0327-22

**Citation and Notification of Penalty**

**Company Name:** Industrial Recovery & Recycling Inc  
**Inspection Site:** 3100 Green Road, Greer, SC 29651

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

29 CFR 1910.146(c)(2), as adopted pursuant to SC Code Ann. §41-15-220 and incorporated by reference pursuant to SC Ann. Regs. 71-108: Failed to inform exposed employees, by posting danger signs or by any other equally effective means, of the existence and location of and the danger posed by the permit spaces if the workplace contains permit spaces. Note: A sign reading "DANGER - PERMIT REQUIRED CONFINED SPACE. DO NOT ENTER" or using other similar language would satisfy the requirement for a sign, as follows:

A. Danger signs, or other equally effective means were not provided for permit required confined spaces such as, but not limited to, the Vecoplan Shredder (Type: VAZ 1600 M FF - Machine No. 15470010) located near the beginning of Line 1 in the production area.

**ABATEMENT DOCUMENTATION REQUIRED**

<b>Date By Which Violation Must Be Abated:</b>	<b>11/8/2022</b>
<b>Proposed Penalty:</b>	<b>\$2,500.00</b>

**SC Dept of Labor, Licensing & Regulation**  
Office of Occupational Safety and Health

**Inspection Number:** 318069564  
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**CSHO ID:** T2167  
**Optional Report No.:** 0327-22

**Citation and Notification of Penalty**

**Company Name:** Industrial Recovery & Recycling Inc  
**Inspection Site:** 3100 Green Road, Greer, SC 29651

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**Citation 01 Item 004 Type of Violation: **Serious****

29 CFR 1910.146(d)(3), as adopted pursuant to SC Code Ann. §41-15-220 and incorporated by reference pursuant to SC Ann. Regs. 71-108: Failed to develop and implement the means, procedure, and practices necessary for safe permit space entry operations, including, but not limited to, the following: (i) Specifying acceptable entry conditions; (ii) Providing each authorized entrant or that employee's authorized representative with the opportunity to observe any monitoring or testing of permit spaces; (iii) Isolating the permit space; (iv) Purging, inerting, flushing, or ventilating the permit space as necessary to eliminate or control atmospheric hazards; (v) Providing pedestrian, vehicle, or other barriers as necessary to protect entrants from external hazards, and (vi) Verifying that conditions in the permit space are acceptable for entry throughout the duration of an authorized entry, as follows:

A. Means, procedures, and practices necessary for safe permit space entry to include, but not limited to, the isolation of the permit space and verifying acceptable entry conditions, were not implemented for employees performing work in and around the Vecoplan Shredder (Type: VAZ 1600 M FF - Machine No. 15470010) located near the beginning of Line 1 in the production area.

**ABATEMENT DOCUMENTATION REQUIRED**

<b>Date By Which Violation Must Be Abated:</b>	<b>11/8/2022</b>
<b>Proposed Penalty:</b>	<b>\$4,200.00</b>



**SC Dept of Labor, Licensing & Regulation**  
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**Issuance Date:** 10/27/2022  
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**Optional Report No.:** 0327-22

**Citation and Notification of Penalty**

**Company Name:** Industrial Recovery & Recycling Inc  
**Inspection Site:** 3100 Green Road, Greer, SC 29651

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

29 CFR 1910.146(d)(9), as adopted pursuant to SC Code Ann. §41-15-220 and incorporated by reference pursuant to SC Ann. Regs. 71-108: Failed to develop and implement procedures for summoning rescue and emergency services, for rescuing entrants from permit spaces, for providing necessary emergency services to rescued employees, and for preventing unauthorized personnel from attempting a rescue, as follows:

A. Procedures for summoning rescue and emergency services and rescuing entrants from permit spaces, were inadequate (no site-specific procedures; contradicting methods of rescue) for employees performing work in permit spaces such as, but not limited to, the Vecoplan Shredder (Type: VAZ 1600 M FF - Machine No. 15470010) located near the beginning of Line 1 in the production area.

**ABATEMENT DOCUMENTATION REQUIRED**

<b>Date By Which Violation Must Be Abated:</b>	<b>11/21/2022</b>
<b>Proposed Penalty:</b>	<b>\$4,200.00</b>

**SC Dept of Labor, Licensing & Regulation**  
Office of Occupational Safety and Health

**Inspection Number:** 318069564  
**Inspection Date(s):** 6/16/2022 - 10/21/2022  
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**Citation and Notification of Penalty**

**Company Name:** Industrial Recovery & Recycling Inc  
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**Citation 01 Item 006 Type of Violation: **Serious****

29 CFR 1910.146(e)(6), as adopted pursuant to SC Code Ann. §41-15-220 and incorporated by reference pursuant to SC Ann. Regs. 71-108: Failed to retain each canceled entry permit for at least 1 year to facilitate the review of the permit-required confined space program required by paragraph (d)(14) of this section. Any problems encountered during an entry operation shall be noted on the pertinent permit so that appropriate revisions to the permit space program can be made, as follows:

A. Canceled entry permits for employees performing work in permit spaces such as, but not limited to, the Vecoplan Shredder (Type: VAZ 1600 M FF - Machine No. 15470010), located near the beginning of Line 1 in the production area, were not retained for at least a year.

**ABATEMENT DOCUMENTATION REQUIRED**

<b>Date By Which Violation Must Be Abated:</b>	<b>11/9/2022</b>
<b>Proposed Penalty:</b>	<b>\$2,500.00</b>

**SC Dept of Labor, Licensing & Regulation**  
Office of Occupational Safety and Health

**Inspection Number:** 318069564  
**Inspection Date(s):** 6/16/2022 - 10/21/2022  
**Issuance Date:** 10/27/2022  
**CSHO ID:** T2167  
**Optional Report No.:** 0327-22

**Citation and Notification of Penalty**

**Company Name:** Industrial Recovery & Recycling Inc  
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**Citation 01 Item 007 Type of Violation: **Serious****

29 CFR 1910.146(f), as adopted pursuant to SC Code Ann. §41-15-220 and incorporated by reference pursuant to SC Ann. Regs. 71-108: Failed to identify the contents of Section 1910.146(f)(1) through (15) on the entry permit that documents compliance with this section and authorizes entry to a permit space, as follows:

A. Entry permit did not include contents such as, but not limited to, the permit space to be entered, acceptable entry conditions, and communication procedures between entrants and attendants, for entry into permit spaces such as, but not limited to, the Vecoplan Shredder (Type: VAZ 1600 M FF - Machine No. 15470010) located near the beginning of Line 1 in the production area.

**ABATEMENT DOCUMENTATION REQUIRED**

<b>Date By Which Violation Must Be Abated:</b>	<b>11/9/2022</b>
<b>Proposed Penalty:</b>	<b>\$4,200.00</b>

**SC Dept of Labor, Licensing & Regulation**  
Office of Occupational Safety and Health

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**Inspection Date(s):** 6/16/2022 - 10/21/2022  
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**Optional Report No.:** 0327-22

**Citation and Notification of Penalty**

**Company Name:** Industrial Recovery & Recycling Inc  
**Inspection Site:** 3100 Green Road, Greer, SC 29651

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**Citation 01 Item 008** Type of Violation: **Serious**

29 CFR 1910.146(g)(1), as adopted pursuant to SC Code Ann. §41-15-220 and incorporated by reference pursuant to SC Ann. Regs. 71-108: Failed to provide training so that all employees whose work is regulated by this section acquire the understanding, knowledge, and skills necessary for the safe performance of the duties assigned under this section, as follows:

A. Permit required confined space training was inadequate (deficient understanding, knowledge, and skills for safe performance and implementation of the program) for approximately twenty-two (22) employees who worked in and around permit spaces such as, but not limited to, the Vecoplan Shredder (Type: VAZ 1600 M FF - Machine No. 15470010) located near the beginning of Line 1 in the production area.

**ABATEMENT DOCUMENTATION REQUIRED**

<b>Date By Which Violation Must Be Abated:</b>	<b>11/29/2022</b>
<b>Proposed Penalty:</b>	<b>\$2,500.00</b>

**SC Dept of Labor, Licensing & Regulation**  
Office of Occupational Safety and Health

**Inspection Number:** 318069564  
**Inspection Date(s):** 6/16/2022 - 10/21/2022  
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**Citation and Notification of Penalty**

**Company Name:** Industrial Recovery & Recycling Inc  
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**Citation 01 Item 009 Type of Violation: **Serious****

29 CFR 1910.146(g)(4), as adopted pursuant to SC Code Ann. §41-15-220 and incorporated by reference pursuant to SC Ann. Regs. 71-108: Failed to certify that the training required by paragraphs (g)(1) through (g)(3) of this section has been accomplished. The certification shall contain each employee's name, the signatures or initials of the trainers, and the dates of training. The certification shall be available for inspection by employees and their authorized representatives, as follows:

A. Permit required confined space training was not certified for approximately twenty-two (22) employees who worked in and around permit spaces such as, but not limited to, the Vecoplan Shredder (Type: VAZ 1600 M FF - Machine No. 15470010) at the establishment.

**ABATEMENT DOCUMENTATION REQUIRED**

<b>Date By Which Violation Must Be Abated:</b>	<b>11/29/2022</b>
<b>Proposed Penalty:</b>	<b>\$2,500.00</b>

**SC Dept of Labor, Licensing & Regulation**  
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**Citation and Notification of Penalty**

**Company Name:** Industrial Recovery & Recycling Inc  
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**Citation 01 Item 010 Type of Violation: **Serious****

29 CFR 1910.147(c)(4)(i), as adopted pursuant to SC Code Ann. §41-15-220 and incorporated by reference pursuant to SC Ann. Regs. 71-108: Failed to develop, document and utilize procedures for the control of potentially hazardous energy when employees are engaged in the activities covered by this section, as follows:

A. Energy control procedures were not utilized for employees performing servicing and maintenance activities on equipment such as, but not limited to, the Vecoplan Shredder (Type: VAZ 1600 M FF - Machine No. 15470010) and associated dump box, located on Line 1 in the production area.

**ABATEMENT DOCUMENTATION REQUIRED**

<b>Date By Which Violation Must Be Abated:</b>	<b>11/8/2022</b>
<b>Proposed Penalty:</b>	<b>\$4,200.00</b>

**SC Dept of Labor, Licensing & Regulation**  
Office of Occupational Safety and Health

**Inspection Number:** 318069564  
**Inspection Date(s):** 6/16/2022 - 10/21/2022  
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**Citation and Notification of Penalty**

**Company Name:** Industrial Recovery & Recycling Inc  
**Inspection Site:** 3100 Green Road, Greer, SC 29651

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**Citation 01 Item 011 Type of Violation: **Serious****

29 CFR 1910.212(a)(1), as adopted pursuant to SC Code Ann. §41-15-220 and incorporated by reference pursuant to SC Ann. Regs. 71-108: Failed to provide one or more methods of machine guarding 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. Examples of guarding methods are barrier guards, two-hand tripping devices, electronic safety devices, etc., as follows:

A. Guarding was not provided for a gap (~23" x 4.5" large) in the frame of the conveyor that transported shredded material from the Vecoplan shredder to the densifier on Line 1 in Building 1 of the facility.

**ABATEMENT DOCUMENTATION REQUIRED**

<b>Date By Which Violation Must Be Abated:</b>	<b>11/14/2022</b>
<b>Proposed Penalty:</b>	<b>\$875.00</b>

**SC Dept of Labor, Licensing & Regulation**  
Office of Occupational Safety and Health

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**Citation and Notification of Penalty**

**Company Name:** Industrial Recovery & Recycling Inc  
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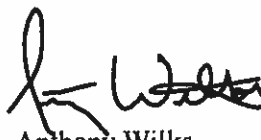
**Citation 01 Item 012 Type of Violation: **Serious****

29 CFR 1910.219(c)(2)(i), as adopted pursuant to SC Code Ann. §41-15-220 and incorporated by reference pursuant to SC Ann. Regs. 71-108: Failed to guard all exposed parts of horizontal shafting, seven (7) feet or less from floor or working platform, except runways used exclusively for oiling, or running adjustments, by a stationary casing enclosing shafting completely or a trough enclosing sides and top or sides and bottom of shafting as location requires, as follows:

A. Guarding was not provided for the end of the shaft that was located approximately 80 inches (6.67 ft) from the ground and used to power the shredder blades on the Vecoplan Shredder (Model: VAZ 1600 M FF - Machine No. 15470010) in Line 1 of Building 1 of the facility.

**ABATEMENT DOCUMENTATION REQUIRED**

**Date By Which Violation Must Be Abated:** 11/14/2022  
**Proposed Penalty:** \$875.00



Anthony Wilks  
South Carolina Dept of LLR





# SC Dept. of Labor, Licensing and Regulation

Office of Occupational Safety and Health

P.O. Box 11329

Columbia, SC 29211-1329

Phone: 803-896-7665 FAX: 803-896-7670

## INVOICE DEBT COLLECTION NOTICE

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**Company Name:** Industrial Recovery & Recycling Inc  
**Inspection Site:** 3100 Green Road, Greer, SC 29651  
**Issuance Date:** 10/27/2022  
**Optional Report Number:** 0327-22

**Summary of Penalties for Inspection Number: 318069564**

**Citation 1, Serious** = \$33,975.00  
**TOTAL PENALTIES** = \$33,975.00

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Anthony Wilks  
Compliance Manager

October 27, 2022

Date