

News Release



U.S. Department of Labor
Office of Public Affairs
Chicago, Ill.
Release Number: 10-1655-CHI

For Immediate Release
Dec. 7, 2010
Contact: Rhonda Burke
Phone: 312-353-6976
E-mail: burke.rhonda@dol.gov

Scott Allen
312-353-4727
allen.scott@dol.gov

US Labor Department's OSHA fines US Minerals facility in Illinois \$396,000 for 28 violations, including exposure to hazardous dust

COFFEEN, Ill. – The U.S. Department of Labor's Occupational Safety and Health Administration has cited U.S. Minerals LLC with willfully exposing its workers to dangerously high levels of hazardous dust, and not providing adequate breathing protection and training for workers at its facility in Coffeen. The company, headquartered in Dyer, Ind., has been issued a total of 28 health and safety citations with proposed penalties of \$396,000.

"U.S. Minerals has severely jeopardized the health and safety of its workers by exposing them to extremely high levels of hazardous dust and other dangers," said Assistant Secretary of Labor for OSHA Dr. David Michaels. "This is the fourth U.S. Minerals facility where very serious violations were cited in the past three months, clearly indicating these problems are widespread and systemic. This blatant disregard of workers' health and safety is not acceptable."

Inhalation of the hazardous dust material produced at the facility can cause debilitating lung disease such as pneumoconiosis, which is characterized by symptoms including chronic cough, difficulty breathing and shortness of breath.

This investigation falls under the requirements of OSHA's Severe Violators Enforcement Program. Initiated in the spring of 2010, SVEP is intended to focus on recalcitrant employers who endanger workers by committing willful, repeat or failure-to-abate violations in one or more of the following circumstances: a fatality or catastrophe; industry operations or processes that expose workers to severe occupational hazards; employee exposure to hazards related to the potential releases of highly hazardous chemicals; and all egregious enforcement actions. For more information on SVEP, go to <http://www.osha.gov/dep/svep-directive.pdf>.

OSHA has issued the U.S. Minerals Coffeen facility six willful citations with proposed fines of \$336,000 for exposing workers to levels of hazardous dust at concentrations higher than the permissible exposure limit; failure to implement a written respiratory protection program or to mandate employees wear respirators; failure to implement engineering controls to reduce harmful dust exposures; and failure to develop and utilize energy control procedures. A willful violation is one committed with intentional, knowing or voluntary disregard for the law's requirements or plain indifference to employee safety and health.

"U.S. Minerals continually has failed to come into compliance on safety issues such as providing adequate breathing protection," said OSHA Area Director Thomas Bielema in Fairview Heights, Ill. "We are committed to seeing that the workers at this facility are provided a safe and healthful workplace."

-- more --

News Release



U.S. Department of Labor
Office of Public Affairs
Chicago, Ill.
Release Number: 10-1655-CHI

For Immediate Release
Dec. 7, 2010
Contact: Rhonda Burke
Phone: 312-353-6976
E-mail: burke.rhonda@dol.gov

Scott Allen
312-353-4727
allen.scott@dol.gov

US DEPARTMENT OF LABOR NEWS RELEASE – Page 2

The company has received seven repeat citations with fines of \$34,200 for violating permit-required confined space entry rules, failure to provide fall protection, failure to provide required training on energy procedures and failure to provide guards on mechanical powered equipment. A repeat violation is issued when an employer previously has been cited for the same or a similar violation of a standard, regulation, rule or order at any other facility in federal enforcement states within the last five years.

The company also has been issued 10 serious citations with proposed penalties of \$24,000. Violations include failure to assess the need for adequate personal protective equipment; inadequate eye protection; failure to develop procedures and practices for permit-required confined space entry; lack of a written hazard communication program; inadequate information and training on dust containing silica; and failure to cover floor holes and enclose electrical boxes. A serious citation is issued when there is substantial probability that death or serious physical harm could result from a hazard about which the employer knew or should have known.

The company also has received five other-than-serious citations with \$1,800 in penalties for lack of proper injury and illness recordkeeping. An other-than-serious violation is one that has a direct relationship to job safety and health but probably would not cause death or serious physical harm.

The company manufactures abrasive blasting and roofing materials from slag produced at coal-fired power plants. In September, OSHA issued a \$466,400 penalty to the company's facility in Baldwin, Ill., citing 35 health and safety violations for willfully exposing workers to dangerously high levels of hazardous dust and failing to provide adequate breathing protection. As a result of the egregious conditions found at that worksite, OSHA initiated inspections of the company's other facilities, including the Coffeen location. The company's Harvey, La., operation was cited last month with 30 violations and proposed penalties of \$110,400. The Galveston, Texas, facility was fined \$273,000 last week, and cited with 38 violations for exposing workers to fall and machine guarding hazards.

The company has 15 business days from receipt of its citations and penalties to comply, request an informal conference with OSHA's area director or contest the findings before the independent Occupational Safety and Health Review Commission. Employers and employees with questions regarding workplace safety and health standards can call OSHA's Fairview Heights Office at 618-632-8612. To report workplace accidents, fatalities or situations posing imminent danger to workers, call OSHA's toll-free hotline at 800-321-OSHA (6742).

Under the Occupational Safety and Health Act of 1970, employers are responsible for providing safe and healthful workplaces for their employees. OSHA's role is to assure these conditions for America's working men and women by setting and enforcing standards, and providing training, education and assistance. For more information, visit <http://www.osha.gov>.