

EXHIBIT 3-2

U.S. Department of Labor Occupational Safety and Health Administration
500 Route 17 South,
2nd Floor
Hasbrouck Heights, NJ 07604
Phone: 201-288-1700 Fax: 201-288-7315



04/02/2013

Sun Chemical Inc
631 Central Ave,
Carlstadt, NJ 07072

Dear Employer,

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000) revised 1990, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dated together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

As indicated on page 8 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 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 the citation. The running of this contest period is not interrupted by an informal conference. You must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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.

Sincerely,


Lisa Levy
Area Director

Enclosures

U.S. Department of Labor
Occupational Safety and Health Administration
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604
Phone: 201-288-1700 Fax: 201-288-7315



Citation and Notification of Penalty

To:
Sun Chemical Inc
and its successors
631 Central Ave
Carlstadt, NJ 07072

Inspection Number: 704178
Inspection Date(s): 10/09/2012 - 10/11/2012
Issuance Date: 04/02/2013

Inspection Site:
390 Central Ave
East Rutherford, NJ 07073

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 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 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.

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 04/02/2013. The conference will be held at the OSHA office located at 500 Route 17 South, 2nd Floor, Hasbrouck Heights, NJ 07604 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 704178

Company Name: Sun Chemical Inc
Inspection Site: 390 Central Ave, East Rutherford, NJ 07073
Issuance Date: 04/02/2013

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, 500 Route 17 South, 2nd Floor, Hasbrouck Heights, NJ 07604

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

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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
500 Route 17 South,
2nd Floor
Hasbrouck Heights, NJ 07604
Phone: 201-288-1700 Fax: 201-288-7315



04/02/2013

Sun Chemical Inc
631 Central Ave,
Carlstadt, NJ 07072

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to Lisa Levy
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U.S. Department of Labor
Occupational Safety and Health Administration



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CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 704178

Company Name: Sun Chemical Inc
Inspection Site: 390 Central Ave, East Rutherford, NJ 07073
Issuance Date: 04/02/2013

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, 500 Route 17 South, 2nd Floor, Hasbrouck Heights, NJ 07604

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By (Method of Abatement): _____

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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

Typed or Printed Name

Date

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

Inspection Number: 704178
Inspection Date(s): 10/09/2012 - 10/11/2012
Issuance Date: 04/02/2013



Citation and Notification of Penalty

Company Name: Sun Chemical Inc
Inspection Site: 390 Central Ave, East Rutherford, NJ 07073

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

29 CFR 1910.36(e)(1): A side-hinged door must be used to connect any room to an exit route:

a) Boiler Room, 390 Central Ave Site: Employees who entered the boiler room to check the water levels and add descaler were not provided with an exit, on or about 10/9/2012.

Date By Which Violation Must be Abated:
Proposed Penalty:

05/17/2013
\$5000.00

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: 704178
Inspection Date(s): 10/09/2012 - 10/11/2012
Issuance Date: 04/02/2013



Citation and Notification of Penalty

Company Name: Sun Chemical Inc
Inspection Site: 390 Central Ave, East Rutherford, NJ 07073

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

29 CFR 1910.110(e)(4)(iii): Permanent and removable fuel containers were not securely mounted to prevent jarring loose, slipping, or rotating:

a) Plant, E. Rutherford: The index pin on a Toyota forklift did not engage in the liquefied petroleum cylinder collar locating hole, thus allowing the cylinder to rotate during operation, on or about 12/3/2012.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$3000.00

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: 704178
Inspection Date(s): 10/09/2012 - 10/11/2012
Issuance Date: 04/02/2013



Citation and Notification of Penalty

Company Name: Sun Chemical Inc
Inspection Site: 390 Central Ave, East Rutherford, NJ 07073

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

29 CFR 1910.157(g)(4): Employees who have been designated to use fire fighting equipment as a part of the emergency action plan were not provided training in the use of appropriate equipment upon initial assignment and at least annually thereafter:

a) Establishment: Employees who were allowed to use fire extinguishers were not provided with hands-on training in the use of fire extinguisher for emergency use and at least annually, on or about 10/9/2012.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 05/17/2013
Proposed Penalty: \$7000.00

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: 704178
Inspection Date(s): 10/09/2012 - 10/11/2012
Issuance Date: 04/02/2013



Citation and Notification of Penalty

Company Name: Sun Chemical Inc
Inspection Site: 390 Central Ave, East Rutherford, NJ 07073

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

29 CFR 1910.307(c)(2)(i): Equipment in hazardous (classified) location(s) was not approved for the ignitable or combustible properties of the specific gas, vapor, dust, or fiber that was or could be present:

a) Pre-Mix Room: Intrinsically safe lights were not used in the ink blending room, where combustible dust such as, but not limited to, Gilsonite and Carbon Black, on or about 10/9/2013.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 05/17/2013
Proposed Penalty: \$7000.00

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: 704178
Inspection Date(s): 10/09/2012 - 10/11/2012
Issuance Date: 04/02/2013



Citation and Notification of Penalty

Company Name: Sun Chemical Inc
Inspection Site: 390 Central Ave, East Rutherford, NJ 07073

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

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

a) Pre-mix Room, 390 Central Ave: Employees who were handling combustible dust such as, but not limited to, Gilsonite and Carbon black dust, and employees, who entered the room to do repair work, were not informed of the potential hazards involved with combustible dusts, on or about 10/9/2012.

Date By Which Violation Must be Abated:
Proposed Penalty:

05/17/2013
\$3000.00

to Lisa Levy
Area Director

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
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604
Phone: 201-288-1700 Fax: 201-288-7315



INVOICE / DEBT COLLECTION NOTICE

Company Name: Sun Chemical Inc
Inspection Site: 390 Central Ave, East Rutherford, NJ 07073
Issuance Date: 04/02/2013

Summary of Penalties for Inspection Number	704178
Citation 1, Serious	\$25000.00
TOTAL PROPOSED PENALTIES	\$25000.00

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 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 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 2 times.

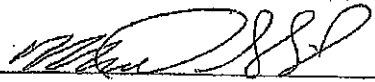
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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



lv Lisa Levy
Area Director

4/2/13
Date

U.S. Department of Labor

**Occupational Safety and Health
Hasbrouck Heights Area Office
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07804
Tel: (201) 288-1700
Fax: (201) 288-7315**



April 3, 2013

Sun Chemical Inc.
631 Central Avenue
Carlstadt, NJ 07021

Re: Sun Chemical Inc. - 704178

Dear Sir:

I hereby acknowledge receipt of Citation and Notification of Proposed Penalty for the above case file. This citation is hand-delivered by a duly authorized representative of OSHA.

(b) (7)(C)

PRESIDENT OR REPRESENTATIVE

4/3/2013
DATE

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

Inspection Report

Mon Apr 01, 2013 10:40:43 AM

RID	CSHO ID	Supervisor ID	Inspection Number	Optional Report Number	Case Closed Date
0214500	(b) (7) (C)		704178		

Establishment Name		Sun Chemical Inc		Doing Business As (DBA)		
Type of Business		Corporation		Primary NAICS		325910
Site Address	390 Central Ave EAST RUTHERFORD, NJ, 07073	Site Phone	(201)-935- 8666	Extn.		Site FAX
Business Address	390 Central Ave EAST RUTHERFORD, NJ, 07073	Business Phone	(201)-935-8666			Business FAX
Mailing Address	631 Central Ave CARLSTADT, NJ, 07072	E-mail				Mobile Phone
Site Activity		NAICS Inspected	325910		Days on Site	2
Federal EIN		DUNS			Temporary or Fixed Site?	

Entry	09-OCT-2012	02:00 PM	First Closing Conference	09-OCT-2012	04:30 PM
Opening Conference	09-OCT-2012	02:15 PM	Second Closing Conference	11-OCT-2012	04:30 PM
Walkaround	09-OCT-2012	02:30 PM	Exit	11-OCT-2012	03:45 PM

Inspection Initiating Type	Fatality/Catastrophe		Secondary Type		
Other Initiating Type			Inspection Category		Health
Scope of Inspection	Partial		Reason No Inspection		
Sampling Performed?	Y	SVEP	N	Expln. for No Insp.	
Federal Strategic Initiatives					
National Emphasis					
Local Emphasis					
Primary Emphasis					

Employed in Establishment	(b) (6)	Walkaround?	Y	Advance Notice?	N
Covered By Inspection		Interviewed?	Y	Flag for Follow-up	N
Controlled By Employer		Union?	Y	Reason for Follow-up	

Related Activity			
Activity Number	Activity Type	Satisfied	Establishment Name
634352	FAT/CAT		Sun Chemical Inc

Related Inspections	
Inspection Number	Establishment Name

Additional Codes			
Type	ID	Value	Description
N	10	IMMLANG-N	All FAT/CAT investigations & related OSHA-4s - enter if worker(s) involved natural-born U.S. citizen(s) with English as primary language and not Hispanic and no potential language barrier existed at work site.

Employer Representatives Contacted				
First Name	Last Name	Job Title	Participation	Interviewed?
(b) (7) (C)				

Employees Contacted				
Name	Job Title	Occupation	Home	Work
Address				
Home		Work		Mobile
Email		Participation		

Union Information			
Union Name	IBT	Local	612M
Rep Name			
Address			
(b) (7) (C)			
Home			
Email		Participation	
		Walk Around, Credentials, Opening Conference	

Authorized Employee Representatives				
Name	Organization	Occupation	Material Handler	
(b) (7) (C)				
Address				
Home		Work		Mobile
Email		Participation		Walk Around, Credentials, Opening Conference

Penalty Adjustment Factors					
Size Reduction	0%	Good Faith Reduction	0%	History Reduction	0%
Size Justification		Good Faith Justification		History Justification	

Page 3
Sun Chemical Inc

Mon Apr 01, 2013 10:40:43 AM
Inspection Nr. 704178

CSHO Signature	(b) (7) (C)	4/1/13
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Inspection Number: 704178	Establishment Name: Sun Chemical Inc	RID: 0214500
Inspection Information		
CSHO Info		
CSHO ID: (b) (7)(C)	Accompanied By: (b) (7)(C)	CSHO Job Title:
Supervisor:	Optional Report Number:	
Related Activities		
Activity Number: 634362	Activity Type: FAT/CAT/Accident	Satisfied: <input type="checkbox"/>
		Estab Name: Sun Chemical Inc
Related Inspections		
Concurrent Inspections		
Inspection Number:		
Joint-Employer Inspections		
Inspection Number Estab Name		
Multi-Employer Inspections		
Inspection Number Estab Name		
Previous/Subsequent Inspections		
Inspection Number Previous/Subsequent		
Site Address Information		
Establishment Information		
Establishment Name: Sun Chemical Inc	Establishment DBA:	
Ownership: Private Sector	Establishment ID: (b) (7)(C)	
Type of Business: Corporation	Primary NAICS: 325910 - Printing Ink Manufacturing	
<input type="checkbox"/> Injury Illness		
Business Address		
Street Address 1: 390 Central Ave	County: BERGEN	
Street Address 2:	Zip Code: 07073	
Country: UNITED STATES OF AMERICA	E-mail Address:	
State: NEW JERSEY	Phone Number: 2019358666	
City: EAST RUTHERFORD	Fax:	
Mailing Address		
Street Address 1: 390 Central Ave	City: EAST RUTHERFORD	
Street Address 2:	County: BERGEN	
Country: UNITED STATES OF AMERICA	Zip Code: 07073	
State: NEW JERSEY		
Site Information		
Type Of Business:	Street Address 1: 390 Central Ave	
Temporary/Fixed:	Street Address 2:	
Primary NAICS: 325910 - Printing Ink Manufacturing	City: EAST RUTHERFORD	
SIC Inspected:	State: NEW JERSEY	
Phone Number: 201-935-8666		

031

Mobile Number:		County: BERGEN	
Fax Number:		Zip Code: 07073	
Employment Information			
# Employed in Estab: (b) (6)		# Controlled by Employer: (b) (6)	
# Covered by Inspection:			
Inspection Dates			
No denial of entry, Advance Notice: No		Case Closed Date: Number of Days on Site: 8	
Dates			
Entry Date: 10/09/2012	Time: 02:00 PM	Opening Conference: 10/09/2012	Time: 02:15 PM
Walk Around: 10/09/2012	Time: 02:15 PM	Closing Conference 1:	Time:
Exit:	Time:	Closing Conference 2:	Time:
Candidate for Follow-Up Inspection			
Flag as Candidate For Follow-up: No			
Reason for follow up:			
Inspection Type Information			
Initiating Fatality/Catastrophe Type:			
Secondary Types			
Other:			
Enhanced Enforcement Program: No	Partnership Program:	Scope of Inspection: Partial	Reason No Inspection:
Migrant Farm Worker: No	Inspection Category: Health	Explanation:	Sampling Performed: Yes
National Inspection Programs			
State/Local Inspection Programs			
Strategic Plan Activity			
Federal Strategic Initiative			
Additional Codes			
Type	Id	Value	Description
N	10		IMMLANG-N All FAT/CAT investigations & related OSHA-18 - enter if worker(s) involved natural...
Contact Information			
Additional Citation Mailings			
Employer Representative Contacted			

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ERC Source : 1

Walk Around: No
Opening Conference: No
Mail Citation?: No
Street Address 1: 390 Central Ave
Street Address 2:
City: EAST RUTHERFORD
County: BERGEN
State: NEW JERSEY
Country: UNITED STATES OF AMERICA
Zip Code: 07073

Interviewed?: Yes
Closing Conference: No
Credentials: No
First Name: (b) (7)(C)
Last Name:
Job Title:
E-Mail:
Phone:
Phone Extn:
Mobile:
Fax:

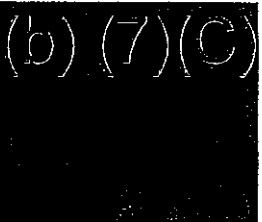
ERC Source : 2

Walk Around: No
Opening Conference: No
Mail Citation?: No
Street Address 1: 390 Central Ave
Street Address 2:
City: EAST RUTHERFORD
County: BERGEN
State: NEW JERSEY
Country: UNITED STATES OF AMERICA
Zip Code: 07073

Interviewed?: Yes
Closing Conference: No
Credentials: No
First Name: (b) (7)(C)
Last Name:
Job Title:
E-Mail:
Phone:
Phone Extn:
Mobile:
Fax:

ERC Source : 3

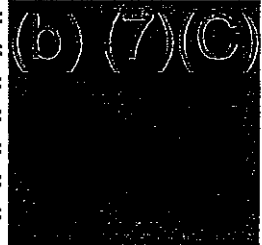
Walk Around: No
Opening Conference: No
Mail Citation?: No
Street Address 1:
Street Address 2:
City:
County:
State:
Country:
Zip Code:



Interviewed?: No
Closing Conference: No
Credentials: No
First Name: (b) (7)(C)
Last Name:
Job Title:
E-Mail:
Phone:
Phone Extn:
Mobile:
Fax:

ERC Source : 4

Walk Around: No
Opening Conference: No
Mail Citation?: No
Street Address 1:
Street Address 2:
City:
County:
State:
Country:
Zip Code:



Interviewed?: No
Closing Conference: No
Credentials: No
First Name: (b) (7)(C)
Last Name:
Job Title:
E-Mail:
Phone:
Phone Extn:
Mobile:
Fax:

ERC Source : 5

Walk Around: No	Interviewed?: No
Opening Conference: No	Closing Conference: No
Mail Citation?: No	Credentials: No
Street Address 1: (b) (7)(C)	First Name: (b) (7)(C)
Street Address 2: (b) (7)(C)	Last Name: (b) (7)(C)
City: (b) (7)(C)	Job Title: (b) (7)(C)
County: (b) (7)(C)	E-Mail: (b) (7)(C)
State: (b) (7)(C)	Phone: (b) (7)(C)
Country: (b) (7)(C)	Phone Extn: (b) (7)(C)
Zip Code: (b) (7)(C)	Mobile: (b) (7)(C)
	Fax: (b) (7)(C)

Union Information

UX Source : 1

Employee Walk Around: Yes	Interviewed?: Yes
Opening Conference: Yes	Closing Conference: No
Mail Citation?: No	Credentials: Yes
Local: (b) (7)(C)	First Name: (b) (7)(C)
Union Name: (b) (7)(C)	Last Name: (b) (7)(C)
Street Address 1: (b) (7)(C)	E-Mail: (b) (7)(C)
Street Address 2: (b) (7)(C)	Phone: (b) (7)(C)
City: (b) (7)(C)	Phone Extn: (b) (7)(C)
County: (b) (7)(C)	Mobile: (b) (7)(C)
State: (b) (7)(C)	Fax: (b) (7)(C)
Country: (b) (7)(C)	Zip Code: (b) (7)(C)

Employee Representative

ER Source : 1

Walk Around: Yes	Interviewed?: Yes
Opening Conference: Yes	Closing Conference: No
Mail Citation?: No	Credentials: Yes
Street Address 1: (b) (7)(C)	First Name: (b) (7)(C)
Street Address 2: (b) (7)(C)	Last Name: (b) (7)(C)
City: (b) (7)(C)	E-Mail: (b) (7)(C)
County: (b) (7)(C)	Phone: (b) (7)(C)
State: (b) (7)(C)	Phone Extn: (b) (7)(C)
Country: (b) (7)(C)	Mobile: (b) (7)(C)
Zip Code: (b) (7)(C)	Fax: (b) (7)(C)

Employees Contacted

EC Source : 1

Employee Walk Around: No	Interviewed?: No
Opening Conference: No	Closing Conference: No
Mail Citation?: No	Credentials: No
Street Address 1:	First Name:
Street Address 2:	Last Name:
City:	Job Title:
County:	E-Mail:
	Phone:

State: _____ Country: UNITED STATES OF AMERICA Zip Code: _____	Phone Extn: _____ Mobile: _____ Fax: _____
Other Persons Contacted: _____	
Narrative Penalty Information	
Penalty Adjustment Factors	
Size Reduction: 0% Good Faith Reduction: 0% History: 0%	Size Justification: Good Faith Justification: History Justification:
Denial Of Entry Info	
Inspection History	
Inspection History Records for Establishment	
Inspection ... Site Address	Inspection ... Date(s) Of De...
Previous Requests for Warrants	
All Warrants associated with the particular Establishment	
Inspection Number Site Address	Warrant Type

Full Shift/Screening: Bulks

Significant Delay(s)?:

Yes No

If yes, explain:

EMPLOYER'S OCCUPATIONAL HEALTH PROGRAM

MONITORING PROGRAM

Is any sampling being performed?

Yes No

If Yes, Describe: Hazard By Whom Method Frequency

Were overexposures documented by the employer?

Yes No

Were results obtained by CSHO/IH?

Yes No

MEDICAL SURVEILLANCE PROGRAM

Does the employer have a medical program?

Yes No

Are any programs required by OSHA health standards?

Yes No

Were any deficiencies noted on frequency, protocol or records?

Yes No

Yes No

Yes No

EDUCATION AND TRAINING PROGRAM

Does the employer have an education and training program?

Yes No

Are any program required by OSHA health standards (other than the Hazard Communication standard)?

Yes No

Were any deficiencies noted on content or frequency?

Yes No

RECORDKEEPING PROGRAM (Other than 29 CFR 1904 requirements)

Does the employer have record keeping program relating to any occupational health issues (monitoring, medical, training, respirator fit tests, ventilation measurements etc.)?

Yes No

Are any programs required by OSHA health standards?

Yes No

Were any deficiencies noted on content, frequency or access?

Yes No

COMPLIANCE PROGRAMS

(engineering controls, PPE, regulated areas, emergency procedures, compliance plans etc.)

Address any relevant compliance efforts regarding potential health hazards covered by the scope of inspection.

PERSONAL HYGIENE FACILITIES AND PRACTICES

(showers, lockers, change rooms, etc.)

Are any required by OSHA standards?

Yes No

What Standards:

Were any deficiencies noted?

Yes No

What:

LABELING AND POSTING POLICIES AND PROCEDURES

(Other than 29 CFR 1903, 29 CFR 1904 and Hazard Communication Standard)

Are any required by OSHA health standards?

Yes No

What Standards:

Were any deficiencies noted?

Yes No

What:

HAZARD COMMUNICATION PROGRAM

Written Program (complete)

Yes No

MSDS's (all)

Yes No

Labeling (adequate)

Yes No

Training (complete)

Yes No

Copy of MSDSs/Program attached

Yes No

Comments:

If yes, complete items 1 and 2 below.

1. Lifting (10% or more similarly exposed employees injured)

a. Total # of employees exposed to job:

b. Total # of cases for job:

2. CTD's (10% or more similarly exposed employees have CTD's; 5% or more CTS cases)

a. Total # of employees exposed to job:

b. Total # of cases for job:

Other significant injury/illness trends

Yes No

CLOSING CONFERENCE NOTES: During the conference with (b) (7)(G) the CSHO stressed a 15-day response period, reviewed hazards and standards, offered abatement assistance, encouraged informal conference, and advised them to utilize the State's Consultation Programs.

Were any unusual circumstances encountered such as, but not limited to, abatement problems, expected contest and/or negative employer attitude? If yes, explain below:

Yes No

19. Closing Conference Checklist ("x" as appropriate)

- No Violations Observed
- Gave Copy Employer Rights
- Reviewed Hazards and Standards
- Discuss Employer Rights/Obligations
- Encouraged Informal Conference
- Offered Abatement Assistance
- Discussed Consultation Programs
- Employer/Employee Questionnaires

Closing Conference held with Employee Representative:

X Jointly Separately

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

Violation Worksheet

Print Date : 04/01/2013

		Inspection Number		704178	
		Opt. Insp. Number			
Establishment Name	Sun Chemical Inc				
DBA Name					
Type Of Violation	Serious	Citation Number	1	Item/Group	1 /
Number Exposed	0	No. Instances	1	REC	Referral
Special Enforcement?			Employer's Relationship to Hazard	All	
Standard	1910.36(e)(1)				
Substance Codes			Photo/Video Number		
Alleged Violation Description	29 CFR 1910.36(e)(1): A side-hinged door must be used to connect any room to an exit route: a) Boiler Room, 390 Central Ave Site: Employees who entered the boiler room to check the water levels and add descaler were not provided with an exit, on or about 10/9/2012.				
Recommended Abatement Action					

Penalty

Severity	High		
Severity Justification	3rd degree burns		
Probablilty	Lesser		
Probability Justification	Duration of stay inside the room was less than 30 minutes.		
Gravity	Moderate	Size	0%
Gravity based Penalty	5000.00	Good Faith	0%
Num Times Repeated		History	0%
Multiplier	1	Quick Fix	0%
Calculated Penalty	5000.00	Proposed Penalty	5000.00
Proposed Penalty Justification:			

Abatement Details

Days to Abate	30 Wkg Days	Abatement Status	
User-entered Abatement Due Date		Date Abated	
Abatement Documentation Required?	No	Date Verified	
Abatement Completed Description:			

MultiStep Abatement

Type/Other Type	Days to abate	User entered Abatement Due Date	Completed(status)	Verify Date
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Employee Exposure

Exposure Instance	Name and Address Telephone Numbers	Duration	Frequency	Proximity
	(b) (7) (C)			At the source
	(b) (7) (C)			At the source

20. Instance Description: A. Hazard B. Equipment C. Location D. Injury/Illness E. Measurements

a) **Hazards-Operation/Condition-Accident:** Severe burn hazard-Employees enter the boiler room to check the water levels and add descaler (corrosive hydroxide) where there was no exit except a fire door. Employees entered the boiler room where employees stayed there about half an hour. The fire door would close automatically as the fusible link was melted, entrapping employees.

b) **Equipment:** Exit door was not provided.

c) **Location:** Boiler room of the plant.

d) **Injury/Illness (and Justifications for Severity and Probability):** Severe burn or death as the fire door closes, entrapping the employee inside due to a lack of an exit.

e) **Measurements:** Per the CSHO's observation and the employer.

23. Employer Knowledge: The employer was aware that there was only fire door and it was connected to a fusible link.

24. Comments: During closing conference, CSHO stressed a 15-day response period, reviewed hazards and standards, offered abatement assistance, encouraged informal conference, and advised him to utilize the State's Consultation Programs.

25. Other Employer Information:

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

Violation Worksheet

Print Date : 04/02/2013

Inspection Number 704178
Opt. Insp. Number

Establishment Name	Sun Chemical Inc		
DBA Name			
Type Of Violation	Serious	Citation Number	1 Item/Group 2 /
Number Exposed	(b) (4)	No. Instances	1 REC
Special Enforcement?		Employer's Relationship to Hazard	All
Standard	1910.110(e)(4)(iii)		
Substance Codes		Photo/Video Number	
Alleged Violation Description	29 CFR 1910.110(e)(4)(iii); Permanent and removable fuel containers were not securely mounted to prevent jarring loose, slipping, or rotating:		

a) Plant, E. Rutherford: The index pin on a Toyota forklift did not engage in the liquefied petroleum cylinder collar locating hole, thus allowing the cylinder to rotate during operation, on or about 12/3/2012.

Recommended Abatement Action

Penalty

Severity	Low		
Severity Justification	Index pin did not engage in the cylinder collar locating hole, allowing cylinder to rotate during operation.		
Probability	Lesser		
Probability Justification	Two metal straps were securing the cylinder.		
Gravity	Low	Size	0%
Gravity based Penalty	3000.00	Good Faith	0%
Num Times Repeated		History	0%
Multiplier	1	Quick Fix	0%
Calculated Penalty	3000.00	Proposed Penalty	3000.00
Proposed Penalty Justification:			

Abatement Details

Days to Abate		Abatement Status	Corrected During Inspection
User-entered Abatement Due Date		Date Abated	12/03/2012
Abatement Documentation Required?	No	Date Verified	12/03/2012
Abatement Completed Description:	The CSHO observed that the condition was abated on 12/3/2012.		

MultiStep Abatement

Type/Other Type	Days to abate	User entered Abatement Due Date	Completed(status)	Verify Date
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Employee Exposure

Exposure Instance	Name and Address Telephone Numbers	Duration	Frequency	Proximity
(b) (7) (C)				at the source

20. **Instance Description:** A. Hazard B. Equipment C. Location D. Injury/Illness E. Measurements

a) **Hazards-Operation/Condition-Accident:** Index pin not engaged-Employee was operating a forklift of which index pin did not engage in the LPG cylinder collar locating hole, thus allowing fuel cylinder to rotate during operation and allowing fuel to leak as a result of loose valve connection.

b) **Equipment:** Index pin.

c) **Location:** As in the AVD.

d) **Injury/Illness (and Justifications for Severity and Probability):** 2nd degree burns.

e) **Measurements:** CDI.

23. **Employer Knowledge:** The employer observed the condition and corrected it during inspection.

24. **Comments:** During closing conference, the CSHO stressed a 15-day response period, reviewed hazards and standards, offered abatement assistance, encouraged informal conference, and advised to utilize the State's Consultation Programs.

25. **Other Employer Information:**

Abatement Details

Days to Abate	30 Wkg Days	Abatement Status	
User-entered Abatement Due Date		Date Abated	
Abatement Documentation Required?	Yes	Date Verified	
Abatement Completed Description:			

MultiStep Abatement

Type/Other Type	Days to abate	User entered Abatement Due Date	Completed(status)	Verify. Date

Employee Exposure

Exposure Instance	Name and Address Telephone Numbers	Duration	Frequency	Proximity
	(b) (7) (C)			At the source
	(b) (7) (C)			At the source
	(b) (7) (C)			At the source
	(b) (7) (C)			At the source
	(b) (7) (C)			At the source
	(b) (7) (C)			At the source

Proposed Penalty Justification:	
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Abatement Details

Days to Abate	30 Wkg Days	Abatement Status	
User-entered Abatement Due Date		Date Abated	
Abatement Documentation Required?	Yes	Date Verified	
Abatement Completed Description:			

MultiStep Abatement

Type/Other Type	Days to abate	User entered Abatement Due Date	Completed(status)	Verify Date

Employee Exposure

Exposure Instance	Name and Address Telephone Numbers	Duration	Frequency	Proximity
	(b) (7) (C)		Daily	At the source
	(b) (7) (C)		Daily	At the source
	(b) (7) (C)		daily	At the source

20. Instance Description: A. Hazard B. Equipment C. Location D. Injury/Illness E. Measurements

a) **Hazards-Operation/Condition-Accident:** Employees were exposed to burn hazard. Lighting was achieved by ordinary energy saving light bulbs where Class II combustible atmosphere was created by Carbon Black and Gilsonite dust. 7 employees suffered minor to 3rd degree burns.

b) **Equipment:** Ordinary energy saving light bulbs

c) **Location:** As in the AVD.

d) **Injury/Illness (and Justifications for Severity and Probability):** 3rd degree burns. Combustible material such as Gilsonite and Carbon Black are used daily.

e) **Measurements:** a) See the sample results for Carbon Black (Sample No 82465). Kst, deflagration Index, for Carbon Black was 9.54 bar*meters per second: This means that the sample was explosive dust.

b) See the sample results for Gilsonite(Sample No 86825). Kst for Gilsonite was 19.04 bar*meter per second: This

means the material was more explosive than Carbon Black.

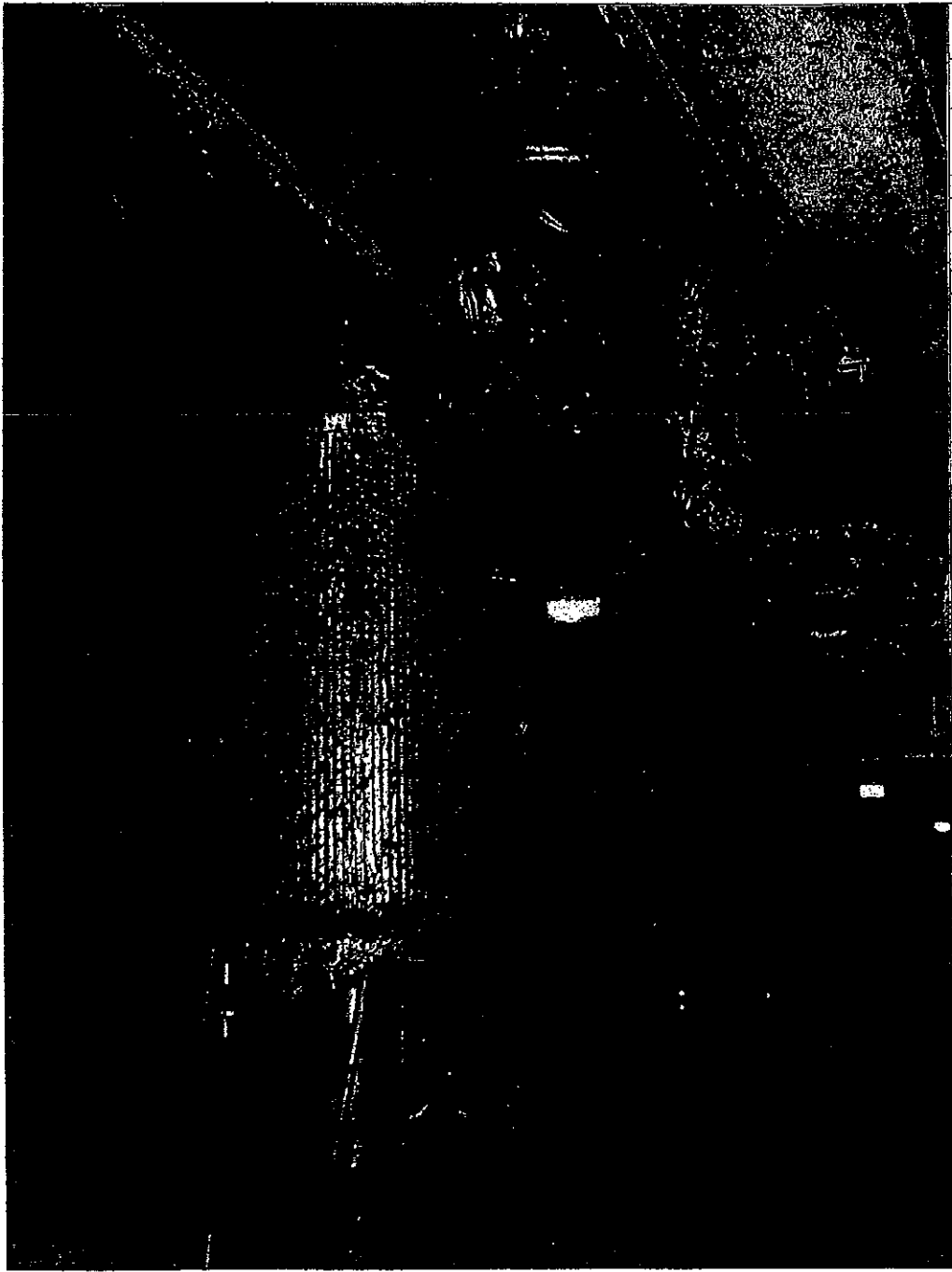
23. Employer Knowledge: The employer has knowledge that dusty materials were used and some areas was lighted with intrinsically safe lighting fixture.

24. Comments: During a closing conference, the CSHO stressed a 15-day response period, reviewed hazards and standards, offered abatement assistance, encouraged informal conference, and advised utilize the State's Consultation Programs.

25. Other Employer Information:

Photo Mounting Worksheet

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



Inspection 704187		
1. Photo ID	2. Date 10/11/2012	
3. Citation	4. Item	5. Instance
1.	4	
6. Location (Photo and Photographer) Pre-mix Room		
7. Description Ordinary energy saving light bulbs are seen in the pre-mix room where dust deflagration occurred. 7 seven employees were sent to a hospital as a result.		
8. Confidential Material		Cont.

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

Violation Worksheet

Print Date : 04/02/2013

Inspection Number 704178
Opt. Insp. Number

Establishment Name	Sun Chemical Inc		
DBA Name			
Type Of Violation	Serious	Citation Number	1 Item/Group 5 /
Number Exposed	(b) (4)	No. Instances	1 REC
Special Enforcement?		Employer's Relationship to Hazard	
Standard	1910.1200(h)(1)		
Substance Codes		Photo/Video Number	
Alleged Violation Description	29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:		

a) Pre-mix Room, 390 Central Ave; Employees who were handling combustible dust such as, but not limited to, Gilsonite and Carbon black dust, and employees, who entered the room to do repair work, were not informed of the potential hazards involved with combustible dusts, on or about 10/9/2012.

Recommended Abatement Action

Penalty

Severity	Low		
Severity Justification			
Probability	Lesser		
Probability Justification			
Gravity	Low	Size	0%
Gravity based Penalty	3000.00	Good Faith	0%
Num Times Repeated		History	0%
Multiplier	1	Quick Fix	0%
Calculated Penalty	3000.00	Proposed Penalty	3000.00
Proposed Penalty Justification:			

Abatement Details

Days to Abate 30 Wkg Days Abatement Status
 User-entered Abatement Due Date Date Abated
 Abatement Documentation Required? No Date Verified
 Abatement Completed Description:

MultiStep Abatement

Type/Other Type	Days to abate	User entered Abatement Due Date	Completed(status)	Verify Date
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Employee Exposure

Exposure Instance	Name and Address Telephone Numbers	Duration	Frequency	Proximity
(b)	(b)	(b)	daily	At the source
				At the Source

20. Instance Description: A. Hazard B. Equipment C. Location D. Injury/Illness E. Measurements

a) Hazards-Operation/Condition-Accident: Lack of information-The employer provided training on the hazards associated with combustible dusts. However, the CSHO learned through employee interviews that detailed information on the substances such as Gilsonite and carbon black were not told to the extent that those substances were combustible.

b) Equipment: training

c) Location: As in the AVD

d) Injury/Illness (and Justifications for Severity and Probability): 1st & 2nd degree burns

e) Measurements: Through employee interviews.

23. Employer Knowledge: The employer said they provided employees with information and training. The CSHO received the contents of training on combustible dusts which were presented during the class room training.

24. Comments: During informal conference, CSHO stressed a 15-day response period, reviewed hazards and standards, offered abatement assistance, encouraged informal conference, and advised them to utilize the State's Consultation Programs.

25. Other Employer Information:

OSHA's Form 300A (Rev. 01/2004)

Summary of Work-Related Injuries and Illnesses

Year 2011



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

Form approved OMB No. 1216-0776

All establishments covered by Part 1904 must complete this Summary page, even if no injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the log. If you had no cases write "0."

Employees former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR 1904.35, in OSHA's Recordkeeping rule, for further details on the access provisions for these forms.

Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	1	0	0
(G)	(H)	(I)	(J)

Number of Days

Total number of days away from work	Total number of days of job transfer or restriction
2	52
(K)	(L)

Number of Illnesses by Type

Total number of... (M)	(1) Injury	(2) Skin Disorder	(3) Respiratory Condition	(4) Poisoning	(5) Hearing Loss	(6) All Other Illnesses
	1	0	0	0	0	0

Post this Summary page from February 1 to April 30 of the year following the year covered by the form

Public reporting burden for this collection of information is estimated to average 58 minutes per response, including time to review the instruction, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistics, Room N-3844, 200 Constitution Ave, NW, Washington, DC 20220. Do not send the completed forms to this office.

Establishment information

Your establishment name Sun Chemical Corporation
 Street 390 Central Avenue
 City East Rutherford State NJ Zip 07073
 Industry description (e.g., Manufacture of motor truck trailers)
Ink Manufacturing
 Standard Industrial Classification (SIC), if known (e.g., SIC 3715) 2 8 9 3
 OR North American Industrial Classification (NAICS), if known (e.g., 336212) 3 2 5 9 1 0

Employment information

Annual average number of employees [redacted]
 Total hours worked by all employees last year [redacted]

Sign here

Knowingly falsifying this document may result in a fine. I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Company executive (Highest ranking at your location) _____ Title _____
 Phone _____ Date _____

OSHA's Form 300 (Rev. 01/2004) Log of Work-Related Injuries and Illnesses

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

Year 2010
U.S. Department of Labor
Occupational Safety and Health Administration

Form approved OMB no. 1218-0176

You must record information about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid. You must also record significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional. You must also record work-related injuries and illnesses that meet any of the specific recording criteria listed in 29 CFR 1904.8 through 1904.12. Feel free to use two lines for a single case if you need to. You must complete an injury and illness incident report (OSHA Form 301) or equivalent form for each injury or illness recorded on this form. If you're not sure whether a case is recordable, call your local OSHA office for help.

Company Name	Sun Chemical Corporation
Location Name	East Rutherford Central Ave (US)
City	East Rutherford
State	NJ

(A)	(B)	(C)	(D)	(E)	(F)	PLACE AN 'X' IN ONLY ONE box for each CASE based on the most serious outcome for that case:				Enter Number of days the injured or ill worker was:		Place an 'X' in the "injury" column (1), OR choose one type of illness:							
Case No.	Employee's Name	Job Title (e.g., Welder)	Date of injury or onset of illness	Where the event occurred (e.g. Loading dock, north end)	Description of injury or illness, parts of body affected, and object/substance that directly injured or made person ill (e.g. Second degree burns on right forearm from acetylene torch)	(G)	(H)	(I)	(J)	(K)	(L)	(M)	(1)	(2)	(3)	(4)	(5)	(6)	
Page totals						0	0	0	0	0	0	0	0	0	0	0	0	0	0

Be sure to transfer these totals to the Summary page (Form 300A) before you post it.

Injury	0
Skin Disorder	0
Respiratory Condition	0
Poisoning	0
Hearing Loss	0
All other illnesses	0

Public reporting burden for this collection of information is estimated to average 14 minutes per response, including time to review the instruction, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistics, Room N-3644, 200 Constitution Ave, NW, Washington, DC 20210. Do not send the completed forms to this office.

OSHA's Form 300A (Rev. 01/2004)

Summary of Work-Related Injuries and Illnesses

Year 2010

U.S. Department of Labor
Occupational Safety and Health Administration
Form approved OMS no. 1218-0176

All establishments covered by Part 1904 must complete this Summary page, even if no injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary.

Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases write "0."

Employees former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 300 or its equivalent. See 29 CFR 1904.35. In OSHA's Recordkeeping rule, for further details on the access provisions for these forms.

Number of Cases				
Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases	
(G) 0	(H) 0	(I) 0	(J) 0	

Number of Days

Total number of days away from work	Total number of days of job transfer or restriction
(K) 0	(L) 0

Injury and Illness Types

Total number of...	(M)	(4) Poisoning
(1) Injury	0	0
(2) Skin Disorder	0	0
(3) Respiratory Condition	0	0
		(5) Hearing Loss
		0
		(6) All Other Illnesses
		0

Post this Summary page from February 1 to April 30 of the year following the year covered by the form

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time to review the instruction, search and gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any aspects of this data collection, contact: US Department of Labor, OSHA Office of Statistics, Room N-3644, 200 Constitution Ave, NW, Washington, DC 20210. Do not send the completed forms to this office.

Establishment information	
Your establishment name	<u>Sun Chemical Corporation</u>
Street	<u>390 Central Avenue</u>
City	<u>East Rutherford</u> State <u>NJ</u> Zip <u>07073</u>
Industry description (e.g. Manufacture of motor truck trailers)	<u>Ink Manufacturing</u>
Standard Industrial Classification (SIC), if known (e.g., SIC 3715)	<u>2 8 9 3</u>
OR North American Industrial Classification (NAICS), if known (e.g., 336212)	<u>3 2 5 9 1 0</u>
Employment information	
Annual average number of employees	[Redacted]
Total hours worked by all employees last year	[Redacted]
Sign here	
Knowing I falsifying this document may result in a fine, I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.	
[Redacted Signature]	Title [Redacted]
[Redacted Phone]	Phone <u>201-438-4611</u>
[Redacted Date]	Date <u>1/13/2011</u>

OSHA's Form 300 (Rev. 01/2004) Log of Work-Related Injuries and Illnesses

You must record information about every work-related injury or illness that involves loss of consciousness, restricted work activity or job transfer, days away from work, or medical treatment beyond first aid. You must also record significant work-related injuries and illnesses that are diagnosed by a physician or licensed health care professional. You must also record work-related injuries and illnesses that meet any of the specific recording criteria listed in 29 CFR 1904.12. Feel free to use two lines for a single case if you need to. You must complete an injury and illness incident report (OSHA Form 301) or equivalent form for each injury or illness recorded on this form. If you're not sure whether a case is recordable, call your local OSHA office for help.

Attention: This form contains information relating to employee health and must be used in a manner that protects the confidentiality of employees to the extent possible while the information is being used for occupational safety and health purposes.

December
Year 2009
U.S. Department of Labor
Occupational Safety and Health Administration
Form approved OMB no. 1218-0178

Establishment name US Ink, 390 Central Avenue
City East Rutherford State New Jersey

(A) Case No.	(B) Employer's Name	(C) Job Title (e.g., Welder)	(D) Date of injury or onset of illness (mo./day)	(E) Where the event occurred (e.g., Loading dock north end)	(F) Describe injury or illness, parts of body affected, and object/substance that directly injured or made person sick (e.g., Second degree burns on right forearm from sandblaste torch)	(G) Date (month/day/year)			(K) Away From Work (days)	(L) On Job Transfer or Medication (days)	(M) Check the "injury" column or choose one type of illness.										
						(G) Injured	(H) First Aid	(I) Job Transfer or Other record-able			(1) Injury	(2) Skin Disorder	(3) Respiratory Condition	(4) Poisoning	(5) Hearing Loss	(6) All other illnesses					
Page Totals						0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Public reporting burden for this collection of information is estimated to average 14 minutes per response, including time to review the instruction, search existing data sources, gather the data needed, and complete and review the collection of information. Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates of any aspects of this data collection, contact the U.S. Department of Labor, OSHA Office of Statistics, Room N-3844, 200 Constitution Ave., NW, Washington, DC 20210. Do not send the completed forms to this office.

Be sure to transfer these totals to the Summary page (Form 300A) before you post it.

Injury (1) (2) (3) (4) (5) (6)

OSHA's Form 300A (Rev. 01/2004)

Summary of Work-Related Injuries and Illnesses

Year 2009
 U.S. Department of Labor
 Occupational Safety and Health Administration
 Form approved OMB no. 1218-0178

All establishments covered by part 1904 must complete this Summary page, even if no work-related injuries or illnesses occurred during the year. Remember to review the Log to verify that the entries are complete and accurate before completing this summary. Using the Log, count the individual entries you made for each category. Then write the totals below, making sure you've added the entries from every page of the Log. If you had no cases, write "0". Employees, former employees, and their representatives have the right to review the OSHA Form 300 in its entirety. They also have limited access to the OSHA Form 301 or its equivalent. See 29 CFR Part 1904.55 for further details on the access provisions for these forms.

Number of Cases

Total number of deaths	Total number of cases with days away from work	Total number of cases with job transfer or restriction	Total number of other recordable cases
0	0	0	0
(a)	(b)	(c)	(d)

Number of Days

Total number of days away from work	Total number of days with job transfer or restriction
0	0
(e)	(f)

Injury and Illness Types

Total number of (a)	(1) Injuries	(4) Poisonings
0	0	0
(g)	(2) Skin Disorders	(5) Hearing Loss
	0	0
	(3) Respiratory Conditions	(6) All other illnesses
	0	0

Post this summary page from February 1 to April 30 of the year following the year covered by the form.

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including time to review the instructions, search existing data sources, gather the data needed and complete and review the collection of information, persons are not required to respond to the collection of information unless it displays a currently valid OMB control number. If you have any comments about these estimates or any other aspect of this data collection, contact the Department of Labor, OSHA Office of Statistical Analysis, Room N-3644, 200 Constitution Avenue, NW, Washington, DC 20210. Do not send the completed forms to this office.

Establishment Information

Company name: Sun Chemical Corporation
 Establishment Name: Sun Chemical Corporation East Rutherford (Central Ave)
 Establishment address: 390 Central Ave East Rutherford, NJ 07073
 Industry description (e.g., Manufacture of motor truck trailers):
 Manufacture of Puncture Tools and Graphics Arts Coatings.
 Standard Industrial Classification (SIC), if known (e.g., SIC 3715):
 2893
 OR
 North American Industrial Classification (NAICS), if known (e.g., 336212):

Employment Information

Annual average number of employees
 Total hours worked by all employees last year

Sign Here

Knowingly falsifying this document may result in a fine.

I certify that I have examined this document and that to the best of my knowledge the entries are true, accurate, and complete.

Company Executive

Title

Phone

Date



US Int/Sun Chemical Employees Involved in Fire Incident 10/9/2012


(b) (7)(C)	18
	30
	18
	6
	3
	34
29	

Employees listed in Blue Text were admitted to the St. Barnabas Burn Center.

SUN CHEMICAL FEDERAL ID NUMBER

(b) (4)

*for
Capt A
65516*

10/12/2012

*this info provided is what
 this info given is
 was compiled to date.
 Jim collected by*

(b) (7)(C)

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Explosion at East Rutherford ink plant injures at least 2

TUESDAY OCTOBER 9, 2012, 2:03 PM
 BY ABBOTT KOLOFF
 STAFF WRITER
 THERECORD

EAST RUTHERFORD — An explosion at an ink manufacturing company injured at least two workers who were being treated at the scene Tuesday afternoon, officials said.

The borough fire commissioner, councilman Jeffrey Lahullier, said that the explosion at a plant owned by Sun Chemicals apparently was caused by carbon dust and that "a couple of employees appeared to have been burned fighting flames.

"They are being treated at the site right now," he said.

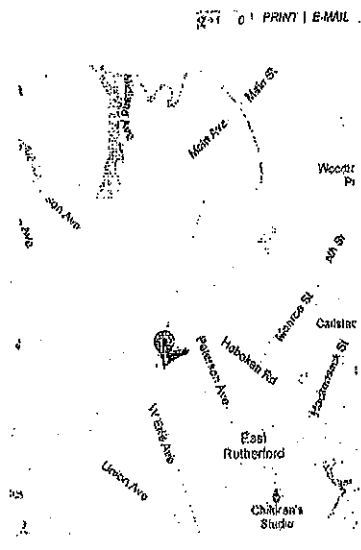
He said the explosion occurred some time after 1 p.m. and that the fire appeared to be under control at 1:45 p.m., with firefighters still at the scene, he said the building did not appear to suffer major damage.

Email: koloff@northjersey.com

Tags: [East Rutherford](#)

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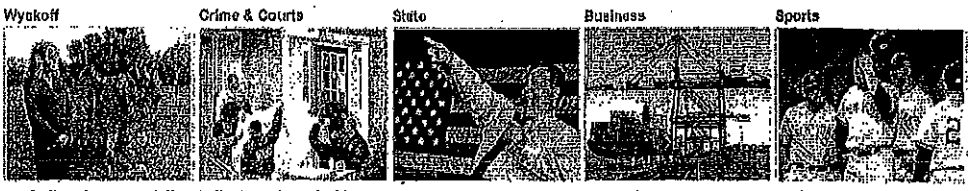
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Chemical company explosion at Central Avenue - NorthJersey.com NorthJersey.com

EAST RUTHERFORD - An explosion resulting in multiple burn victims has been reported at approximately at Sun Chemical located at 390 Central Ave., police said. The call came in at 1:20 p.m., today, Oct. 9. Firefighters, emergency services and police are on the scene now.

The explosion was possibly caused by carbon dust, according to reports. Two Advanced Life Support units have been assigned. Police are requesting four additional emergency crews to the scene. Firefighters and police have shut down Central Avenue near Mozart Street. A FAST team has been requested from Wallington and a ladder truck is en route and EMS is at the scene.

Check back to northjersey.com for updates.

Email: grantrm@northjersey.com

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Home (<http://www.nj.com>) > Bergen County (<http://www.nj.com/bergen/index.ssf/>)

Two workers injured in East Rutherford explosion moved to burn center

Published: Wednesday, October 10, 2012, 6:30 AM Updated: Wednesday, October 10, 2012, 6:32 AM

 (<http://connect.nj.com/user/mylesdma/index.html>)

By Myles Ma/NJ.com (<http://connect.nj.com/user/mylesdma/posts.html>)
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(http://blog.nj.com/bergen_impact/print.html?entry=/2012/10/two_workers_injured_in_east_rutherford_explosion_moved_to_burn_center.html)

EAST RUTHERFORD
 (<http://nj.com/east-rutherford>) —
 Two of the workers injured in an explosion at the U.S. Ink plant were transported Tuesday to the burn center at St. Barnabas in Livingston, the company that owns the plant said in a statement.



Enlarge (http://photos.nj.com/star-ledger/2012/10/six_workers_injured_in_explos_2.html)

072

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13 MAY -3 PM 2: 03

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APRIL 29, 2013

Ms. LISA LEVY

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
500 ROUTE 17 SOUTH,
2ND FLOOR
HASBROUCK HEIGHTS, NJ 07604

RE: OSHA No: 704178, CITATION 1, ITEM 1

CERTIFIED MAIL RECEIPT REQUESTED: #7003 1680 0000 7083 5864

DEAR Ms. LEVY,

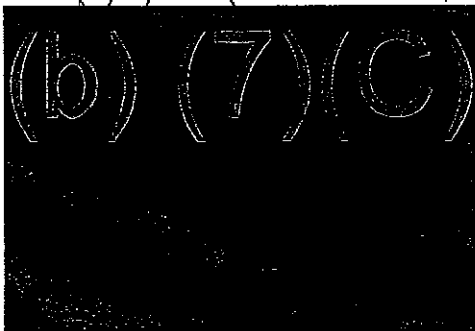
PLEASE BE ADVISED ON APRIL 24, 2013 A COPY OF THE INFORMAL SETTLEMENT AGREEMENT WAS POSTED AT THE WORKSITE ON THE EMPLOYEE'S COMMUNITY BULLETIN BOARD ADJACENT TO THE ORIGINAL CITATION.

ON APRIL 25, 2013 ALL AFFECTED EMPLOYEES, WHOSE DUTIES REQUIRE THEM TO WORK IN THE BOILER ROOM IDENTIFIED IN CITATION 1, ITEM 1, WERE TRAINED ON THE HAZARDS ASSOCIATED WITH WORKING IN THE BOILER ROOM DURING THE PERIOD REQUIRED TO PROVIDE A SIDE-HINGED DOOR CONNECTING TO AN EXIT ROUTE. THE BOILER ROOM WAS POSTED INSIDE AND AT ITS ENTRANCE WITH SIGNS INSTRUCTING EMPLOYEES WORKING IN THE ROOM THEY MUST EVACUATE THE ROOM IN THE EVENT OF AN EMERGENCY OR RECOGNITION OF A HAZARDOUS CONDITION.

ATTACHED ARE COPIES OF THE SIGN-IN SHEETS OF THOSE EMPLOYEES ATTENDING THE TRAINING SESSION AS WELL AS A COPY OF THE SIGNS POSTED IN AND OUTSIDE THE BOILER ROOM.

UPON FINAL INSTALLATION OF THE DOOR CONFIRMATION OF COMPLETION WILL BE MADE TO YOUR OFFICE.

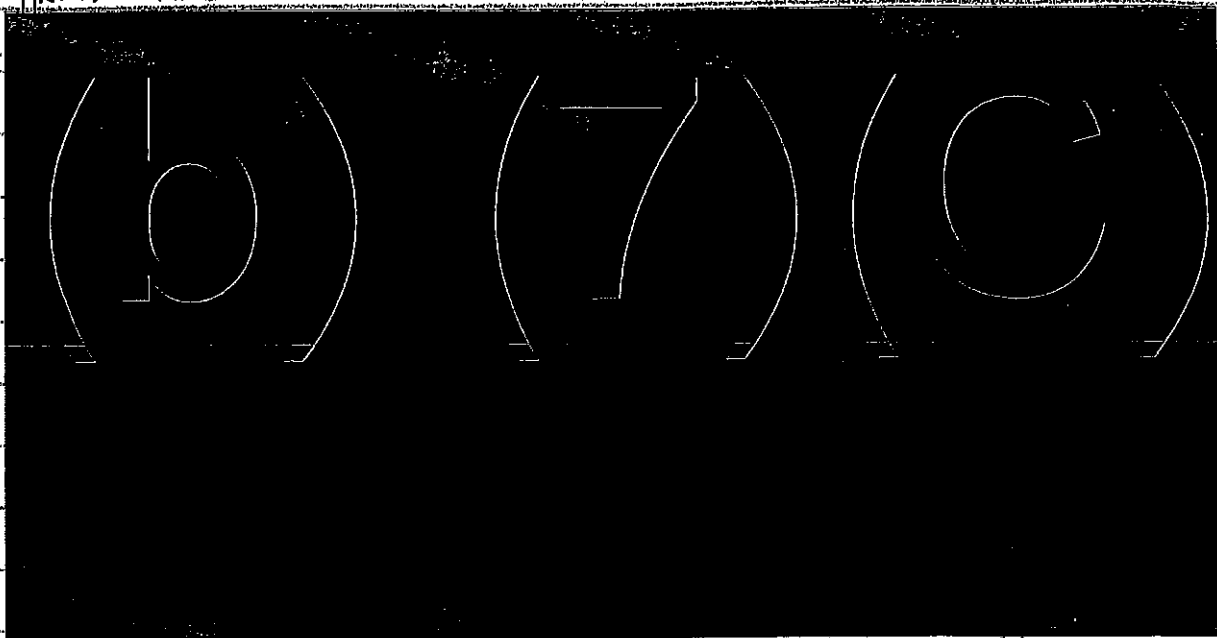
BEST REGARDS,
SUN CHEMICAL



BOILER ROOM - MTG RE: HAZARD & EVACUATIONS
SIGN POSTING 4/25/2013

PRINT NAME

SIGNATURE



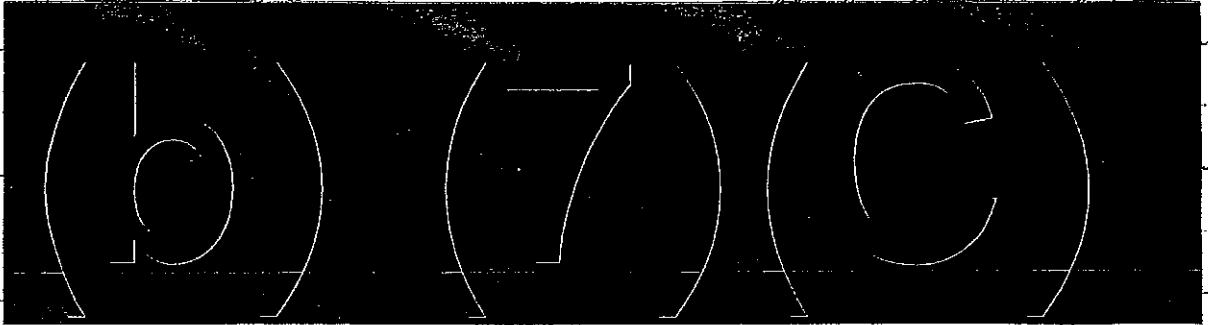
0

145 ~~172~~ 161

Boiler Room - Mtg. Re: Hazard & Evacuation
Sign Posting 4/25/2013

PRINT NAME

SIGNATURE



**In the event of any
Emergency or Hazardous
Condition**

**IMMEDIATELY
EVACUATE THIS
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U.S. Department of Labor

Occupational Safety and Health
Hasbrouck Heights Area Office
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604
Tel: (201) 288-1700
Fax: (201) 288-7315



INFORMAL SETTLEMENT AGREEMENT

In the matter of: Sun Chemical
OSHA No.(s): 704178

The undersigned Employer and the undersigned Occupational Safety and Health Administration (OSHA), in settlement of the above citation(s) and penalties which were issued on 4/2/13, hereby agree as follows:

1. The Employer agrees to correct the violations as cited in the above citations or as amended below; "except that the time for abatement for Citation 1, Item 1 (a) (boiler room overhead door) will be abated as soon as appropriate equipment can be purchased and installed, no later than June 15, 2013, and during the interim the Employer will train affected employees on the potential hazard, and the need for immediate evacuation should any emergency arise, and post the area: Immediate Evacuation Required If Any Hazard Is Identified." The employer agrees to submit written proof of abatement by the abatement date issued or amended below.
2. The Employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.
3. The Employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s). This Settlement Agreement must remain posted until the violation cited have been corrected, or for 3 working days (excluding weekends and Federal Holiday), whichever is longer.
4. The employer agrees to pay the amended penalty of \$15,400.00 which is due by 6/1/13.
5. The Employer and OSHA agree that the following citations are not being amended:
N/A
6. By entering into this agreement, the Employer does not admit that it violated the cited standards, or nor does it admit any allegation whatsoever for any purpose, litigation, or arbitration, other than a subsequent proceeding under the Occupational Safety and Health Act

7. The Employer and OSHA agree that the following citations and penalties, are being amended as shown below:

Citation 1 Item 2 was reclassified from Serious to Other than Serious
Citation 1 Item 4 was amended from a violation of 1910.307(c)(2)(i) to a violation of 1910.303(b)(2) and to read as follows:

29 CFR 1910.303(b)(2): Installation and use. Listed or labeled equipment was not installed and used in accordance with any instructions included in the listing or labeling.

Pre-Mix Room: Lighting fixtures located in the Pre-Mix room did not have the proper cages/covers installed, thus exposing employees to a potential electrical hazard, on or about 10/9/2013.


Citation 1 Item 5 including penalty associated with it, was withdrawn.

Remaining penalty of \$22,000 was reduced 30% to \$15,400.

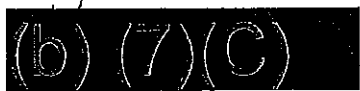
8. The Employer, by signing this informal settlement agreement, hereby waives its rights to contest the above citation(s) and penalties, as amended by this Settlement Agreement.

Please note; all checks should be made out to "DOL - OSHA" and have the inspection number on the check. All Payments should be sent to:

US DOL OSHA
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604



For Occupational Safety and Health Administration Date
Lisa Levy



(b) (7)(C) Patton Boggs LLP Date
Counsel to Sun Chemical
For the Employer, Sun Chemical

176
149 165

NOTICE TO EMPLOYEES

The law gives you or your representative the opportunity to object to any abatement date for a violation if you believe the date to be unreasonable. Any contest to the abatement dates of the citations amended in paragraph 5 of this Settlement Agreement must be mailed to the U.S. Department of Labor, 500 Route 17 South, Hasbrouck Heights, NJ 07604, within 15 working days (excluding weekends and Federal Holidays) of the receipt by the Employer of this Settlement Agreement. You or your representatives also have the right to object to any of the abatement dates set for violations, which were not amended, provided that the objection is mailed to the office shown above within the 15-working-day period established by the original citation.

U.S. Department of Labor

Occupational Safety and Health
Hasbrouck Heights Area Office
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604
Tel: (201) 288-1700
Fax: (201) 288-7315



INFORMAL SETTLEMENT AGREEMENT

In the matter of: Sun Chemical
OSHA No.(s): 704178

The undersigned Employer and the undersigned Occupational Safety and Health Administration (OSHA), in settlement of the above citation(s) and penalties which were issued on 4/2/13, hereby agree as follows:

1. The Employer agrees to correct the violations as cited in the above citations or as amended below. The employer agrees to submit written proof of abatement by the abatement date issued or amended below:
2. The Employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.
3. The Employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s). This Settlement Agreement must remain posted until the violation cited have been corrected, or for 3 working days (excluding weekends and Federal Holiday), whichever is longer.
4. The employer agrees to pay the amended penalty of \$15,400.00 which is due by 6/1/13.
5. The Employer and OSHA agree that the following citations are not being amended:
N/A
6. The Employer and OSHA agree that the following citations and penalties, are being amended as shown below:

Citation 1 Item 2 was reclassified from Serious to Other than Serious
Citation 1 Item 4 was amended from a violation of 1910.307(c)(2)(i) to a violation of 1910.303(b)(2) and to read as follows:

29 CFR 1910.303(b)(2): Installation and use. Listed or labeled equipment was not installed and used in accordance with any instructions included in the listing or labeling.

Pre-Mix Room: Lighting fixtures located in the Pre-Mix room did not have the proper cages/covers installed, thus exposing employees to a potential electrical hazard, on or about 10/9/2013.

Citation 1 Item 5 including penalty associated with it, was withdrawn. Remaining penalty of \$22,000 was reduced 30% to \$15,400.

- 7. The Employer, by signing this informal settlement agreement, hereby waives its rights to contest the above citation(s) and penalties, as amended by this Settlement Agreement.
- 8. By entering into this agreement, the Employer does not admit that it violated the cited standards, or nor does it admit any allegation whatsoever for any purpose, litigation, or arbitration, other than a subsequent proceeding under the Occupational Safety and Health Act.

Please note; all checks should be made out to "DOL - OSHA" and have the inspection number on the check. All Payments should be sent to:

US DOL OSHA
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604

For Occupational Safety and Health Administration	Date
Lisa Levy	

Signature	Date
For the Employer	

Print Name	Title
------------	-------



179
~~105~~ 152

NOTICE TO EMPLOYEES

The law gives you or your representative the opportunity to object to any abatement date for a violation if you believe the date to be unreasonable. Any contest to the abatement dates of the citations amended in paragraph 5 of this Settlement Agreement must be mailed to the U.S. Department of Labor, 500 Route 17 South, Hasbrouck Heights, NJ 07604, within 15 working days (excluding weekends and Federal Holidays) of the receipt by the Employer of this Settlement Agreement. You or your representatives also have the right to object to any of the abatement dates set for violations, which were not amended, provided that the objection is mailed to the office shown above within the 15-working-day period established by the original citation.

04-22-13 05:44pm From-PATTON P LLP

202-457-6316

T-856 P.01/01 F-789

PATTON BOGGES LLP
ATTORNEYS AT LAW

2550 M Street, NW
Washington, DC 20037-1950
202-457-8000

Facsimile 202-457-6316
www.pattonboggess.com

April 22, 2013

Henry Clapp
202-457-6511
HClapp@pattonboggess.com

Ms. Lisa Levy
Area Director
U.S. Department of Labor Occupational Safety
and Health Administration
Hasbrouck Heights Area Office
500 Route 17 South
2nd floor
Hasbrouck Heights, NJ 07604

Re: Sun Chemical Inspection # 704178 - Informal Settlement Conference Language
Contingent Intent to Contest

Dear Lisa:

While I hope this is not necessary, in the event we do not have a settlement today, based on our exchange of correspondence and our conference call settlement agreement, please consider this our notice of intent to contest the citations issued to Sun Chemical. I send this only to preserve our client's right to contest, but anticipating that it is not needed.

Sincerely,

783
156

US Department of Labor
Occupational Safety & Health Administration
Hasbrouck Heights Area Office
500 Route 17 S., 2nd Floor
Hasbrouck Heights, NJ 07604-3091
Tel: (201)288-1700
Fax: (201)288-7315



April 9, 2013

Mr. Harry Selnow, VP/Secretary, GCC/ IBT Local 612M
Graphic Communications Conference
International Brotherhood of Teamsters
1099 Bloomfield Avenue
West Caldwell, NJ 07006

FILE COPY

RE: SUN CHEMICAL INC. / Inspection #704178

Dear Sir:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. If you have any questions about the enclosed citations and penalties, I would welcome further discussion in person or by telephone.

Also enclosed is a letter which has been sent to the employer offering the opportunity for an informal conference. If the employer requests an informal conference, you will be given the opportunity to participate. During the informal conference you may present any evidence or views which you believe should be considered in the settlement of this case.

Under the Act employees have a right to contest the abatement dates assigned. If you have any problem with these dates, please feel free to contact me for an informal conference where this issue or others which you may have can be discussed.

If you desire to have an informal conference to discuss the abatement dates, please keep in mind that a written letter of intent to contest the abatement dates must be submitted to the Area Director within 15 working days of receipt of the citation by the employer. The running of this contest period is not interrupted by an informal conference. Therefore, you must take care to schedule the informal conference early enough in the 15-day period to allow time to contest subsequent to the informal conference, should you decide to do so.

Sincerely,

Handwritten signature of Lisa Levy in cursive script.

LISA LEVY
Area Director

A small circular logo or stamp, possibly containing the letters "OHC".

Enclosures

T84
157

U.S. Department of Labor

Occupational Safety and Health
Hasbrouck Heights Area Office
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604
Tel: (201) 288-1700
Fax: (201) 288-7315



April 9, 2013

International Brotherhood of Teamsters
1099 Bloomfield Avenue
West Caldwell, NJ 07006

ATTN: Harry Selnow, VP/Secretary, GCC/IBT Local 612M

Re: SUN CHEMICAL INC.
Inspection # 704178

FILE COPY

Dear Sir:

Please be advised that an informal meeting has been requested by the above mentioned establishment.

The conference will be held at the U.S. Department of Labor, Occupational Safety and Health Administration, 500 Route 17S, 2nd Floor, Hasbrouck Heights, New Jersey on Thursday, April 18th, 2013 at 10:00 AM.

As a representative of your union you are invited to participate should you desire.

Sincerely,

LISA LEVY
Area Director

[Redacted]

(b) (7)(C)

HA; Levy, Lisa - OSHA

From:
Sent:
To:
Cc:
Subject:

Per our phone conversation this morning, please confirm your availability/preference re: Informal Conference for Sun Chemical #704178:
10AM Thursday April 18 -- or -- 1PM Wednesday April 17. (Please note we hold dates on courtesy no longer than 24 hours.)

Thank you for a prompt response!

(b) (7)(C)

186
159

PATTON BOGGS LLP
ATTORNEYS AT LAW

2550 M Street, NW
Washington, DC 20037-1360
202-457-6000

Facsimile 202-457-6315
www.pattonboggs.com

April 8, 2013

(b) (7)(C)

Ms. Lisa Levy
Area Director
Occupational Safety and Health Administration
U.S. Department of Labor
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604-3121
Fax: (201) 288-7315

VIA FAX AND FEDEX

Re: Sun Chemical Inc. – Inspection Number 704178
REQUEST FOR INFORMAL CONFERENCE

Dear Ms. Levy:

We write on behalf of our client, Sun Chemical, Inc. (“Sun”), in response to your letter dated April 2, 2013, which enclosed an Occupational Safety and Health Administration (“OSHA”) Citation and Notification of Penalty against Sun relating to the above-referenced inspection.

At your letter’s invitation, and pursuant to 29 C.F.R. § 1903.20, we hereby request an informal conference with you regarding the Citation and Notification of Penalty.

We look forward to coordinating such a conference with you at your earliest convenience to ensure that it occurs well within the 15-day period to contest the Citation. Of course, please feel free to contact us with any questions.

Sincerely,

(b) (7)(C)

Patton Boggs, LLP

Counsel for Sun Chemical, Inc.

(b) (7)(C)

PATTON BOGGS LLP

2550 M Street, NW
Washington, DC 20037
202-457-6000

Facsimile 202-457-6315
www.pattonboggs.com

March 28, 2013

(b) (7)(C)

VIA HAND DELIVERY

(b) (7)(C)

U.S. DOL-OSHA
500 Route 17S
Hasbrouck Heights, New Jersey 07604

Re: Sun Chemical/US Ink Employee Training Materials

(b) (7)(C)

As per your request, enclosed please find a CD containing training materials for Sun Chemical Company ("Sun"). These materials include sign-in sheets and training records and materials for combustible dust training and hazard communications (Hazcom) training. Copies of these documents were also previously produced by Sun to the U.S. Chemical Safety & Hazard Investigation Board ("CSB") in response to their document requests.

Additional training materials are currently being gathered, and will be transmitted to you during the coming week.

Please do not hesitate to contact me with any questions.

Very truly yours,

(b) (7)(C)

214500
20117
SunChemical

PAY TO THE ORDER OF

OCCUPATIONAL SAFETY AND HEALTH
500 ROUTE 17 SOUTH 2ND FLOOR
HASBROUCH HEIGHTS, NJ 07804

13 MAY 20 PM 2:58

SUN CHEMICAL CORP
C/O SUN CHEMICAL
ATTN: SSS ACCOUNTS PAYABLE

VENDOR # 0003055754

CHECK NUMBER: 1002166311

CHECK DATE: 05/21/2013

USD \$15,400.00

Fifteen thousand four hundred and 00/100 Dollars

CITIBANK N.A.
ONE PENNS WAW, NEW CASTLE, DE 19720

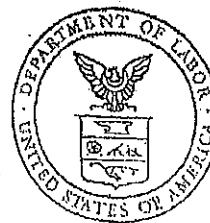
(b) (4)

(b) (7)(C)

AUTHORIZED SIGNATURE

227
171

U.S. Department of Labor
 Occupational Safety and Health Administration
 500 Route 17 South
 2nd Floor
 Hasbrouck Heights NJ 07604
 Phone: 2012881700 Fax: 2012887315
 RID: 0214500



Penalty Payment Report

Payment Report: 194023
 Payment Report Date: 05/30/2013

Inspection Number	Establishment Name	Penalty Amount	Penalty Type
(b) (7) (C)			
4	704178 Sun Chemical Inc	\$15400.00	Violation Penalty Amount



195 228
 180

SunChemical®

a member of the DIC group



651 Garden Street
Carlstadt, N.J. 07072
201-935-8666 • 800-423-8838
Fax: 201-933-6113

MAY 20, 2013

Ms. LISA LEVY
AREA DIRECTOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
500 ROUTE 17 SOUTH,
2ND FLOOR
HASBROUCK HEIGHTS, NJ 07604

RE: OSHA No: 704178, CITATION 1, ITEMS 1, 2, 3, AND 4

CERTIFIED MAIL RECEIPT REQUESTED: #7008 2810 0000 8632 6272

DEAR Ms. LEVY,

PLEASE FIND ATTACHED THE "CERTIFICATION OF CORRECTIVE ACTION WORKSHEET" DETAILING THE CITATION NUMBER, ITEM NUMBER, DATE OF ABATEMENT, AND RESPECTIVE ABATEMENT ACTIVITY OF ALL ITEMS LISTED IN THE INFORMAL SETTLEMENT AGREEMENT ISSUED BY YOUR OFFICE APRIL 24, 2013. THIS CERTIFICATION ADDRESSES ALL ISSUES REQUIRING CORRECTIVE ACTION LISTED IN THE INFORMAL SETTLEMENT AGREEMENT EXCEPTING PAYMENT OF THE PENALTY FEE ASSESSED.

THE PAYMENT OF THE PENALTY ASSESSED IN THE INFORMAL SETTLEMENT AGREEMENT WILL FOLLOW UNDER SEPARATE COVER.

BEST REGARDS,
SUN CHEMICAL

(b) (7)(C)

(b) (7)(C)

229
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181

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 704178

Company Name: Sun Chemical Inc
Inspection Site: 390 Central Ave, East Rutherford, NJ 07073
Issuance Date: 04/02/2013

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, 500 Route 17 South, 2nd Floor, Hasbrouck Heights, NJ 07604

Citation Number 1 and Item Number 1 was corrected on 5-20-2013
By (Method of Abatement): Installation of a side-hinged door connecting the boilerroom to an exit route.

Citation Number 1 and Item Number 1a was corrected on 4-25-2013
By (Method of Abatement): Employees working in boilerroom received training regarding boilerroom hazards during interim period of door installation.

Citation Number 1 and Item Number 1b was corrected on 4-25-2013
By (Method of Abatement): Hazard warning regarding work in boilerroom without exit door was posted at entrance to and inside boilerroom.

Citation Number 1 and Item Number 2 was corrected on During Inspection
By (Method of Abatement): No further action required.

Citation Number 1 and Item Number 3 was corrected on 5-8,10,16-2013
By (Method of Abatement): Fire extinguisher classroom training completed May 8th, hands-on training completed May 10th and May 16th.

Citation Number 1 and Item Number 4 was corrected on 5-17-2013
By (Method of Abatement): Removal of existing lighting fixtures and replacement with enclosed and guarded lighting fixtures.

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.

(b) (7)(C)

May 20, 2013
Date
(b) (7)(C)
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

182 230
~~191~~

SunChemical®

a member of the DIC group



13 MAY -3 PM 2:03

651 Garden Street
Carlstadt, N.J. 07072
201-935-8666 · 800-423-8838
Fax: 201-933-6113

APRIL 29, 2013

Ms. LISA LEVY

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
500 ROUTE 17 SOUTH,
2ND FLOOR
HASBROUCK HEIGHTS, NJ 07604

RE: OSHA No: 704178, CITATION 1, ITEM 1

CERTIFIED MAIL RECEIPT REQUESTED: #7003 1680 0000 7083 5864

DEAR Ms. LEVY,

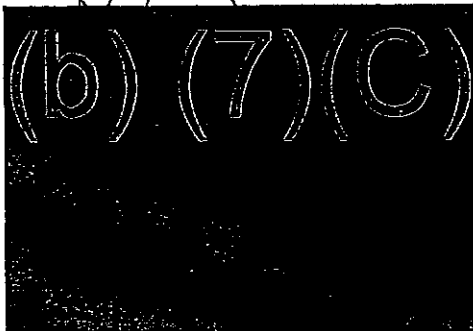
PLEASE BE ADVISED ON APRIL 24, 2013 A COPY OF THE INFORMAL SETTLEMENT AGREEMENT WAS POSTED AT THE WORKSITE ON THE EMPLOYEE'S COMMUNITY BULLETIN BOARD ADJACENT TO THE ORIGINAL CITATION.

ON APRIL 25, 2013 ALL AFFECTED EMPLOYEES, WHOSE DUTIES REQUIRE THEM TO WORK IN THE BOILER ROOM IDENTIFIED IN CITATION 1, ITEM 1, WERE TRAINED ON THE HAZARDS ASSOCIATED WITH WORKING IN THE BOILER ROOM DURING THE PERIOD REQUIRED TO PROVIDE A SIDE-HINGED DOOR CONNECTING TO AN EXIT ROUTE. THE BOILER ROOM WAS POSTED INSIDE AND AT ITS ENTRANCE WITH SIGNS INSTRUCTING EMPLOYEES WORKING IN THE ROOM THEY MUST EVACUATE THE ROOM IN THE EVENT OF AN EMERGENCY OR RECOGNITION OF A HAZARDOUS CONDITION.

ATTACHED ARE COPIES OF THE SIGN-IN SHEETS OF THOSE EMPLOYEES ATTENDING THE TRAINING SESSION AS WELL AS A COPY OF THE SIGNS POSTED IN AND OUTSIDE THE BOILER ROOM.

UPON FINAL INSTALLATION OF THE DOOR CONFIRMATION OF COMPLETION WILL BE MADE TO YOUR OFFICE.

BEST REGARDS,
SUN CHEMICAL



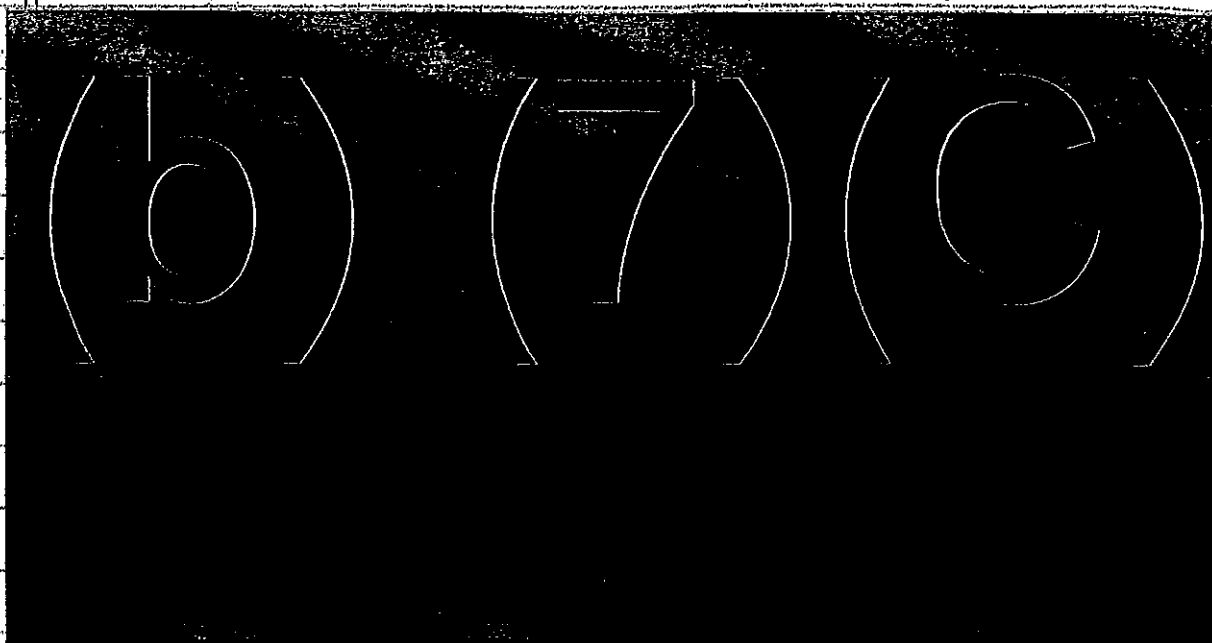
231
198
183

BOILER ROOM - MTG RE: HAZARD & EVACUATIONS
SIGN POSTING

4/25/2013

PRINT NAME

SIGNATURE



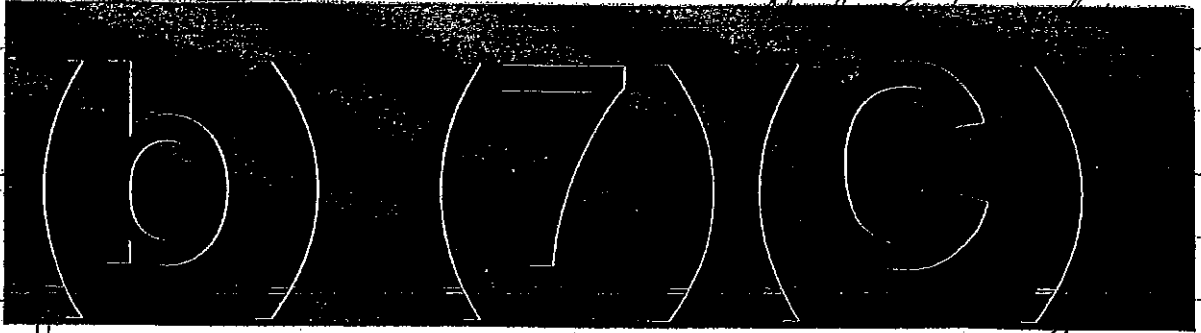
0

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184

BOILER ROOM - MTG. RE: HAZARD & EVACUATION
SIGN POSTING 4/25/2013

PRINT NAME

SIGNATURE



**In the event of any
Emergency or Hazardous
Condition**

**IMMEDIATELY
EVACUATE THIS
BOILER ROOM**

186
201
234

U.S. Department of Labor

Occupational Safety and Health
Hasbrouck Heights Area Office
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604
Tel: (201) 288-1700
Fax: (201) 288-7315



INFORMAL SETTLEMENT AGREEMENT

In the matter of: Sun Chemical
OSHA No.(s): 704178

The undersigned Employer and the undersigned Occupational Safety and Health Administration (OSHA), in settlement of the above citation(s) and penalties which were issued on 4/2/13, hereby agree as follows:

1. The Employer agrees to correct the violations as cited in the above citations or as amended below. The employer agrees to submit written proof of abatement by the abatement date issued or amended below:
2. The Employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.
3. The Employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s). This Settlement Agreement must remain posted until the violation cited have been corrected, or for 3 working days (excluding weekends and Federal Holiday), whichever is longer.
4. The employer agrees to pay the amended penalty of \$15,400.00 which is due by 6/1/13.
5. The Employer and OSHA agree that the following citations are not being amended:
N/A
6. The Employer and OSHA agree that the following citations and penalties, are being amended as shown below:

Citation 1 Item 2 was reclassified from Serious to Other than Serious
Citation 1 Item 4 was amended from a violation of 1910.307(c)(2)(i) to a violation of 1910.303(b)(2)and to read as follows:

OSHA Occupational Safety and Health Administration
www.osha.gov

208
~~202~~
187

U.S. Department of Labor

Occupational Safety and Health
Hasbrouck Heights Area Office
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604
Tel: (201) 288-1700
Fax: (201) 288-7315



INFORMAL SETTLEMENT AGREEMENT

In the matter of: Sun Chemical
OSHA No.(s): 704178

The undersigned Employer and the undersigned Occupational Safety and Health Administration (OSHA), in settlement of the above citation(s) and penalties which were issued on 4/2/13, hereby agree as follows:

1. The Employer agrees to correct the violations as cited in the above citations or as amended below; "except that the time for abatement for Citation 1, item 1 (a) (boiler room overhead door) will be abated as soon as appropriate equipment can be purchased and installed, no later than June 15, 2013, and during the interim the Employer will train affected employees on the potential hazard, and the need for immediate evacuation should any emergency arise, and post the area: Immediate Evacuation Required If Any Hazard Is Identified." The employer agrees to submit written proof of abatement by the abatement date issued or amended below.
2. The Employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.
3. The Employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s). This Settlement Agreement must remain posted until the violation cited have been corrected, or for 3 working days (excluding weekends and Federal Holiday), whichever is longer.
4. The employer agrees to pay the amended penalty of \$15,400.00 which is due by 6/1/13.
5. The Employer and OSHA agree that the following citations are not being amended:
N/A
6. By entering into this agreement, the Employer does not admit that it violated the cited standards, or nor does it admit any allegation whatsoever for any purpose, litigation, or arbitration, other than a subsequent proceeding under the Occupational Safety and Health Act

 Occupational Safety and Health Administration
www.osha.gov

295
188 203

7. The Employer and OSHA agree that the following citations and penalties, are being amended as shown below:

Citation 1 Item 2 was reclassified from Serious to Other than Serious
Citation 1 Item 4 was amended from a violation of 1910.307(c)(2)(i) to a violation of 1910.303(b)(2) and to read as follows:

29 CFR 1910.303(b)(2): Installation and use. Listed or labeled equipment was not installed and used in accordance with any instructions included in the listing or labeling.

Pre-Mix Room: Lighting fixtures located in the Pre-Mix room did not have the proper cages/covers installed, thus exposing employees to a potential electrical hazard, on or about 10/9/2013.

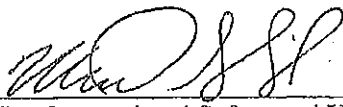
Citation 1 Item 5 including penalty associated with it, was withdrawn.

Remaining penalty of \$22,000 was reduced 30% to \$15,400.

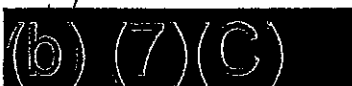
8. The Employer, by signing this informal settlement agreement, hereby waives its rights to contest the above citation(s) and penalties, as amended by this Settlement Agreement.

Please note; all checks should be made out to "DOL - OSHA" and have the inspection number on the check. All Payments should be sent to:

US DOL OSHA
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604



For Occupational Safety and Health Administration 4/24/13
Lisa Levy Date



(b) (7)(C) Patton Boggs LLP 4/23/13
(b) (7)(C) Counsel to Sun Chemical Date
For the Employer, Sun Chemical

NOTICE TO EMPLOYEES

The law gives you or your representative the opportunity to object to any abatement date for a violation if you believe the date to be unreasonable. Any contest to the abatement dates of the citations amended in paragraph 5 of this Settlement Agreement must be mailed to the U.S. Department of Labor, 500 Route 17 South, Hasbrouck Heights, NJ 07604, within 15 working days (excluding weekends and Federal Holidays) of the receipt by the Employer of this Settlement Agreement. You or your representatives also have the right to object to any of the abatement dates set for violations, which were not amended, provided that the objection is mailed to the office shown above within the 15-working-day period established by the original citation.

214500
206178
Sunchemical

PAY TO THE ORDER OF
OCCUPATIONAL SAFETY AND HEALTH
500 ROUTE 17 SOUTH 2ND FLOOR
HASBROUCH HEIGHTS, NJ 07604

SUN CHEMICAL CORP
500 ROUTE 17 SOUTH
HASBROUCH HEIGHTS, NJ 07604
Admin. SSS ACCOUNTS PAYABLE

13 MAY 28 PM 2:58

VENDOR # 0003055754

6220
311

CHECK NUMBER: 1002166311

CHECK DATE: 05/21/2013

USD \$15,400.00

Fifteen thousand four hundred and 00/100 Dollars

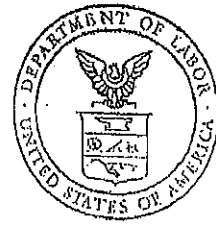
CITIBANK N.A.
ONE PENNS WAY, NEW CASTLE, DE 19720

(b) (4)

(b) (7)(C)
AUTHORIZED SIGNATURE

191
~~197~~
2016

U.S. Department of Labor
Occupational Safety and Health Administration
500 Route 17 South
2nd Floor
Hasbrouck Heights NJ 07604
Phone: 2012881700 Fax: 2012887315
RID: 0214500



Penalty Payment Report

Payment Report: 194023
Payment Report Date: 05/30/2013

Inspection Number	Establishment Name	Penalty Amount	Penalty Type
(b) (7) (C)			
4 704178	Sun Chemical Inc	\$15400.00	Violation Penalty Amount
(b) (7) (C)			

192 198
207

SunChemical®

a member of the DIC group



651 Garden Street
Carlstadt, N.J. 07072
201-935-8666 • 800-423-8838
Fax: 201-933-6113

MAY 20, 2013

Ms. LISA LEVY
AREA DIRECTOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
500 ROUTE 17 SOUTH,
2ND FLOOR
HASBROUCK HEIGHTS, NJ 07604

RE: OSHA No: 704178, CITATION 1, ITEMS 1, 2, 3, AND 4

CERTIFIED MAIL RECEIPT REQUESTED: #7008 2810 0000 8632 6272

DEAR Ms. LEVY,

PLEASE FIND ATTACHED THE "CERTIFICATION OF CORRECTIVE ACTION WORKSHEET" DETAILING THE CITATION NUMBER, ITEM NUMBER, DATE OF ABATEMENT, AND RESPECTIVE ABATEMENT ACTIVITY OF ALL ITEMS LISTED IN THE INFORMAL SETTLEMENT AGREEMENT ISSUED BY YOUR OFFICE APRIL 24, 2013. THIS CERTIFICATION ADDRESSES ALL ISSUES REQUIRING CORRECTIVE ACTION LISTED IN THE INFORMAL SETTLEMENT AGREEMENT EXCEPTING PAYMENT OF THE PENALTY FEE ASSESSED.

THE PAYMENT OF THE PENALTY ASSESSED IN THE INFORMAL SETTLEMENT AGREEMENT WILL FOLLOW UNDER SEPARATE COVER.

BEST REGARDS,
SUN CHEMICAL

(b) (7)(C)

(b) (7)(C)

SunChemical®

a member of the DIC group



13 MAY -3 PM 2:03

651 Garden Street
Carlstadt, N.J. 07072
201-935-8666 · 800-423-8638
Fax: 201-933-6113

APRIL 29, 2013

Ms. LISA LEVY

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
500 ROUTE 17 SOUTH,
2ND FLOOR
HASBROUCK HEIGHTS, NJ 07604

RE: OSHA No: 704178, CITATION 1, ITEM 1

CERTIFIED MAIL RECEIPT REQUESTED: #7003 1660 0000 7083 5864

DEAR Ms. LEVY,

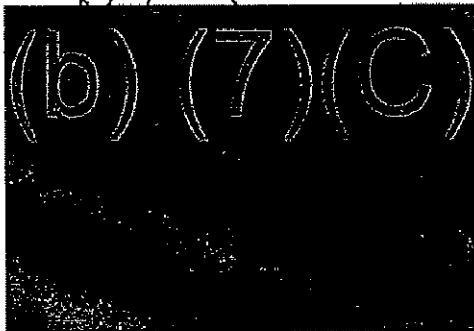
PLEASE BE ADVISED ON APRIL 24, 2013 A COPY OF THE INFORMAL SETTLEMENT AGREEMENT WAS POSTED AT THE WORKSITE ON THE EMPLOYEE'S COMMUNITY BULLETIN BOARD ADJACENT TO THE ORIGINAL CITATION.

ON APRIL 25, 2013 ALL AFFECTED EMPLOYEES, WHOSE DUTIES REQUIRE THEM TO WORK IN THE BOILER ROOM IDENTIFIED IN CITATION 1, ITEM 1, WERE TRAINED ON THE HAZARDS ASSOCIATED WITH WORKING IN THE BOILER ROOM DURING THE PERIOD REQUIRED TO PROVIDE A SIDE-HINGED DOOR CONNECTING TO AN EXIT ROUTE. THE BOILER ROOM WAS POSTED INSIDE AND AT ITS ENTRANCE WITH SIGNS INSTRUCTING EMPLOYEES WORKING IN THE ROOM THEY MUST EVACUATE THE ROOM IN THE EVENT OF AN EMERGENCY OR RECOGNITION OF A HAZARDOUS CONDITION.

ATTACHED ARE COPIES OF THE SIGN-IN SHEETS OF THOSE EMPLOYEES ATTENDING THE TRAINING SESSION AS WELL AS A COPY OF THE SIGNS POSTED IN AND OUTSIDE THE BOILER ROOM.

UPON FINAL INSTALLATION OF THE DOOR CONFIRMATION OF COMPLETION WILL BE MADE TO YOUR OFFICE.

BEST REGARDS,
SUN CHEMICAL

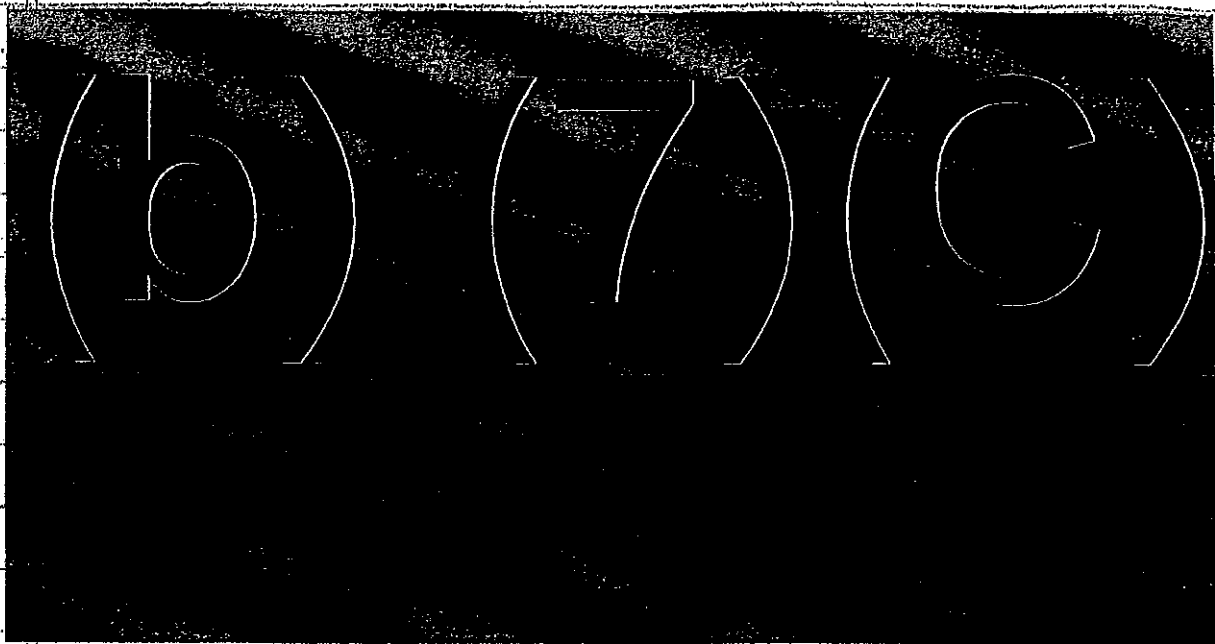


BOILER ROOM - MTG RE: HAZARD & EVACUATIONS
SIGN POSTING

4/25/2013

PRINT NAME

SIGNATURE

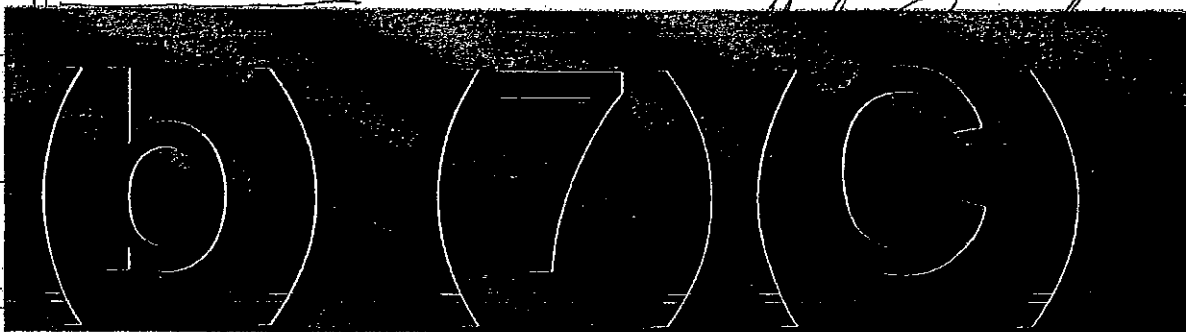


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BOILER ROOM - NTG. RE: HAZARD & EVACUATION
SIGN POSTING 4/25/2013

PRINT NAME

SIGNATURE



196 203
212

**In the event of any
Emergency or Hazardous
Condition**

**IMMEDIATELY
EVACUATE THIS
BOILER ROOM**

197 213 204

U.S. Department of Labor

Occupational Safety and Health
Hasbrouck Heights Area Office
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604
Tel: (201) 288-1700
Fax: (201) 288-7315



INFORMAL SETTLEMENT AGREEMENT

In the matter of: Sun Chemical
OSHA No.(s): 704178

The undersigned Employer and the undersigned Occupational Safety and Health Administration (OSHA), in settlement of the above citation(s) and penalties which were issued on 4/2/13, hereby agree as follows:

1. The Employer agrees to correct the violations as cited in the above citations or as amended below; "except that the time for abatement for Citation 1, item 1 (a) (boiler room overhead door) will be abated as soon as appropriate equipment can be purchased and installed, no later than June 15, 2013, and during the interim the Employer will train affected employees on the potential hazard, and the need for immediate evacuation should any emergency arise, and post the area: Immediate Evacuation Required If Any Hazard Is Identified." The employer agrees to submit written proof of abatement by the abatement date issued or amended below.
2. The Employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.
3. The Employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s). This Settlement Agreement must remain posted until the violation cited have been corrected, or for 3 working days (excluding weekends and Federal Holiday), whichever is longer.
4. The employer agrees to pay the amended penalty of \$15,400.00 which is due by 6/1/13.
5. The Employer and OSHA agree that the following citations are not being amended:
N/A
6. By entering into this agreement, the Employer does not admit that it violated the cited standards, or nor does it admit any allegation whatsoever for any purpose, litigation, or arbitration, other than a subsequent proceeding under the Occupational Safety and Health Act

7. The Employer and OSHA agree that the following citations and penalties, are being amended as shown below:

Citation 1 Item 2 was reclassified from Serious to Other than Serious
Citation 1 Item 4 was amended from a violation of 1910.307(c)(2)(i) to a violation of 1910.303(b)(2) and to read as follows:

29 CFR 1910.303(b)(2): Installation and use. Listed or labeled equipment was not installed and used in accordance with any instructions included in the listing or labeling.

Pre-Mix Room: Lighting fixtures located in the Pre-Mix room did not have the proper cages/covers installed, thus exposing employees to a potential electrical hazard, on or about 10/9/2013.


Citation 1 Item 5 including penalty associated with it, was withdrawn.

Remaining penalty of \$22,000 was reduced 30% to \$15,400.

8. The Employer, by signing this informal settlement agreement, hereby waives its rights to contest the above citation(s) and penalties, as amended by this Settlement Agreement.

Please note; all checks should be made out to "DOL - OSHA" and have the inspection number on the check. All Payments should be sent to:

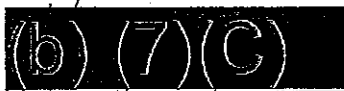
US DOL OSHA
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604



For Occupational Safety and Health Administration
Lisa Levy

4/24/13

Date



(b) (7)(C) Patton Boggs LLP
Counsel to Sun Chemical
For the Employer, Sun Chemical

4/23/13

Date

199 206
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NOTICE TO EMPLOYEES

The law gives you or your representative the opportunity to object to any abatement date for a violation if you believe the date to be unreasonable. Any contest to the abatement dates of the citations amended in paragraph 5 of this Settlement Agreement must be mailed to the U.S. Department of Labor, 500 Route 17 South, Hasbrouck Heights, NJ 07604, within 15 working days (excluding weekends and Federal Holidays) of the receipt by the Employer of this Settlement Agreement. You or your representatives also have the right to object to any of the abatement dates set for violations, which were not amended, provided that the objection is mailed to the office shown above within the 15-working-day period established by the original citation.

U.S. Department of Labor

Occupational Safety and Health
Hasbrouck Heights Area Office
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604
Tel: (201) 288-4700
Fax: (201) 288-7315



INFORMAL SETTLEMENT AGREEMENT

In the matter of: Sun Chemical
OSHA No.(s): 704178

The undersigned Employer and the undersigned Occupational Safety and Health Administration (OSHA), in settlement of the above citation(s) and penalties which were issued on 4/2/13, hereby agree as follows:

1. The Employer agrees to correct the violations as cited in the above citations or as amended below. The employer agrees to submit written proof of abatement by the abatement date issued or amended below.
2. The Employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.
3. The Employer agrees to immediately post a copy of this Settlement Agreement in a prominent place at or near the location of the violation(s). This Settlement Agreement must remain posted until the violation cited have been corrected, or for 3 working days (excluding weekends and Federal Holiday), whichever is longer.
4. The employer agrees to pay the amended penalty of \$15,400.00 which is due by 6/1/13.
5. The Employer and OSHA agree that the following citations are not being amended:
N/A
6. The Employer and OSHA agree that the following citations and penalties, are being amended as shown below:

Citation 1 Item 2 was reclassified from Serious to Other than Serious
Citation 1 Item 4 was amended from a violation of 1910.307(c)(2)(i) to a violation of 1910.303(b)(2) and to read as follows:

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29 CFR 1910.303(b)(2): Installation and use. Listed or labeled equipment was not installed and used in accordance with any instructions included in the listing or labeling.

Pre-Mix Room: Lighting fixtures located in the Pre-Mix room did not have the proper cages/covers installed, thus exposing employees to a potential electrical hazard, on or about 10/9/2013.

Citation I Item 5 including penalty associated with it, was withdrawn. Remaining penalty of \$22,000 was reduced 30% to \$15,400.

- 7. The Employer, by signing this informal settlement agreement, hereby waives its rights to contest the above citation(s) and penalties, as amended by this Settlement Agreement.
- 8. By entering into this agreement, the Employer does not admit that it violated the cited standards, or nor does it admit any allegation whatsoever for any purpose, litigation, or arbitration, other than a subsequent proceeding under the Occupational Safety and Health Act.

Please note; all checks should be made out to "DOL - OSHA" and have the inspection number on the check. All Payments should be sent to:

US DOL OSHA
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604

For Occupational Safety and Health Administration Date
Lisa Levy

Signature Date
For the Employer

Print Name Title



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NOTICE TO EMPLOYEES

The law gives you or your representative the opportunity to object to any abatement date for a violation if you believe the date to be unreasonable. Any contest to the abatement dates of the citations amended in paragraph 5 of this Settlement Agreement must be mailed to the U.S. Department of Labor, 500 Route 17 South, Hasbrouck Heights, NJ 07604, within 15 working days (excluding weekends and Federal Holidays) of the receipt by the Employer of this Settlement Agreement. You or your representatives also have the right to object to any of the abatement dates set for violations, which were not amended, provided that the objection is mailed to the office shown above within the 15-working-day period established by the original citation.

PATTON BOGGS LLP
ATTORNEYS AT LAW

2550 M Street, NW
Washington, DC 20007-1350
202-457-6000

Facsimile 202 457 6016
www.pattonboggs.com

April 22, 2013

Henry Claget
202-457-6511
HClaget@pattonboggs.com

Ms. Lisa Levy
Area Director
U.S. Department of Labor Occupational Safety
and Health Administration
Hasbrouck Heights Area Office
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604

Re: Sun Chemical Inspection # 704178 – Informal Settlement Conference Language
Contingent Intent to Contest

Dear Lisa:

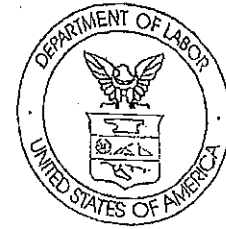
While I hope this is not necessary, in the event we do not have a settlement today, based on our exchange of correspondence and our conference call settlement agreement, please consider this our notice of intent to contest the citations issued to Sun Chemical. I send this only to preserve our client's right to contest, but anticipating that it is not needed.

Sincerely,



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US Department of Labor
Occupational Safety & Health Administration
Hasbrouck Heights Area Office
500 Route 17 S., 2nd Floor
Hasbrouck Heights, NJ 07604-3091
Tel: (201)288-1700
Fax: (201)288-7315



April 9, 2013

Mr. Harry Selnow, VP/Secretary, GCC/ IBT Local 612M
Graphic Communications Conference
International Brotherhood of Teamsters
1 099 Bloomfield Avenue
West Caldwell, NJ 07006

FILE COPY

RE: SUN CHEMICAL INC. / Inspection #704178

Dear Sir:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. If you have any questions about the enclosed citations and penalties, I would welcome further discussion in person or by telephone.

Also enclosed is a letter which has been sent to the employer offering the opportunity for an informal conference. If the employer requests an informal conference, you will be given the opportunity to participate. During the informal conference you may present any evidence or views which you believe should be considered in the settlement of this case.

Under the Act employees have a right to contest the abatement dates assigned. If you have any problem with these dates, please feel free to contact me for an informal conference where this issue or others which you may have can be discussed.

If you desire to have an informal conference to discuss the abatement dates, please keep in mind that a written letter of intent to contest the abatement dates must be submitted to the Area Director within 15 working days of receipt of the citation by the employer. The running of this contest period is not interrupted by an informal conference. Therefore, you must take care to schedule the informal conference early enough in the 15-day period to allow time to contest subsequent to the informal conference, should you decide to do so.

Sincerely,

A handwritten signature in cursive script that reads "Lisa Levy".

LISA LEVY
Area Director



Enclosures

207 214 223

U.S. Department of Labor

Occupational Safety and Health
Hasbrouck Heights Area Office
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604
Tel: (201) 288-1700
Fax: (201) 288-7315



April 9, 2013

International Brotherhood of Teamsters
1099 Bloomfield Avenue
West Caldwell, NJ 07006

ATTN: Harry Selnow, VP/Secretary, GCC/IBT Local 612M

Re: SUN CHEMICAL INC.
Inspection # 704178

FILE COPY

Dear Sir:

Please be advised that an informal meeting has been requested by the above mentioned establishment.

The conference will be held at the U.S. Department of Labor, Occupational Safety and Health Administration, 500 Route 17S, 2nd Floor, Hasbrouck Heights, New Jersey on Thursday, April 18th, 2013 at 10:00 AM.

As a representative of your union you are invited to participate should you desire.

Sincerely,

LISA LEVY
Area Director

[Redacted]

(b) (7)(C)

HA; Levy, Lisa - OSHA

From:
Sent:
To:
Cc:
Subject:

Per our phone conversation this morning, please confirm your availability/preference re: Informal Conference for Sun Chemical #704178: 10AM Thursday April 18 -- or -- 1PM Wednesday April 17. (Please note we hold dates on courtesy no longer than 24 hours.)

Thank you for a prompt response!

[Redacted]

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~~225~~
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PATTON BOGGS LLP
ATTORNEYS AT LAW

2550 M Street, NW
Washington, DC 20037-1350
202-457-6000

Facsimile 202-457-6315
www.pattonboggs.com

April 8, 2013

(b) (7)(C)

Ms. Lisa Levy
Area Director
Occupational Safety and Health Administration
U.S. Department of Labor
500 Route 17 South, 2nd Floor
Hasbrouck Heights, NJ 07604-3121
Fax: (201) 288-7315

VIA FAX AND FEDEX

Re: Sun Chemical Inc. – Inspection Number 704178
REQUEST FOR INFORMAL CONFERENCE

Dear Ms. Levy:

We write on behalf of our client, Sun Chemical, Inc. (“Sun”), in response to your letter dated April 2, 2013, which enclosed an Occupational Safety and Health Administration (“OSHA”) Citation and Notification of Penalty against Sun relating to the above-referenced inspection.

At your letter’s invitation, and pursuant to 29 C.F.R. § 1903.20, we hereby request an informal conference with you regarding the Citation and Notification of Penalty.

We look forward to coordinating such a conference with you at your earliest convenience to ensure that it occurs well within the 15-day period to contest the Citation. Of course, please feel free to contact us with any questions.

Sincerely,

(b) (7)(C)

Patton Boggs, LLP

Counsel for Sun Chemical, Inc.

(b) (7)(C)

4839-9178-9587.1

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210

PATTON BOGGS LLP

2550 M Street, NW
Washington, DC 20037
202-457-6000

Facsimile 202-457-6315
www.pattonboggs.com

March 28, 2013

(b) (7) (C)

VIA HAND DELIVERY

(b) (7) (C)

U.S. DOL-OSHA
500 Route 17S
Hasbrouck Heights, New Jersey 07604

Re: Sun Chemical/US Ink Employee Training Materials

(b) (7) (C)

As per your request, enclosed please find a CD containing training materials for Sun Chemical Company ("Sun"). These materials include sign-in sheets and training records and materials for combustible dust training and hazard communications (Hazcom) training. Copies of these documents were also previously produced by Sun to the U.S. Chemical Safety & Hazard Investigation Board ("CSB") in response to their document requests.

Additional training materials are currently being gathered, and will be transmitted to you during the coming week.

Please do not hesitate to contact me with any questions.

Very truly yours,

(b) (7) (C)

US Department of Labor
Occupational Safety & Health Administration



Inspection & Casefile Activity Diary

Page ___ of ___

(Site Address)		
Company Name	Location	Inspection Number
Sun Chemical Inc	390 Central Ave E. Rutherford, NJ	404-118

Date	Action	Initials
10/9/12	Received a call from E. Rutherford Police, informing that an explosion occurred at the Sun Chem plant in East Rutherford. 6 employees were transferred to Hackensack University Medical Center.	(b) (7)(C)
10/9/12	SA (b) (7)(C) sent to the site & spoke to the incident commander (b) (7)(C) E. Rutherford Fire Marshal Met (b) (7)(C) Sun Chemical (b) (7)(C) (b) (7)(C) from NJ DEP, & (b) (7)(C) (b) (7)(C) of Sun Chem, Inc.	(b) (7)(C)
10/9/12	Held opening conference (b) (7)(C) (b) (7)(C) that we request permission for walk around, employee interviews & photographing during the investigation. Permission was granted. There 7 employees were transferred to the Medical Center as opposed to 6 that was originally reported by the news media.	(b) (7)(C)
10/10/12	The Rutherford Building Dept official said the integrity of the room where the explosion occurred was not determined. The explosion was occurred in the pre-mix room while the pre-mix operator, (b) (7)(C) was just finished adding 200 lbs of Aikonaite.	(b) (7)(C)

US Department of Labor
Occupational Safety & Health Administration



Inspection & Casefile Activity Diary

Page ___ of ___

Company Name	Location	Inspection Number
Sun Chemical Inc	390 Central Ave E. Rutherford, NJ	704 178

Date	Action	Initials
10/10/12	Went to the site and took photos of dust collector flexible hoses coming from tanks #306, 206 & 106. So called the Dumper Table where the pre-mix operator poured 200 lbs of bitumast into the dumper.	(b) (7)(C)
10/10/12	Dust collection flexible hoses are seen attached to the behind of the dump table. The third smaller hose is to expel filtered air into the plant.	(b) (7)(C)
10/10/12	Returned to the site & took more photos of the equipment inside the pre-mix room. According to the burn pattern, the fire seemed to occur inside the dust collection system. Vessels #306, #206 & #106 did not seem to be affected by the fire. The most damages received by the fire were done to ducts and hoses connected to the dust collection system.	(b) (7)(C)
10/10/12	The integrity of tanks #306, 206, & 106 was intact & there was no damage to all vessels. At this it's early to make any decision on the integrity of the tank #306 motor until the cover is removed and tested belt's function.	(b) (7)(C)

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192
177

US Department of Labor
Occupational Safety & Health Administration



Inspection & Casefile Activity Diary

Page ___ of ___

Company Name	Location	Inspection Number
Jan Chemical Inc	Central Ave East Rutherford	404 178

Date	Action	Initials
10/10/12	(b) (7)(C) returned to the site & met company (b) (7)(C). The room was declared structurally sound & the OSHA entered the room & took photos of the vessels that were presumed involved in the explosion; tank # 206 & # 306; 2 samples from 306 & 1 from 206	(b) (7)(C)
10/10/12	(b) (7)(C) took samples from vessel #306 & #206. (b) (7)(C) said there are two mixers: Large that rotates @ 45 turns/min & smaller that has 8 blades rotates @ 5000 rpm.	(b) (7)(C)
10/10/12	It was learned that the dust collection system was installed by Marty Frontin & Sons, Spoke w/ Kangaroo Electric Inc, (b) (7)(C) 07015 Tel (b) (7)(C) all he did was connecting wires	(b) (7)(C)
10/10/12	Interviewed (b) (7)(C) on the shift when the incident occurred, 10/10/12 at 1:pm (b) (7)(C)	(b) (7)(C)
10/10/12	Interviewed (b) (7)(C) in color prod dept, (b) (7)(C)	(b) (7)(C)
	(b) (7)(C)	

US Department of Labor
Occupational Safety & Health Administration



Inspection & Casefile Activity Diary

Page ___ of ___

Company Name	Location	Inspection Number
Sun Chemical Inc	3rd Central Ave E. Rutherford, NJ	704 178

Date	Action	Initials
10/16/12	Went to St. Annunzio's Medical center to interview	(b) (7)(C)
	(b) (7)(C)	
10/16/12	US chemical safety Board members and its consultant came to the HHA's	(b) (7)(C)
	(b) (7)(C) chemical incident screener	
	(b) (7)(C) chemical incident investigator	
	(b) (7)(C) Fire/exp, 10/13	
	(b) (7)(C)	
10/16/12	Interviewed (b) (7)(C) at the	(b) (7)(C)
AM	Hastrowak Hts Dunkin Donut shop.	
10/16/12	(b) (7)(C) Sun Chem consultant came to the	
	site - Exponent Inc.	
10/16/12	(b) (7)(C) CSA team leader,	(b) (7)(C)
AM	from ESTB (b) (7)(C) CSA consultant	(b) (7)(C)
	and (b) (7)(C) Sun Chem consultant discussed	
	about steps that are to be taken,	

US Department of Labor
Occupational Safety & Health Administration



Inspection & Casefile Activity Diary

Page ___ of ___

Company Name	Location	Inspection Number
Sun Chemical Inc	300 Central Ave E. Rutherford, NJ	704 178

Date	Action	Initials
10/14/12	Took photos of the instrument panel of the control room & fire extinguisher (ABC) that was used by (b) (7)(C)	(b) (7)(C)
10/14/12	Took sample of Arsenite or oil from tanks #1 & #2	(b) (7)(C)
10/19/12	Returned to the site & took charcoal samples Took samples from the dust collector hose attached to the back of the dump table.	(b) (7)(C)
10/19/12	Took sample from vessel #106, #106, & #306	(b) (7)(C)
11/15/12	Had a meeting w/ OSHA, company lawyers to discuss day's procedure. Went up to the roof top to look for signs of burn mark inside the filter housing & filters inside. There was no sign of burn marks inside the filter housing and on filters.	(b) (7)(C)
12/3/12	Company consultants measured conductivity from	(b) (7)(C)
12/4/12	prior to dismantling the dust collector duct. Each segment to the next segment did not indicate greater than 7 ohms. This indicated that bonding was continuous (See diagram)	(b) (7)(C)
12/4/12	Sampled residue & dusty material	(b) (7)(C)

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US Department of Labor
Occupational Safety & Health Administration



Inspection & Casefile Activity Diary

Page ___ of ___

Company Name	Location	Inspection Number
Sun Chemical Inc	890 Central Ave E. Rutherford, NJ	704-178

Date	Action	Initials
11/12/12	(b) (7)(C) filled in for it sampled material inside the ducts of dust collector. Ductwork removed by Equipment	(b) (7)(C)
11/13/12	observed a porter driving Toyota forklift of which safety pins for stabilizing fuel tank was not engaged (b) (7)(C)	(b) (7)(C)
	(b) (7)(C) corrected	
	moving a tote	
12/3/12	Interview (b) (7)(C)	
	(b) (7)(C)	
	He checks the water level leaks, and adds descaler, spends 30 min/day inside the boiler room where there is no exit except an overhead door.	
12/12/12	Interview (b) (7)(C)	
12/18/12	Interviewed (b) (7)(C)	
12/18/12	(b) (7)(C)	(b) (7)(C)
1/28/13	Interview (b) (7)(C)	
3/19/13	Interview (b) (7)(C)	
3/21/13	meeting w/ OSHA (b) (7)(C) Sun Chem attorney (b) (7)(C)	(b) (7)(C)
	(b) (7)(C)	
	Sun Chem Ethics course (b) (7)(C)	

US Department of Labor
Occupational Safety & Health Administration



Inspection & Casefile Activity Diary

Page ___ of ___

Company Name	Location	Inspection Number
Sun Chemical Inc	320 Central Ave E. Rutherford, NJ	704-178

Date	Action	Initials
4/1/13	Submit casefile for review.	(b) (7)(C)
4/2/13	AAO reviewed casefile after corrections. OK to close issues.	(b) (7)(C)
4/2/13	Citations mailed to Co. \$25,000	(b) (7)(C)
4/1/13	Received a DVD from PATTON BOGGS, LLC, the law firm retained by Sun Chem, Inc. Training mentioned potential hazards involved with ducts, but didn't mention materials such as Gilsomite or Baraban black.	(b) (7)(C)
4/4/13	Held a closing (b) (7)(C) (counsel - Ellen Boggs)	(b) (7)(C)
	(b) (7)(C) (Sun Chem)	(b) (7)(C)
	re env affairs.	(b) (7)(C)
4/3/13	Hand-delivered citation	(b) (7)(C)
4/4/13	Held a closing (b) (7)(C)	(b) (7)(C)
4/3/13	Cit Hand Delivered L/C 4/24/13	(b) (7)(C)
4.9.13	EWEN. AAM LTR TO BOOK I.C., SPOKE TO (b) (7)(C); EMAILED AVAILABILITY TH 4/18 10AM - OR WED 4/17 1PM. (b) (7)(C)	(b) (7)(C)
4.9.13	MTG CONFIRMED THURS @ 10AM AT 1	(b) (7)(C)



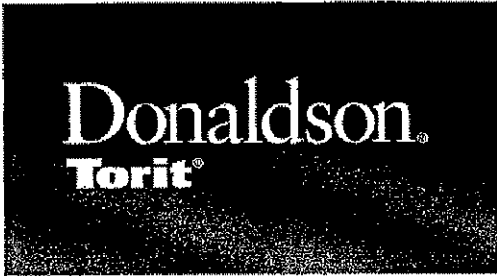
US Department of Labor
Occupational Safety & Health Administration

Inspection Case File Activity Diary

Fig. 6 of

Company: SUN CHEMICAL LIMITED Location: EAST Inspection #: 704178

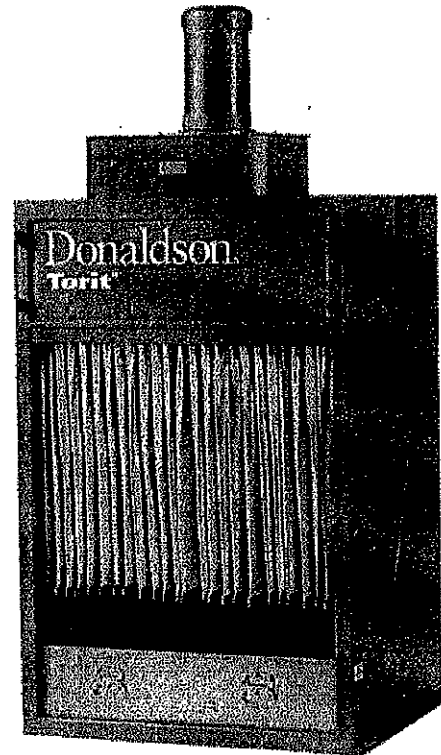
Date	Action	Initials
4.9.13	MAILED UNION COPY CIT & I.C. INVITE (REGULAR MAIL)	(b) (7)(C)
4/18/13	AAO spoke held an informal conf. via phone see notes	(b) (7)(C)
4/19/13	AAO spoke w/ attorney and we (OSHA) wants to change cit 1 item 4 from a 1910.306(g)(1)(v)(A) violation (from settlement to a 1910.303(b)(2) violation. He stated that he needed to speak to client before approval.	(b) (7)(C)
4/24/13	ISA signed by AAO and company.	(b) (7)(C)
5/3/13	Received a copy of training record regarding employees entering sub boiler room	(b) (7)(C)
5/14/13	Received abatement letter for citations; citation, cit item 1b, cit item 3 & cit item 4. CSHO reviewed & determined that all of the cited items are abated.	(b) (7)(C)
5/14/13	System updated	(b) (7)(C)
5/29/13	Rec'd payment \$5,400.00 Check # 002166311 Jule to Dep	(b) (7)(C)
5/30/13	Balanced	(b) (7)(C)
5/30/13	Closed	(b) (7)(C)



CABINET DUST COLLECTOR

Reliable and economical solutions to in-plant dust and smoke control problems.

- Efficient, compact design handles a wide range of dust applications from 1200 to 2000 cfm (2038 to 3397 m³/h)
- High collection efficiency of 99.9%+ by weight allows recirculation of heated or air-conditioned plant air
- Quick access to dust drawers and dust pails provides easy and safe maintenance
- Manually-operated filter shaker makes filter cleaning easy
- Four filter media and three construction choices provide a variety of options to customize the unit for your specific application
- Inlet locations on top and three sides create installation flexibility
- All 60 Hz motors are compliant with the Energy Independence and Security Act of 2007 (ESIA)



Cabinet 90
(door not shown)

Good choice for low-airflow, light-loading applications that do not require continuous airflow.

- Grinding
- Packaging
- Buffing and polishing
- Abrasive blasting
- Machining
- Dental labs
- Metalworking
- Textiles

STANDARD FEATURES & AVAILABLE OPTIONS

STANDARD

- Heavy-gauge, fully-welded cabinet
- Galvanized shaker bag
- Galvanized dust drawer
- Factory installed cotton-sateen filter packs
- Dynamically balanced steel fan wheel
- 208/230/460/60/3 voltages
- Blue, indoor, industrial-grade texturized finish
- TEFC blower motor (EISA compliant)
- 10-year warranty

OPTIONAL

- Inlet collar kits
- Casters for portability
- Explosion vent
- Suction-tube assembly
- 55-gallon (208.2-liter) drum pack
- Slide gate pack
- Weather-protective paint
- Chamber, attenuator, or stack silencer
- Magnehelic® gauge
- 115/230/60/1; 380/50/3; 575/60/3 voltage

*Magnehelic® is a registered trademark of Dwyer Instruments, Inc.

1 /2012 8:09:12 PM

14 15



Gear Process sheet

104 Lexington Avenue • Passaic, New Jersey 07055
(973)-471-2488 • Fax (973)-471-7678

DATE 2-29-08 P.O. #

DEPARTMENT E. Rutherford RID PHONE _____

ADDRESS _____ FAX _____

CITY _____

ZIP CODE _____

QUANTITIES:

COATS	<u>6</u>	PANTS	<u>6</u>
HOODS	_____	BOOTS	<u>#5</u>
GLOVES	<u>6</u>	HELMETS	_____
HARNESSES	_____	BLANKETS	_____

DROPPED OFF BY (b) (7)(C)
PICKED UP BY _____

INSTRUCTIONS: ROUTINE CLEAN ESTIMATED REPAIRS
 HAZMAT CLEAN REPAIRS AS PER INSTRUCTIONS
 ALL REPAIRS

AUTHORIZED BY _____
POSITION _____

PERSONAL PAYMENT INFORMATION: _____

CHECK # _____

CREDIT CARD # _____

CASH PAID _____

Billed to US Fork.

Wo #7

OCT. 12, 2012

EMERGENCY CONTINGENCY PLAN

US INK DIVISION (SUN CHEMICAL)

390 CENTRAL AVE

EAST RUTHERFORD, NJ 07073

PLAN COPY (LESS TOPIC DIVIDERS)

	Last name	First name	Home Phone	Cell Phone	Shift	hrs worked p
1	(b)	(7)	(C)		1st	7.5
2	(b)	(7)	(C)		1st	7.5
3	(b)	(7)	(C)		1st	7.5
4	(b)	(7)	(C)		1st	7.5
5	(b)	(7)	(C)		1st	7.5
6	(b)	(7)	(C)		1st	7.5
7	(b)	(7)	(C)		1st	7.5
8	(b)	(7)	(C)		1st	7.5
9	(b)	(7)	(C)		1st	7.5
10	(b)	(7)	(C)		2nd	7.5
11	(b)	(7)	(C)		2nd	7.5
12	(b)	(7)	(C)		3rd	7.5
13	(b)	(7)	(C)		1st	7.5
14	(b)	(7)	(C)		1st	7.5
15	(b)	(7)	(C)		3rd	7.5
16	(b)	(7)	(C)		1st	7.5
17	(b)	(7)	(C)		1st	7.5
18	(b)	(7)	(C)		1st	7.5
19	(b)	(7)	(C)			8
20	(b)	(7)	(C)			8
21	(b)	(7)	(C)			8
22	(b)	(7)	(C)			8
23	(b)	(7)	(C)			8
24	(b)	(7)	(C)			8
25	(b)	(7)	(C)			8
26	(b)	(7)	(C)			8
27	(b)	(7)	(C)			8
28	(b)	(7)	(C)			7.5
29	(b)	(7)	(C)			7.5
30	(b)	(7)	(C)		3-11 am	8
31	(b)	(7)	(C)			
32	(b)	(7)	(C)			
33	(b)	(7)	(C)			
34	(b)	(7)	(C)			



Ink[®] A Division of Sun Chemical Corporation

390 Central Avenue
East Rutherford, NJ 07073
201-438-4041 • Fax: 201-896-9137

EMPLOYEE PHONE LIST								
Last Name	First Name	Early Cell	Home Phone No.	Cell Phone No.				



EMERGENCY RESPONSE NOTIFICATION PROCEDURES

(b) (7)(C)

Rev.: April 15, 2009

The following is a statement of US Ink policy concerning emergency notification procedures. This policy is effective immediately at all US Ink locations.

PUBLIC RELATIONS/MEDIA COMMUNICATIONS

If an incident occurs in which public relations issues are expected and media communications are foreseeable, the ranking emergency coordinator will contact the Corporate EHS Group in Cincinnati, OH.

Any statements or interviews given to the media (newspaper press, radio, television, reporters) will be provided through the Corporate EHS Group or their designated onsite representative. All employees should be advised of this protocol as a part of contingency training.

CORPORATE NOTIFICATION PROCEDURES FOR MAJOR EMERGENCIES AND ENVIRONMENTAL INCIDENTS

Definitions

A. Emergency (non-environmental)

1. Severe Bodily Injury - Fatality, major crippling injury including amputation and cases where 3 or more people are injured at the same time.
2. Major Property Damage - From explosion, flood, windstorms or any other cause if total repair costs are estimated to be over \$25,000. This does not include damage to vehicles.
3. Fire - Any incident of a fire at the facility.
4. Civil Disorder - Riots, bomb threats, forcible entry and hostage taking.
5. Media Event - An incident in which public relations issues are expected and media communications are foreseeable.

B. Environmental Release

Any spill, leak or other release or the discovery of a sub-surface quantity of a material (vapor, liquid, dust, solid) in any quantity, from your operations, which travels beyond your property line. This includes both hazardous and non-hazardous materials. If the material is



a regulated hazardous substance reporting to local, state or federal agencies may be required (see your SPCC Plan and Storm Water Pollution Control Plan). Any release of material which results in complaints from neighbors.

C. Notification Procedures

In case of any incident defined above, any divisional or location representative who has key information will notify their site supervision, to the extent possible. The highest ranking site employee available, or their designate, will then notify Divisional / Corporate personnel identified in this section. The individual notified will notify other members of Divisional and Corporate Management as required. Each location should develop its own internal procedure for notification. Incidents are to be reported as soon as possible, but not more than 4 hours after the occurrence. An incident investigation should be completed and documented per the Incident Investigation Program (HSE 040-USI) [Available on the US Ink Intranet Site]. This incident investigation should be initiated as soon as the immediate needs of the emergency are taken care of.

All statements or interviews given to the media will be provided through the Corporate Communications Group in Parsippany or their designated representative. Statements given to Federal or State governmental environmental agencies or OSHA/safety agencies should be through the EHS Department or approved by them.

Phone Chain Sequence

1st Attempt:

To All North American Operations:

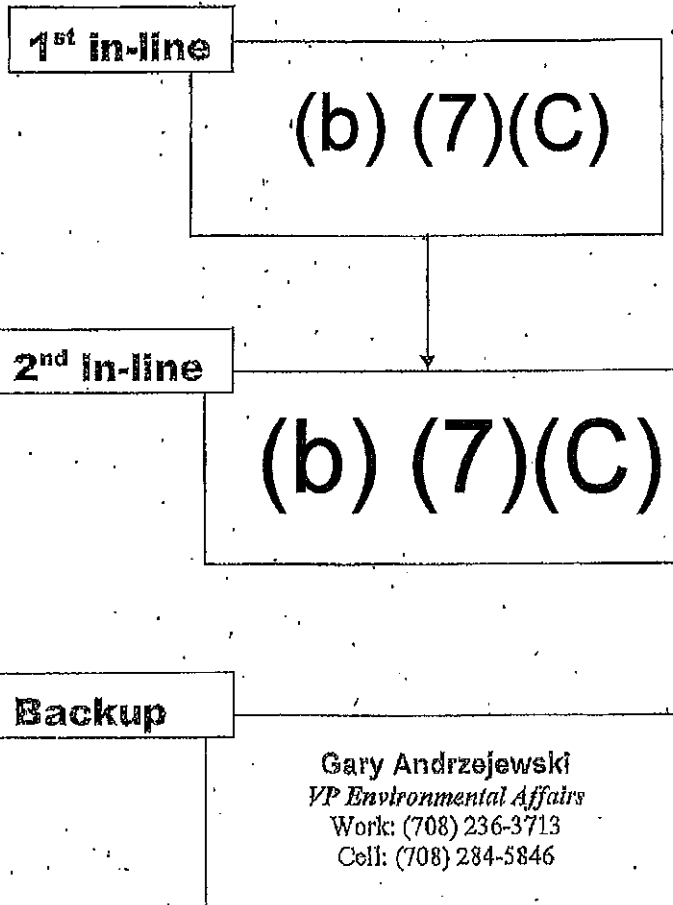
As you know, incident reporting is required to prevent future incidents and to meet regulatory requirements. Follow your site and/or Division guidelines for incident reporting.

In addition, fatalities, life threatening injuries, fires and serious environmental releases require that you contact Corporate EHS as soon as practicable. The Decision Chart in the document embedded below provides more detailed guidance on when to notify Corporate EHS.



Decision Chart

Verbally notify the following people in the order listed below. In the event of media involvement, you must also contact (b) (7)(C)



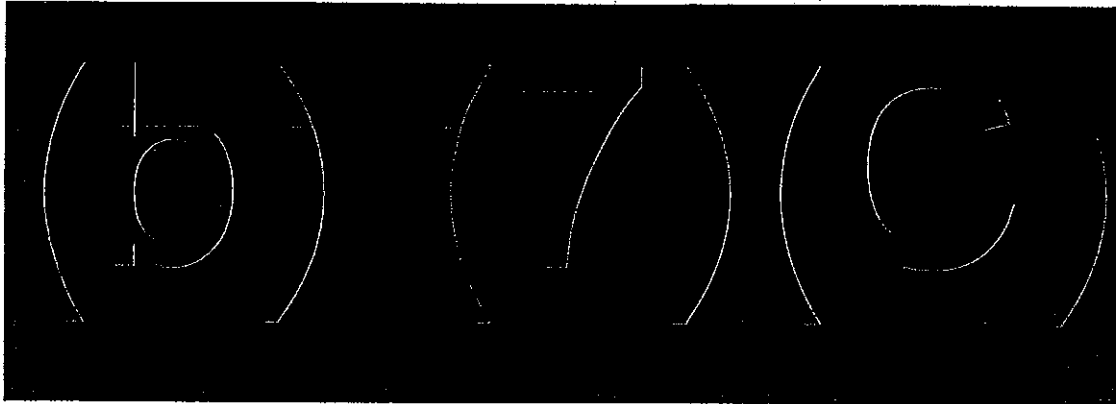
III.B. Pollution Prevention Team

The following persons are named as members of the Pollution Prevention Team for the East Rutherford (Central Avenue) facility:

As Emergency Coordinator with overall responsibility:

(b) (7)(C)

As Team Members:



It shall be the responsibility of the above named Pollution Prevention Team to address all aspects of this plan (SPPP), i.e., its implementation, maintenance and modification with assistance from the EHS Department. Major changes in a facility's design, construction, operation or maintenance will necessitate changes to the SPPP.

III.C. Notification Procedures

Supervisors shall be informed of all spills. If it is determined that the spilled material has the potential to or has contacted storm water or any part of the storm water drainage systems, the

US Ink A Division of Sun Chemical Corp.
 Central Avenue, East Rutherford, NJ

Spill Prevention Control and Countermeasure Plan
 40 CFR 112

EMERGENCY CONTACTS

INTERNAL CALL LIST [EMERGENCY (SPCC) COORDINATORS]

NAME	POSITION	OFFICE NUMBER	CELL NUMBER PAGER NUMBER	HOME NUMBER
(b) (7) (C)				

LOCAL AUTHORITY CALL LIST

NAME	PHONE NUMBER	EMERGENCY NUMBER
East Rutherford Police Department	201-438-0167	911
New Jersey State Police, Troop B	973-785-9419	911
East Rutherford Fire Department, Station 13	201-933-9411	911
Hackensack University Medical Center (HUMC)	201-996-2000	911
HUMC Ambulatory Care Center	201-996-2121	911

GOVERNMENT AGENCY CALL LIST

NAME	TYPE AGENCY	PHONE NUMBER
National Response Center	Federal	800-424-8802
New Jersey Department of Environmental Protection	State 24-hr Emergency	1-609-292-7172 1-877-WARNDEP
New Jersey State Police, Troop B	State	973-785-9419

SPILL RESPONSE CONTRACTOR CALL LIST

NAME	PHONE NUMBER
Shaw Environmental & Infrastructure, Inc.	1-800-537-9540
Clean Harbors Env. Services, Inc.	1-732-248-1997
Casie Ecology Oil Salvage	1-609-696-4401

US Ink [®] A Division of Sun Chemical Corporation			
Person	Home Phone No.	Bepper Number	Cell Phone #
(b)	(7)	(C)	

Carbon Express		
Person	Home Phone No.	CELL Number
(b)	(7)	(C)

US Ink [®] A Division of Sun Chemical Corporation			
Person	Home Phone No.	Bepper Number	Cell Phone #
(b)	(7)	(C)	

Carbon Express		
Person	Home Phone No.	CELL Number
(b)	(7)	(C)

US Ink [®] A Division of Sun Chemical Corporation			
Person	Home Phone No.	Bepper Number	Cell Phone #
(b)	(7)	(C)	

Carbon Express		
Person	Home Phone No.	CELL Number
(b)	(7)	(C)

US Ink [®] A Division of Sun Chemical Corporation			
Person	Home Phone No.	Bepper Number	Cell Phone #
(b)	(7)	(C)	

Carbon Express		
Person	Home Phone No.	CELL Number
(b)	(7)	(C)

External Agencies

	<u>Phone Number</u>
Nearest Fire House	438-0165
Ambulance Service	438-0165
Hospital to be Used – Hackensack	441-2000
Police Department	438-0165
Civil Defense Offices	438-0165
All Other Area Disaster Offices	438-0165
Fire Prevention Chief	933-5649
D.E.P. Spill Reporting	609-292-7172
Office of Emergency Management	646-2719

APPENDIX 2

SAMPLE LETTER

**COMMUNICATING EMERGENCY CONTINGENCY PLAN TO LOCAL RESPONSE
AGENCIES**

Media Relations in Emergency Situations:

I. Corporate Emergency Communications Policy

In emergency or crisis situations involving a Sun Chemical operation, the company's general policy is to provide news media, as expeditiously as possible, with full and accurate information, based on verifiable facts. Such information, however, must be consistent with the safety of all Sun Chemical personnel, with the security of company property and with the confidentiality of operations. When dealing with media representatives, an attitude of honesty, reasonableness and cooperation should be maintained at all times.

II. Responsibilities

A. Corporate Communications Department

This department, located at the executive offices in Parsippany, New Jersey, is sun Chemical's principal contact with the media. It is responsible for developing and monitoring the Emergency Communications Plan. It also counsels operation management in matters relating to media relations and should be contacted whenever emergency or crisis situations arise or if advice is required.

Your contacts in Parsippany are as follows:

work through an announcement sent to the local radio and/or television station.

2. Local Community: Keep local officials and community leaders informed of what has occurred and what remedies are being instituted. If the location is in a residential area, it may be good policy to send an informed representative around the neighborhood to assure residents that the situation is controlled, by explaining what is going on and by answering any questions.
- C. Customers and Suppliers: Follow the procedures in the Division Contingency Plan.

VII Review Sun Chemicals Crisis Communication Handbook.

VII Conclusion:

For the most part, this Emergency Communications Plan depends upon adequate prior planning and the exercise of restraint and common sense. Remember that is plan is a necessary adjunct to the Division Contingency Plan.

Communications Appendix: Division Emergency Contingency Plan

Introduction

Emergency situations, by their very nature, are unexpected, inconvenient and disruptive. Because their consequences may extend beyond the plant or office location, they are also very often matters of public interest.

Therefore, the types of emergencies covered by the Division Contingency Plan will sometimes be of legitimate interest to the news media.

Accurate news stories, released to the public as soon as possible after an emergency or a disaster at one of our locations, are in Sun Chemical's best interests. Inaccurate stories foster community fears, generate rumors, result in undue and unnecessary government scrutiny, and can seriously impact our relations with suppliers and customers who are concerned about their continuing business with our company.

Sun Chemical's management, therefore, wants to insure that supplying accurate accounts expeditiously to the media about the non-confidential aspects of company-related emergencies will mark future relations between our divisional and location managers and media representatives. To this end, the following Emergency Communications Plan has been developed by the Corporate Communications Department. As an appendix to the Division Emergency Contingency Plan, it is to be used as a guide when an emergency situation involves media contact.

3) Gate personnel, whose

responsibilities would include meeting media representatives upon their arrival at the plant and escorting them to designated assembly areas during their stay. Media personnel usually are not admitted to company facilities except with the approval of the Division General Manager or his alternate.

Note: Guards at gates should be instructed to contact the designated spokesperson whenever representatives of the media arrive.

4) Couriers (one or more), to relay developments from the site of the emergency to the emergency communications center.

5) Casualty supervisor, to act as liaison with next of kin and with local hospital, in instances when there are injured or dead.

IV. Pre-emergency Training

1. Instructing personnel: All personnel should be instructed that only the spokesperson (or alternate) is authorized to speak to media representatives and that they should not to volunteer information to media representatives during or after an emergency situation. This is particularly important if injuries or deaths have

occurred, since this information should not be released to the media until after the families of those involved have been notified, and then only by the designated spokesperson (or alternate).

2. Emergency communications center: This center, from which the designated spokesperson will operate, should be located away from any possible disaster area. If practical, it should be equipped with telephones, typewriters, office supplies, desks and other necessary furniture, including cots in case of extended emergencies. Other possible supplies should include safety apparel, flashlights or other emergency lighting, walkie-talkies to use if telephones don't work, and a small, separate power source. If practical, telephones in the center should operate independently of the location's switchboard, since the plant system might be inoperative or jammed with incoming calls. The center can function as the area to which media representatives are brought upon arrival at the site, both as a control measure and because it is where bulletins would be issued during an emergency situation.

Note: During preliminary planning, an alternate site for the center should also be selected, in case the first choice should be affected by the emergency.

VI. General Guidelines for Dealing with the Media:

1. Background information for the media: Fact sheets, containing the following information, should be prepared in advance for distribution to the media. These will serve to answer the most usually asked questions and will minimize the need for media representatives to enter the area where the emergency occurred--

a. A brief history of the plant and what products it makes.

b. Names of the plant manager, other key personnel and that of the spokesperson.

c. Number of employees, both total and by shifts.

d. Such other authorized information concerning the location, its personnel or its operations which would be of general interest to the media.

Note: Fact sheets should be reviewed periodically to assure the information is up to date. Copies, and all subsequent updates, should be sent to the Corporate Communications Department at the New York headquarters to assist them in dealing with the press, should inquiries be directed there concerning an emergency situation.

2. Preparing a brief, factual statement for the media when an emergency occurs: The spokesperson, after consulting the plant manager and appropriate division and Corporate Engineering authorities, should

prepare a short, concise statement concerning the releasable facts about what has occurred. After agreement as to the content and its accuracy, the statement must be cleared with both the Corporate Counsel's Office and the Communications Department, both in the Fort Lee offices. Once cleared, the spokesperson should then immediately contact the media, rather than waiting for them to make the first contact. The spokesperson should be careful not to offer additional information beyond what has been approved, but should promise to provide additional facts as they become available.

Note: Do not play favorites. Give the same information and degree of cooperation to all media.

3. Direct contact with the media. Whether talking to media representatives on the phone or face-to-face, they should be treated courteously and given whatever assistance possible, consistent with the demands of the emergency, company policy, location security and the public welfare. For their protection and to maintain security and confidentiality, media representatives should not be granted access to the emergency site. The reasons for denying access should be clearly explained.

Note: Media representatives operating outside of company property should never be interfered with in any way. Reports or photos of location personnel interfering with or threatening media representatives will probably cause more

problems than any unwanted coverage or photo.

4. Fact gathering. It is important that spokespersons and location managers understand what types of information the media wants. In its simplest form, the information should answer such basic questions as: What occurred? When did it happen? What personnel were involved? Enough detail should be provided to minimize additional questions and later call-backs. Tell what you can, after appropriate clearances, but the following kinds of information are not to be discussed:

- a. Do not speculate as to cause.
- b. Do not assess extent of damage in dollars..
- c. Do not attempt to place blame.
- d. Do not accuse anyone of negligence.
- e. Do not discuss injuries or deaths until families have been properly notified.
- f. Do not discuss any facts relating to insurance, such as amounts or terms of coverage, name of carrier, possibility of settlements or of reimbursements.

Only after proper authorization by division and corporate authorities, should the following information be released to the media:

- a. Monetary estimates of damage.
- b. Estimate when production will be resumed.
- c. After the release of the names of any

injured or dead, details concerning their job and family status.

- d. Details of efforts being taken to confine or terminate any continuing threats posed by the emergency situation.
- e. Details concerning materials used in the manufacturing process, especially those which might be hazardous or toxic.

NOTE: This information probably will have been given to local emergency response departments (fire, police, health, etc.) to assist them in their duties during the emergency. The spokesperson should have discussed with these agencies in advance of any emergency situations how, when and by whom this information should be released to the media.

VI. Communicating with Other Groups:

1. Employees: To lessen their anxieties about their jobs and to control rumors, employees both on and off duty should be given the same information that has been released to the press, as simply and directly as possible. They should also be reminded that only the location's designated spokesperson is authorized to speak with the media. If the emergency causes the location to suspend operations, you may need to reach employees not at

GENERAL FIRE AND EXPLOSION INSTRUCTIONS

- 1) NOTIFY CHIEF CO-ORDINATOR (See Page IR-1), WHO WILL BE RESPONSIBLE FOR THE FOLLOWING:
 - a) ANNOUNCE FIRE AND LOCATION ON P.A. SYSTEM.
 - b) PULL ALARM BOX (LOCATED OUTSIDE MAIN OFFICE).
 - c) CALL FIRE DEPARTMENT - Phone - 438-0165.

- 2) EMERGENCY BRIGADE TO REPORT TO THE FIRE WITH EXTINGUISHERS.

- 3) PLANT EVACUATION PLAN
 - a) PERSONNEL IN THE BLENDING OR COMIC AREAS WILL USE THE SHIPPING DOOR OR DRIVERS LOADING PLATFORM DOOR.
 - b) PREMIX AND SHOTMILL PERSONNEL WILL LEAVE THE BUILDING USING THE PREMIX CONTROL ROOM DOOR.
 - c) SHIPPING, MAINTENANCE AND LABORATORY PERSONNEL WILL USE EMPLOYEE DOOR.
 - d) OFFICE PERSONNEL WILL EXIT THROUGH THE VISITORS DOOR.
 - e) ALL PERSONNEL ARE TO BE DIRECTED TO THE NORTHEAST SECTION OF THE PARKING LOT FOR A HEAD COUNT. (Corner of Herman Street and Central Avenue).

- 4) DO NOT MOVE CARS OR TRUCKS IN PARKING LOT

BOMB THREAT EMERGENCY PLAN

Threats may be received at a plant by telephone, by mail, or in person.

Personnel likely to receive such threats should be fully briefed on their duties to report immediately such threats to designated plant officials. Personnel that may receive such threats are:

Telephone Operators

Receptionists

Mail Room Personnel

If a bomb threat is received by a telephone operator, or others, the following procedure should be followed:

1. Complete Bomb Threat Checklist (see attached) noting the time of the call and the exact wording of the message received, and the time the bomb is supposed to explode.
2. Call the Plant Manager, Industrial Relations Manager or Production Manager (day or night) and relay the message.
3. Take no further action unless ordered to do so and do not discuss the matter with other employees.

The action to be taken will be decided by the Plant Manager or his designated assistant. Proper evaluation of the threat depends on the circumstances surrounding each threat. The object is to provide maximum protection for Company personnel.

The Plant Manager, Industrial Relations Manager or Production Manager will notify the local Police Department by phone immediately advising them of the threat received. Any request for a Demolition Squad to report to the scene should be made by the Police Department.

4. If Bomb Threat is considered valid:
 - a) Plant Manager will authorize emergency evacuation using the P.A system.
 - b) All personnel to shut off equipment, vacate building in an orderly fashion and meet at the designated area. (corner of Herman Street and Central Avenue).
 - c) Safety and Security personnel to conduct a personnel inventory.

5. Conduct search as directed by the Police.

D-2.1

BOMB THREAT CHECKLIST

RECEIPT OF INFORMATION

DATE: _____ TIME: _____

PLACE: _____

OUTSIDE LINE: _____

INTERNAL EXTENSION: _____

EXACT MESSAGE RECEIVED: _____

IF BOMB OR EXPLOSIVE:

WHERE: _____

WHEN: _____ TIME: _____

TYPE OF EXPLOSIVE: _____

WHY: _____

WHO THE CALLER IS:

NAME (if given): _____ FEMALE: _____ MALE: _____

VOICE: Pitch of Voice: LOW: _____ MODERATE: _____ HIGH: _____

Speech Characteristics:

Stuttering: _____

Unusual Accent: _____

Peculiar Grammar: _____

Other: _____

WHERE HE IS:

Background and level of noise: _____

OTHER HELPFUL INFORMATION: _____

ACTION TAKEN (Who was notified, etc.): _____

NAME

SEVERE NATURAL DISASTERS

I WINDSTORM, HURRICANE

The National Weather Service provides continuing situation reports on the severity of storms. They are given over radio and television.

- 1) Under the direction of the Plant Manager, all moveable objects outside the plant, should be brought indoors or fastened down.
- 2) All the facility's windows, doors, vents, skylites, etc. should be closed and secured.
- 3) Prepare for possible plant shut down.
- 4) If plant is shut down, provide for 24 hour personnel watch.

II SNOWSTORMS

- SAME AS ABOVE -

III FLOODING

Flooding usually is a slow process with adequate warning. The buildup to flood conditions normally (except in flash floods) takes several days, and progressive situation reports are available from National Weather Service. Flash flood warnings are the most urgent. They are given over radio and television.

WHAT TO DO WHEN FLOODING BECOMES A POSSIBILITY

- 1) If a flood watch is called for, maintain it around the clock; place emergency services on standby; alert supervisors, employees and others as necessary.
- 2) Inform everyone of precautionary measures being taken or to be taken to safeguard lives and property.
- 3) Assess situation; determine potential risk area; estimate rise of water based on flood watch notification; initiate two-way reports between mutual aid plants and utilities.
- 4) Maintain contact with the area forecast and warning office.

WHEN A FLOOD WARNING IS RECEIVED

- 1) Mobilize emergency services (security, fire, health, etc.) and conduct facility safeguard operations (sandbagging; moving equipment, materials, and products to safer places).
- 2) Set up protection patrols.
- 3) Release everyone with homes in possible flood areas.
- 4) As necessary, effect shutdown and evacuation of personnel.
- 5) Conduct rescue operations, as necessary.

IV EARTHQUAKES

Earthquakes are unpredictable and strike without warning. They may range in intensity from slight tremors to great shocks, and may last from a few seconds to as long as 5 minutes. Shocks could come in a series over a period of several days. The actual movement of the ground in an earthquake is seldom the direct cause of injury or death. Most casualties result from building collapse or falling objects. Disruption of landline communications -- along with light and power lines, gas, sewer, or water mains -- can be expected. Earthquakes may also trigger landslides and generate tidal waves -- called "tsunami". These latter can cause great damage along shorelines -- even up to thousands of miles away.

WHEN AN EARTHQUAKE OCCURS

- 1) Shut off all valves and equipment.
- 2) Shut off all power (pull main disconnect).
- 3) Evacuate the facilities.
- 4) Take inventory of personnel.
- 5) Notify Division, Group Management and Corporate Personnel (See page IR 1-A-1
2-A) of the occurrence.
- 6) Contact Local Emergency Service Organizations, Fire Department, Police, Local and State government authorities, to determine severity of the quake before re-entering the facility.

CIVIL DEFENSE ALERT

- 1) Contact Local Civil Defense or Preparedness Agency, and develop a plan for emergency action in the event of a Major Disaster or Alert for the area.
 - a) The plan should identify an emergency control center.
 - b) Include agreements on giving and receiving mutual aid, with local government agencies, and other nearby plants and facilities.

SALES AND MARKETING

- 1) Shall determine the status of all open orders, by obtaining duplicate copies of orders, and review with Distribution Personnel.
- 2) Shall then, with the General Manager, define and reach consensus on priorities and review a time table of dates by which orders will be met.
- 3) With the General Manager, will determine the best methods for contacting customers. Once this has been determined, he shall, in close liaison with his Sales Staff, communicate with customers.
- 4) In the event that sales are lost or extra expense is incurred to meet customer needs, Business Interruption Insurance may apply. Co-ordinate all special and specific record keeping requirements, with GPI Financial and Corporate Insurance personnel.

TECHNICAL

- 1) Work with manufacturing to determine condition of R/M and finished goods, using plant technicians.
- 2) Will contact Manager of Standardization Laboratory (M. Inaetti) and the News Ink Research Laboratory (J. Synott) at Carlstadt for restoration of all formula data sheets.
- 3) Assess damage to plant laboratory facilities, and supervise the repair/replacement of all lab equipment.
- 4) Assist Sales and Marketing as to alternate or substitute products and formulations for customers.

MANUFACTURING

- 1) Take physical inventory of all raw materials and finished goods.
- 2) Determine condition of the facility, and with assistance of G.P.I. Engineering, see that facility is restored to operational condition in shortest time possible.

3) Work with General and Sales Managers to co-ordinate production, as facilities and equipment are back in operating condition.

RECOVERY PERIOD

ENGINEERING

- 1) Determine condition of the facility, and with assistance of G.P.I. Engineering, see that facility is restored to operational condition in shortest time possible.
- 2) Review condition of equipment - have inspected by outside contractors (see RP-6) and G.P.I. Engineering group in order to repair and restore to good operating condition.
- 3) Maintain good cost records for insurance purposes and co-ordinate with GPI Financial and Corporate Insurance personnel.
- 4) Take pictures after the disaster.

DISTRIBUTION

- 1) Review status of all orders and recent shipments, and supply information to Sales and Marketing personnel.
- 2) Determine condition of truck and rail facilities for distribution.
- 3) Work with Sales and Marketing in directing distribution equipment to meet sales and marketing commitments.

PERSONNEL

- 1) Will be responsible for advising all personnel of situation, and of the benefits available to them during the business interruption period.
- 2) Will work closely with the members of the Disaster Team and Union Officials in providing required salvage teams.
- 3) Will receive all time records of employees involved in the recovery and submit to payroll and office records area.
- 4) Work with Operations Manager to arrange for whatever clerical assistance may be required to handle normal office operating functions, and paper work.

ACTION PLAN - IN THE EVENT OF A STRIKE

Employee Rights and Responsibilities in Event of Strike:

A. Q. There is one question many people wonder about whenever a strike occurs. It is this: "Do I have the legal right to cross a picket line?"

A. Yes. Every person has the legal right to cross a picket line. Under the law, those persons who wish to come to work have the undeniable right to do so. No one may lawfully interfere with this right.

Q. Suppose my car is blocked by pickets?

A. SHOULD A PICKET PLACE HIMSELF IN FRONT OF AN AUTOMOBILE OR APPEAR AS THOUGH HE INTENDS TO, THE EMPLOYEE SHOULD STOP THE VEHICLE AND WAIT UNTIL THE PICKET HAS REMOVED HIMSELF FROM ITS PATH BEFORE PROCEEDING. IF A LAW ENFORCEMENT OFFICER IS AVAILABLE, HIS ASSISTANCE SHOULD BE SOUGHT AS NECESSARY.

RECOGNIZE THAT A PICKET LINE CAN PRESENT A CHARGED EMOTIONAL SITUATION. BE CAUTIOUS IN ORDER TO AVOID ANY ACTION WHICH COULD FORM THE BASIS FOR A CLAIM, GENUINE OR SPURIOUS, THAT A PICKET HAS BEEN STRUCK BY YOUR AUTOMOBILE. IN ANY EVENT, NOTHING SHOULD BE DONE BY EMPLOYEES TO ENCOURAGE OR PROVOKE VIOLENCE ON THE PART OF THE PICKETS.

Q. We all know from past experience that pickets frequently use force to keep employees from entering the plant. What about that?

A. An employee has the legal right to go to his or her job. Anyone who attempts to interfere with this right by means of violence is committing an illegal act. You have just as much right to come to work free from fears of assaults as you have to walk on the street without being molested.

Q. Then what are the purposes of picketing and what are pickets allowed to do?

A. The law recognizes a picket line as a form of free speech, a method of publicizing a point of view, and a means of dramatizing the importance of a strike action. There is nothing wrong with peaceful picketing for a proper purpose as far as the law is concerned.

But whenever a picket line interferes with free movement in and out of a plant, either by threatening people, or by physically interfering with them in any way, then it is illegal even though there is no actual violence. Of course, pickets sometimes go farther and do resort to violence - the kind of unprovoked violence that is illegal under any and all circumstances.

ACTION PLAN - IN THE EVENT OF A STRIKE (continued)

Q. If that is true, then why do we see all kinds of examples of "mass" picketing in the papers?

A. There are two reasons. First, law enforcement in other communities has not always done a complete job in the situations you mention. The other reason is that some unions adopt these tactics to try pushing the law to the extreme - to see how far they can go before getting caught.

Q. If there is a limit to the number of pickets that can mass at the gates, what is it?

A. There is a limit, but you won't find it set down in black and white. But when there are so many persons massed that an individual cannot pass without fear of bodily harm - then there are clearly too many.

When court injunctions are granted, the courts normally will specify the number of pickets allowed.

Q. In the event of a strike at Sun Chemical, are employees who want to enter the plant going to get police protection?

A. We certainly hope so. The police have the responsibility for enforcing the law. They are aware of the importance of keeping picketing lawful and orderly. The effectiveness of protection will, of course, depend on their efforts.

We understand that the law enforcement agency will make a determined effort to see that law and order prevail.

If the rights of any individual are interfered with, he or she has the right and duty to complain to law enforcement officials.

Of course, the Company does not have the right to, or responsibility to, enforce the law. Obviously, the Company has a great interest in the welfare of its employees, and we hope that the law will be so enforced that individual rights will not be infringed.

Q. What should I do if a picket assaults or threatens to assault me?

A. While every person has the right to defend himself against an assault by using reasonable force, we discourage any action that might provoke or add to the violence. If any employees are bullied by pickets, we hope they will go out of their way not only to avoid provocation, but particularly to avoid doing anything which could be construed as the use of force.

ACTION PLAN - IN THE EVENT OF A STRIKE (continued)

Q. What about these "passes" the Union sometimes offer to allow people to enter plants? Should I take one if it is offered?

A. NO. You have every right to enter the plant without interference. The Union has no right to say that only those with passes can enter.

It is no different than if someone were to get together a mob and block the driveway of your home, and then tell you, you can pass only if you have his permission.

If you were to accept a picket line pass, you would be agreeing that the Union has a right to keep you out.

Q. If there is illegal picketing, how long will it take the Company to get an injunction?

A. It will depend on the case and the facts.

If the picketing is peaceful and carried on as the law allows, the Company would not be entitled to an injunction, but if there is violence and people are being threatened or pushed around, or the strike is illegal, then we would expect that a court would grant an injunction to protect our employees. If the facts warrant it, we will do everything necessary to seek an injunction in the shortest time possible.

B. Getting to Work

Employees will be expected to report to work as usual because the plant will be open for business, and a great deal of work needs to be done.

But, if the Plant Gates are picketed, as they undoubtedly will be, getting into work may take patience and time.

Conversations with local community police officials indicate several things employees should know:

First, if traffic backs up so badly, local police or State police will divert traffic to another route at the point of blockage. When the blockage is eased, traffic will be allowed to go through again.

This means that employees may well have to seek another route into the plant.

In summary, while it may take time and patience, salaried employees are expected to report to their jobs. Work will be available.

ACTION PLAN - IN THE EVENT OF A STRIKE (continued)

C. To Avoid Heavy Traffic

Should there be a strike, and to avoid abundance of traffic, it is suggested that Sun employees try to get rides to work with fellow employees.

It would be our recommendation that salaried employees "pool" ride in, particularly so that women ride with men who are driving. It is the individual employee's responsibility to make such arrangements.

- D. Supervisors are expected to advise salaried employees concerning any problems they experience in getting in. Salaried employees should not attempt to enter the plant if there is imminent risk of violence or property damage. Salaried employees should be encouraged to call in if they have any problems whatsoever.

EMERGENCY ACTION PLAN

OPERATION PLAN

GENERAL:

If faced with a strike, we may not be able to obtain raw materials or supplies, or ship product from the plant site for some time. It may be necessary to obtain an injunction and that may take up to ten (10) days and perhaps more. Finished goods will already have been restaged at various warehouses and should move from there to the customers. The ability to move any product or material into or out of the plant by truck may not exist owing to the Teamsters "struck goods" position. Even if a supervisor moves the material, it is speculative that a "Teamsters" driver would then transport it to a further destination.

Attempts will be made to obtain trucks on a normal basis the first day of the work stoppage. All resistance will be photographed and documented. Carriers have been alerted and supervisory personnel will assist where possible.

SECURITY

By October 1, 1995, the primary person for Plant Security, as designated in the Emergency Action Group, will contact a local security firm. Tentative arrangements will be made to secure around-the-clock plant perimeter security beginning the evening of October 28th for an indefinite length of time, the number of guards needed, to be determined by the Emergency Planning Committee.

Inquiries as to equipment and supplies needed, such as walkie-talkies, and not supplied by the security firm will be made at this time also. This will allow time for needed supplies to be purchased.

The primary person for Plant Security and his Alternate shall meet with the Plant Manager and Human Resource Manager two weeks prior to the expiration of the contract to determine key areas and equipment that are to be watched closely on the night of, and prior to, October 28 to prevent possible sabotage.

If a tentative agreement has not been reached by 9:00 AM, October 28, the security firm will be contacted by the primary action person for Plant Security and arrangements finalized for security guards to be on-site by 7:00 AM, October 28th.

Likewise, all Production, Maintenance, Shipping Supervisors and Managers for those areas, shall report to the plant at 9:00 PM. Should an impasse be reached and a strike called, they will ensure an orderly shutdown, with a minimum of damage to plant equipment.