

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1244 Speer Blvd.  
Suite 551  
Denver, CO 80204  
Phone: 605-251-2021 Fax: 720-264-6585



## Citation and Notification of Penalty

**To:**  
Pro-Tec Roofing, Inc.  
520 11th Ave. SE  
Watertown, SD 57201

**Inspection Number:** 1143071  
**Inspection Date(s):** 04/21/2016 - 05/06/2016  
**Issuance Date:** 07/28/2016

**Inspection Site:**  
1515 15th St. NE  
Watertown, SD 57201

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

**Posting** - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violations 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 violations 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 citations and/or penalties.

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 citations and/or proposed penalties within 15 working days after receipt, the citations and the proposed penalties will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

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

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

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

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

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

**Employer Discrimination Unlawful** – The law prohibits discrimination by an employer against an

employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

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

**Notice to Employees** – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citations issued on 07/28/2016. The conference will be held by telephone or at a mutually agreed upon location in Sioux Falls, SD on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1143071**

Company Name: Pro-Tec Roofing, Inc.  
Inspection Site: 1515 15th St. NE, Watertown, SD 57201  
Issuance Date: 07/28/2016

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 1244 Speer Blvd., Suite 551, Denver, CO 80204**

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

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

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

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

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

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

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

\_\_\_\_\_  
Signature  
\_\_\_\_\_  
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



**Citation and Notification of Penalty**

**Company Name:** Pro-Tec Roofing, Inc.  
**Inspection Site:** 1515 15th St. NE, Watertown, SD 57201

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

29 CFR 1910.1200(e)(1): Employers shall develop, implement, and maintain at each workplace, a written hazard communication program which at least describes how the criteria specified in paragraphs (f), (g), and (h) of this section for labels and other forms of warning, safety data sheets, and employee information and training will be met, and which also included a hazardous chemicals list and methods used to inform employees of the hazards of non-routine tasks:

**(a) Pro-Tec Roofing, Inc. @ 1515 15th St. NE, Watertown, SD 57071:** On or prior to April 21, 2016, the exposing employer did not ensure a written hazard communication program which at least described how the criteria specified for labels and other forms of warning, material safety data sheets, and employee information and training will be met, and which also included a hazardous chemicals list and methods used to inform employees of the hazards of non-routine tasks, had been developed for employee exposures, such as but not limited, to the following:

- (1) Carlisle Sure Seal 90-8-30A Bonding Adhesive- Adhesive which contains toluene, solvent naphtha, petroleum, light aliphatic, and acetone, and;
- (2) Carlisle HP-250 Primer-which contains toluene, heptane, and phenolic resin.

**Abatement Note:** The requirements applicable to construction work under 29 CFR 1926.56 are identical to those set forth at 29 CFR 1910.1200 of this chapter.

**Abatement Note:** Abatement certification and documentation is required for this item (see enclosed "Certification of Corrective Action Worksheet").

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/23/2016  
\$2640.00

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



**Citation and Notification of Penalty**

**Company Name:** Pro-Tec Roofing, Inc.  
**Inspection Site:** 1515 15th St. NE, Watertown, SD 57201

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

29 CFR 1910.1200(h)(1): Employers shall provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new chemical hazard the employees have not previously been trained about is introduced into their work area. Information and training may be designed to cover categories of hazards (e.g., flammability, carcinogenicity) or specific chemicals. Chemical-specific information must always be available through labels and safety data sheets:

(a) **Pro-Tec Roofing, Inc. @ 1515 15th St. NE, Watertown, SD 57071:** On and prior to April 21, 2016, the exposing employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees have not previously been trained about is introduced into their work area such as but not limited to:

(1) Carlisle Sure Seal 90-8-30A Bonding Adhesive- Adhesive which contains toluene, solvent naphtha, petroleum, light aliphatic, and acetone, and;

(2) Carlisle HP-250 Primer-which contains toluene, heptane, and phenolic resin.

**Abatement Note:**

(a) Employees shall be informed of:

(1) Any operation in their work area where hazardous chemicals are present; and,

(2) The location and availability of the written hazard communication program, including the required list(s) of hazardous chemicals, and safety data sheets required by this section.

(b) Employee training shall include at least:

(1) Methods and observations that may be used to detect the presence or release of a hazardous chemical in the work area (such as monitoring conducted by the employer, continuous monitoring

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



**Citation and Notification of Penalty**

**Company Name:** Pro-Tec Roofing, Inc.  
**Inspection Site:** 1515 15th St. NE, Watertown, SD 57201

devices, visual appearance or odor of hazardous chemicals when being released, etc.);

- (2) The physical and health hazards of the chemicals in the work area;
- (3) The measures employees can take to protect themselves from these hazards, including specific procedures the employer has implemented to protect employees from exposure to hazardous chemicals, such as appropriate work practices, emergency procedures, and personal protective equipment to be used;
- (4) The details of the hazardous communication program developed by the employer, including an explanation of the labeling system and the material safety data sheet, and how employees can obtain and use the appropriate hazard information.

**Abatement Note:** Abatement certification and documentation is required for this item (see enclosed "Certification of Corrective Action Worksheet").

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/23/2016  
\$2640.00



**Citation and Notification of Penalty**

**Company Name:** Pro-Tec Roofing, Inc.  
**Inspection Site:** 1515 15th St. NE, Watertown, SD 57201

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

29 CFR 1926.20(b)(2): The employer did not initiate and maintain programs which provided for frequent and regular inspections of the job site, materials and equipment to be made by a competent person(s):

- (a) **Pro-Tec Roofing, Inc. @ 1515 15th St. NE, Watertown, SD 57071:** On or prior to April 21, 2016, the exposing employer did not ensure employees were exposed to fall hazards, ladder hazards, electrical and fire hazards while conducting roofing work on the Watertown Community Center. A "competent" person had not conducted frequent and regular inspections to ensure employees were protected from roofing related hazards during the installation of the EPDM roof.

**Abatement Note:** OSHA defines a "competent" person as one who is capable of identifying existing and predictable hazards in the surroundings or working conditions which are unsanitary, hazardous, or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate them.

**Abatement Note:** Abatement certification and documentation are required for this item (see enclosed "Certification of Corrective Action Worksheet").

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/23/2016
Proposed Penalty:	\$3080.00



**Citation and Notification of Penalty**

**Company Name:** Pro-Tec Roofing, Inc.  
**Inspection Site:** 1515 15th St. NE, Watertown, SD 57201

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

29 CFR 1926.150(c)(1)(iv): One or more fire extinguishers, rated not less than 2A, shall be provided on each floor. In multistory buildings, at least one fire extinguisher shall be located adjacent to stairway.

(a) **Pro-Tec Roofing, Inc. @ 1515 15th St. NE, Watertown, SD 57071:** On or prior to April 21, 2016, the exposing employer did not ensure employees were protected from fire hazards during EPDM roof systems installation. The crew used a torch on the roof and did not have a fire extinguisher provided on the roof. Category 2 flammable adhesives were used on the roof and the employer did not have a fire extinguisher rated not less than 2A in the work area. This condition exposed employees to a fire hazard.

**Abatement Note:** Abatement certification is required for this item. (see enclosed, "Certification of Corrective Action Worksheet").

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/23/2016  
\$2640.00

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

Inspection Number: 1143071  
Inspection Date(s): 04/21/2016 - 05/06/2016  
Issuance Date: 07/28/2016



**Citation and Notification of Penalty**

**Company Name:** Pro-Tec Roofing, Inc.  
**Inspection Site:** 1515 15th St. NE, Watertown, SD 57201

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

29 CFR 1926.403(b)(1): The employer shall ensure that electrical equipment is free from recognized hazards that are likely to cause death or serious physical harm to employees:

- (a) **Pro-Tec Roofing, Inc. @ 1515 15th St. NE, Watertown, SD 57071:** On or prior to April 21, 2016, the exposing employer did not ensure adequate insulation on an extension cord as it was missing approximately 3 inches of outer sheath insulation near the female end. This condition exposed the employee to hazards such as electrical shock and burns.

**Abatement Note:** Abatement certification is required for this item. (see enclosed, "Certification of Corrective Action Worksheet").

Date By Which Violation Must be Abated: 08/23/2016  
Proposed Penalty: \$2640.00

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



**Citation and Notification of Penalty**

**Company Name:** Pro-Tec Roofing, Inc.  
**Inspection Site:** 1515 15th St. NE, Watertown, SD 57201

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

29 CFR 1926.502(f)(1): Warning lines were not erected around all sides of the roof work area:

- (a) **Pro-Tec Roofing, Inc. @ 1515 15th St. NE, Watertown, SD 57071:** On and prior to April 21, 2016, the exposing employer did not ensure that the warning line system that was being utilized as a fall protection system for employees conducting roofing activities on the Watertown Community Center was erected around all sides where fall hazards existed. The warning line system used was not fully erected on the north and south ends of the roof up to the point where the parapet wall reached a height of at least 39 inches. This condition exposed employees to a fall hazard of approximately 33 feet.

**Abatement Note:** Abatement certification is required for this item (See enclosed "Sample Abatement-Certification Worksheet").

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/23/2016
Proposed Penalty:	\$3080.00

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

**Inspection Number:** 1143071  
**Inspection Date(s):** 04/21/2016 - 05/06/2016  
**Issuance Date:** 07/28/2016



**Citation and Notification of Penalty**

**Company Name:** Pro-Tec Roofing, Inc.  
**Inspection Site:** 1515 15th St. NE, Watertown, SD 57201

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

29 CFR 1926.502(f)(1)(iii): Points of access, materials handling areas, storage areas, and hoisting areas shall be connected to the work area by an access path formed by two warning lines.

- (a) **Pro-Tec Roofing, Inc. @ 1515 15th St. NE, Watertown, SD 57071:** On and prior to April 21, 2016, the exposing employer did not ensure that the warning line system was connected to the work area by an access path formed by two warning lines. Employees accessed the main roof through a roof hatch that did not have warning lines creating a path to the east roof, where employees were engaged in EPDM roof installation on the Watertown Recreation Center. This condition exposed employees to a fall hazard of approximately 33 feet.

**Abatement Note:** Abatement certification is required for this item (see enclosed "Certification of Corrective Action Worksheet").

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/23/2016  
\$2640.00

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: 1143071  
Inspection Date(s): 04/21/2016 - 05/06/2016  
Issuance Date: 07/28/2016



**Citation and Notification of Penalty**

**Company Name:** Pro-Tec Roofing, Inc.  
**Inspection Site:** 1515 15th St. NE, Watertown, SD 57201

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

29 CFR 1926.1053(b)(4): Ladders were used for purposes other than the purposes for which they were designed:

- (a) **Pro-Tec Roofing, Inc. at 1515 15th St. NE, Watertown, SD 57071:** On and prior to April 21, 2016, the exposing employer allowed two Louisville 8-foot step ladders to be used in the closed position and leaned up against a parapet wall to allow employees to access the east roof of the Watertown Community Center. Using the step-ladders in this configuration is contrary to manufacturer's instructions and exposes employees to falling off the ladder. This hazard exposed the employee to falls from heights of approximately 6 feet.

**Abatement Note:** Abatement certification is required for this item (See enclosed "Sample Abatement-Certification Worksheet").

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/23/2016  
\$2640.00

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



**Citation and Notification of Penalty**

**Company Name:** Pro-Tec Roofing, Inc.  
**Inspection Site:** 1515 15th St. NE, Watertown, SD 57201

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

29 CFR 1926.501(b)(10): Each employee engaged in roofing activities on low-sloped roofs with unprotected sides and edges 6 feet (1.8m) or more above lower levels was not protected from falling by guardrail systems, safety net systems, personal fall arrest systems, or a combination of warning line systems and guardrail systems, warning line systems and safety net systems, or warning line systems and personal fall arrest systems, or warning line systems and safety monitoring systems:

- (a) **Pro-Tec Roofing, Inc. @1515 15th St. NE, Watertown, SD 57071:** On and prior to April 21, 2016, the exposing employer did not ensure employees engaged in EPDM roof system installation on the Watertown Community Center were protected from fall hazards. A warning line system was partially erected along the edge of a commercial roof as a means of fall protection. The employer did not dedicate a safety monitor to ensure employees working outside the warning line were aware of their proximity to the edge of the roof. On April 21, 2016, an employee working outside of the warning line system, fell approximately 33 feet and later died from injuries sustained from the fall. This condition exposed employees working outside of the warning line system to fall hazards of approximately 33 feet.

**Abatement Note:** Abatement certification and documentation are required for this item (See enclosed "Certification of Corrective Action Worksheet").

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/23/2016
Proposed Penalty:	\$30800.00



**Citation and Notification of Penalty**

**Company Name:** Pro-Tec Roofing, Inc.  
**Inspection Site:** 1515 15th St. NE, Watertown, SD 57201

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

29 CFR 1926.503(a)(1): The employer shall provide a training program for each employee who might be exposed to fall hazards. The program shall enable each employee to recognize the hazards of falling and shall train each employee in the procedures to be followed in order to minimize these hazards:

- (a) **Pro-Tec Roofing, Inc. @ 1515 15th St. NE, Watertown, SD 57071:** On and prior to April 21, 2016, the exposing employer did not ensure that each employee engaged in roofing operations on the Watertown Community Center, had been trained to recognize the hazards associated with working at elevations over 6 feet. The program shall enable each employee to recognize the hazards of falling and shall train each employee in the procedures to be followed in order to minimize these hazards. On April 21, 2016, an employee engaged in the installation of an EPDM roof system, fell approximately 33 feet to his death. Two new employees did not receive fall protection training before working at elevations over 6 feet. The condition exposed employees to the hazard of falling from an elevation of approximately 33 feet.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/23/2016  
\$24200.00

A handwritten signature in cursive script that reads "Sheila Stanley".

**Sheila Stanley**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1244 Speer Blvd.  
Suite 551  
Denver, CO 80204  
Phone: 605-251-2021 Fax: 720-264-6585



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Pro-Tec Roofing, Inc.  
**Inspection Site:** 1515 15th St. NE, Watertown, SD 57201  
**Issuance Date:** 07/28/2016

<b>Summary of Penalties for Inspection Number</b>	<b>1143071</b>
<b>Citation 1, Serious</b>	<b>\$22000.00</b>
<b>Citation 2, Willful</b>	<b>\$55000.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$77000.00</b>

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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. You can also make your payment electronically on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

OSHA does not agree to any restrictions or conditions or endorsements put on any check, money order, or electronic payment for less than the full amount due, and will 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

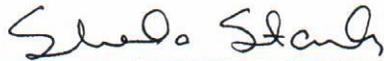
account, the bank will attempt to make the transfer up to 2 times.

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.

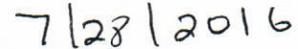
**Interest:** Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (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.



**Sheila Stanley**  
Area Director



Date