

**U.S. Department of Labor** Occupational Safety and Health Administration  
639 Granite Street  
Suite 114  
Braintree, MA 02184



08/17/2021

Atlantic Coast Utilities, LLC / Advanced Utilities, Inc., and its successors, including, but not limited to, Sterling Excavation, LLC  
and its successors  
15 Highgate Road  
Wayland, MA 01778

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 3000-04R) revised 2018, 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. Please contact me at (617) 565-6924.

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 dates 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 3 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 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 the citation. The running of this contest period is not interrupted by an informal conference.

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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,

**James Mulligan**  
Area Director

Enclosures

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
639 Granite Street  
Suite 114  
Braintree, MA 02184



## Citation and Notification of Penalty

**To:** Atlantic Coast Utilities, LLC / Advanced Utilities, Inc.,  
and its successors, including, but not limited to,  
Sterling Excavation, LLC  
and its successors  
15 Highgate Road  
Wayland, MA 01778

**Inspection Number:** 1524460  
**Inspection Date(s):** 04/09/2021 - 08/16/2021  
**Issuance Date:** 08/17/2021

**Inspection Site:**  
190 High Street  
Boston, MA 02110

*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 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 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 by calling (617) 565-6924. 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. You can also make your payment electronically at [www.pay.gov](http://www.pay.gov). At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. 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 citation(s) issued on 08/17/2021. The conference will be held by telephone or at the OSHA office located at 639 Granite Street, Suite 114, Braintree, MA 02184 on \_\_\_\_\_ at

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1524460**

Company Name: Atlantic Coast Utilities, LLC / Advanced Utilities, Inc., and its successors, including, but not limited to, Sterling Excavation, LLC  
Inspection Site: 190 High Street, Boston, MA 02110  
Issuance Date: 08/17/2021

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, 639 Granite Street, Suite 114, Braintree, MA 02184.**

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

\_\_\_\_\_  
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

**Inspection Number:** 1524460  
**Inspection Date(s):** 04/09/2021 - 08/16/2021  
**Issuance Date:** 08/17/2021

**Citation and Notification of Penalty**

**Company Name:** Atlantic Coast Utilities, LLC / Advanced Utilities, Inc., and its successors, including, but not limited to, Sterling Excavation, LLC  
**Inspection Site:** 190 High Street, Boston, MA 02110

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

29 CFR 1926.1203(a): Before it began work at a worksite, the employer did not ensure that a competent person identified all confined spaces in which one or more of the employees it directed may have worked, and/or did not identify each space that was a permit space, through consideration and evaluation of the elements of that space, including testing as necessary:

Location: Worksites

Employer is not ensuring that a competent person identifies the sewer line manhole adjacent to the excavation as a confined space through consideration and evaluation of the elements of the space in which employees are working and are exposed to a potentially hazardous atmosphere and engulfment hazards.

Abatement Certification and Documentation are required.

Employer shall have a competent person identify all confined spaces prior to the start of work and comply with the appropriate measures prior to entry.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

August 25, 2021  
\$13,653.00

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:** 1524460  
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### **Citation and Notification of Penalty**

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**Inspection Site:** 190 High Street, Boston, MA 02110

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

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

29 CFR 1926.1204(d)(1): The employer did not provide testing and monitoring equipment needed to comply with paragraph (e) of this section:

Location: Worksites

Employer is not providing testing and monitoring equipment to test conditions inside the sewer line manhole where employees are working and are being exposed to a potentially hazardous atmosphere and engulfment hazards.

Abatement Certification and Documentation are required.

Employer shall provide the appropriate and calibrated testing and monitoring equipment and have a competent person conduct testing prior to start of work and entry into any confined spaces by employees.

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

August 25, 2021

Proposed Penalty:

\$13,653.00

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:** 1524460  
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**Citation and Notification of Penalty**

**Company Name:** Atlantic Coast Utilities, LLC / Advanced Utilities, Inc., and its successors, including, but not limited to, Sterling Excavation, LLC  
**Inspection Site:** 190 High Street, Boston, MA 02110

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

29 CFR 1926.1204(e)(1)(i): Employer did not perform pre-entry testing to the extent feasible before entry was authorized:

Location: Worksites

Employer is not ensuring that before employees enter sewer line manholes that the internal atmosphere is being tested by a direct-reading instrument for oxygen content, flammable gases and vapors, and for potential toxic air contaminants.

Abatement Certification and Documentation are required.

The employer shall ensure that internal atmospheric testing is conducted by a competent person, utilizing the appropriate, calibrated equipment prior to employees entering those sewer manholes or other confined spaces.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

August 25, 2021  
\$0.00

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:** 1524460  
**Inspection Date(s):** 04/09/2021 - 08/16/2021  
**Issuance Date:** 08/17/2021

**Citation and Notification of Penalty**

**Company Name:** Atlantic Coast Utilities, LLC / Advanced Utilities, Inc., and its successors, including, but not limited to, Sterling Excavation, LLC  
**Inspection Site:** 190 High Street, Boston, MA 02110

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

29 CFR 1926.1204(d)(2): Employer did not provide, maintain and ensure use of ventilating equipment needed to obtain acceptable entry conditions:

Location: Worksites

Employer is not providing, maintaining or ensuring the use of ventilating equipment for employees who are working inside a sewer line manhole and are exposed to a potentially hazardous atmosphere and engulfment hazards.

Abatement Certification and Documentation are required.

The employer shall provide and maintain the appropriate ventilating equipment for all employees who have to work in sewer lines and/or other confined spaces where hazardous atmospheres could exist and ensure that the ventilating equipment is used.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

August 25, 2021

Proposed Penalty:

\$13,653.00

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

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**Issuance Date:** 08/17/2021

**Citation and Notification of Penalty**

**Company Name:** Atlantic Coast Utilities, LLC / Advanced Utilities, Inc., and its successors, including, but not limited to, Sterling Excavation, LLC  
**Inspection Site:** 190 High Street, Boston, MA 02110

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

29 CFR 1926.1204(d)(8): Employer did not provide and maintain rescue and emergency equipment needed to comply with paragraph (i) of this section:

Location: Worksites

Employer is not providing and maintaining rescue and emergency equipment for employees who are working inside the sewer line manhole and are being exposed to a potentially hazardous atmosphere and engulfment hazards.

Abatement Certification and Documentation are required.

The employer shall provide and maintain the appropriate rescue and emergency equipment as set forth in OSHA standards, for all employees working in sewer lines, manholes or other confined spaces.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

August 25, 2021  
\$13,653.00

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:** 1524460  
**Inspection Date(s):** 04/09/2021 - 08/16/2021  
**Issuance Date:** 08/17/2021

**Citation and Notification of Penalty**

**Company Name:** Atlantic Coast Utilities, LLC / Advanced Utilities, Inc., and its successors, including, but not limited to, Sterling Excavation, LLC  
**Inspection Site:** 190 High Street, Boston, MA 02110

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

29 CFR 1926.1205(a): Before entry was authorized, the employer did not document the completion of measures required by paragraph 1926.1204(c) of this standard by preparing an entry permit:

Location: Worksites

Employer is not preparing entry permits to document the completion of measures required by paragraph 1926.1204(c) of this standard before employees are working in sewer line manholes, and are exposed to a potentially hazardous atmosphere and engulfment hazards.

Abatement Certification and Documentation are required.

The employer shall have a competent person prepare and complete entry permits documenting the measures required by this standard prior to employees entering sewer line manholes and other confined spaces.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

August 25, 2021  
\$13,653.00

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:** 1524460  
**Inspection Date(s):** 04/09/2021 - 08/16/2021  
**Issuance Date:** 08/17/2021

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

**Company Name:** Atlantic Coast Utilities, LLC / Advanced Utilities, Inc., and its successors, including, but not limited to, Sterling Excavation, LLC  
**Inspection Site:** 190 High Street, Boston, MA 02110

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

29 CFR 1926.1207(a): The employer did not provide training to each employee whose work is regulated by this standard, and did not ensure that the employee possessed the understanding, knowledge, and skills necessary for the safe performance of duties in confined spaces in construction, assigned under this standard to include, but not limited to; the hazards in a permit space and methods used to isolate, control or in other ways protect employees from these hazards:

Location: Worksites

Employer is not providing training to each employee that enters sewer line manholes and are exposed to a potentially hazardous atmosphere and engulfment hazards and for those employees not authorized to perform entry rescue.

Abatement Certification and Documentation are required.

The employer shall have a competent person provide training in regard to the hazards to be encountered and the necessary skills for work to all employees who enter sewer line manholes and other confined spaces. The employer shall ensure that each trained employee demonstrates the necessary awareness and skills to comply with Subpart AA.

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

October 06, 2021  
\$13,653.00

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:** 1524460  
**Inspection Date(s):** 04/09/2021 - 08/16/2021  
**Issuance Date:** 08/17/2021

**Citation and Notification of Penalty**

**Company Name:** Atlantic Coast Utilities, LLC / Advanced Utilities, Inc., and its successors, including, but not limited to, Sterling Excavation, LLC  
**Inspection Site:** 190 High Street, Boston, MA 02110

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**Citation 2 Item 1**    Type of Violation: **Other-than-Serious**

29 CFR 1904.29(b)(1): A log of all recordable work-related injuries and illnesses (OSHA Form 300 or equivalent), was not completed in the detail as required by the regulation.

Location: Place of business

On or about February 24, 2021, the employer did not record the following two (2) fatalities on the OSHA Form 300 or equivalent for the calendar year 2021 that occurred when two (2) employees fell into an excavation that was deeper than five (5) feet deep and sustained fatal injuries.

Abatement Certification and Documentation is required.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	August 25, 2021
Proposed Penalty:	\$2,146.00

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:** 1524460  
**Inspection Date(s):** 04/09/2021 - 08/16/2021  
**Issuance Date:** 08/17/2021

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

**Company Name:** Atlantic Coast Utilities, LLC / Advanced Utilities, Inc., and its successors, including, but not limited to, Sterling Excavation, LLC  
**Inspection Site:** 190 High Street, Boston, MA 02110

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#### **Citation 2 Item 2**    Type of Violation: **Other-than-Serious**

29 CFR 1904.39(a)(1): The employer did not report within 8-hours the death of an employee resulting from a work-related incident.

Location: Worksite in front of 190 High Street, Boston:

On or about February 24, 2021, the employer did not report the following fatalities to OSHA that occurred when two (2) employees fell into an excavation that was deeper than five (5) feet deep and sustained fatal injuries.

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

August 25, 2021  
\$10,728.00

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**James Mulligan**  
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  
639 Granite Street  
Suite 114  
Braintree, MA 02184



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**INVOICE /  
DEBT COLLECTION NOTICE**

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**Company Name: Atlantic Coast Utilities, LLC / Advanced Utilities, Inc., and its successors, including, but not limited to, Sterling Excavation, LLC**  
**Inspection Site: 190 High Street, Boston, MA 02110**  
**Issuance Date: 08/17/2021**

**Summary of Penalties for Inspection Number: 1524460**

Citation 1 Item 1, Serious	\$13,653.00
Citation 1 Item 2a, Serious	\$13,653.00
Citation 1 Item 2b, Serious	\$0.00
Citation 1 Item 3, Serious	\$13,653.00
Citation 1 Item 4, Serious	\$13,653.00
Citation 1 Item 5, Serious	\$13,653.00
Citation 1 Item 6, Serious	\$13,653.00
Citation 2 Item 1, Other-than-Serious	\$2,146.00
Citation 2 Item 2, Other-than-Serious	\$10,728.00
<b>TOTAL PROPOSED PENALTIES:</b>	<b>\$94,792.00</b>

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 at [www.pay.gov](http://www.pay.gov). At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From the **OSHA Penalty Payment Form** search result, select Continue. 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 two 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.

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**James Mulligan**

Area Director

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Date