

U.S. Department of Labor Occupational Safety and Health Administration
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604



10/13/2022

Litana Development Inc
and its successors
50 Galesi Drive Suite 11
Wayne, NJ 07470

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 (201) 288-1700.

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.

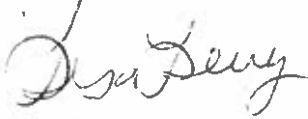
As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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. If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa Levy".

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



Citation and Notification of Penalty

To:

Litana Development Inc
and its successors
50 Galesi Drive Suite 11
Wayne, NJ 07470

Inspection Number: 1595046

Inspection Date(s): 04/15/2022 - 10/13/2022

Issuance Date: 10/13/2022

Inspection Site:

361 - 367 Marshall St
Paterson, NJ 07503

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 (201) 288-1700. 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. 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. 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

10/13/2022. The conference will be held by telephone or 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: 1595046

Company Name: Litana Development Inc
Inspection Site: 361 - 367 Marshall St. Paterson, NJ 07503
Issuance Date: 10/13/2022

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): _____

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



Citation and Notification of Penalty

Company Name: Litana Development Inc
Inspection Site: 361 - 367 Marshall St. Paterson, NJ 07503

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

29 CFR 1926.416(a)(1): Employees were permitted to work in proximity to electric power circuits and were not protected against electric shock by de-energizing and grounding the circuits or effectively guarding the circuits by insulation or other means:

A) Litana Development Inc does not ensure that subcontractors and or other workers working in proximity to energized power lines are protected against electric shock by de-energizing and grounding, effectively guarding, insulating or other means. Between the dates of 4/16/22 through 5/3/22, at 361 -367 Marshall St., Paterson NJ - Articulated Boom - Right Façade perpendicular to Marshall St., (a): Installation of Base Coat of Stucco - where stucco subcontractor Employee A was exposed to electrocution and electric shock hazards while engaged in the installation of first coat of stucco utilizing an articulated boom lift on a multi-story residential building approximately 7 feet from a power line that was not de-energized and grounded, guarded, insulated or protected by other means.

B) Litana Development Inc does not ensure that subcontractors and or other workers working in proximity to energized power lines are protected against electric shock by de-energizing and grounding, effectively guarding, insulating or other means. Between the dates of 4/16/22 through 5/3/22, at 361 -367 Marshall St., Paterson NJ - Articulated Boom - Left Façade perpendicular to Marshall St., (a): Installation of Base Coat of Stucco - where stucco subcontractor Employee B was exposed to electrocution and electric shock hazards while engaged in the installation of first coat of stucco utilizing an articulated boom lift on a multi-story residential building approximately 7 feet from a power line that was not de-energized and grounded, guarded, insulated or protected by other means.

Abatement: De-energize and ground, guard, insulate, relocate power lines or use other protective means.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

October 19, 2022

Proposed Penalty:

\$145,027.00



Citation and Notification of Penalty

Company Name: Litana Development Inc
Inspection Site: 361 - 367 Marshall St. Paterson, NJ 07503

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

29 CFR 1926.451(f)(6): Scaffolds were erected, used, dismantled, altered, or moved such that they, or any conductive material handled on them, could have come closer than the minimum distances established for specific voltages as set forth in the table in subparagraph (f)(6).

A) Litana Development Inc does not ensure that scaffolds utilized by its subcontractors and or other workers are at least 10 feet away from energized primary power lines. Between the dates of 4/15/22, at 361 -367 Marshall St., Paterson NJ - Pump Jack Scaffold Left Side - Marshall St. Façade, (a): Installation of Tyvek - when a carpentry subcontractor's employees are engaged in the installation of Tyvek were exposed to electrocution hazards while utilizing a pump jack scaffold platform that was approximately 3 feet from energized power lines carrying 13KV/26KV/69KV that was not de-energized and grounded, guarded, insulated or protected by other means.

B) Litana Development Inc does not ensure that scaffolds utilized by its subcontractors and or other workers are at least 10 feet away from energized primary power lines. Between the dates of 4/15/22, at 361 -367 Marshall St., Paterson NJ - Pump Jack Scaffold Right Side - Marshall St. Façade, (a): Installation of Tyvek - when a carpentry subcontractor's employees are engaged in the installation of Tyvek were exposed to electrocution hazards while utilizing a pump jack scaffold platform that was approximately 3 feet from energized power lines carrying 13KV/26KV/69KV that was not de-energized and grounded, guarded, insulated or protected by other means.

Abatement: De-energize and ground, guard, insulate, relocate power lines or use other protective means.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: October 19, 2022
Proposed Penalty: \$145,027.00



Citation and Notification of Penalty

Company Name: Litana Development Inc
Inspection Site: 361 - 367 Marshall St. Paterson, NJ 07503

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

29 CFR 1926.451(f)(6): Scaffolds were erected, used, dismantled, altered, or moved such that they, or any conductive material handled on them, could have come closer than the minimum distances established for specific voltages as set forth in the table in subparagraph (f)(6).

A) Litana Development Inc does not ensure that scaffolds utilized by its subcontractors and or other workers are at least 10 feet away from energized primary powerlines. Between the dates of 5/3/22, at 361 -367 Marshall St., Paterson NJ - Pump Jack Scaffold Left Side - Marshall St. Façade, (a): Installation of Tyvek - when a carpentry subcontractor's employees are engaged in the installation of Tyvek were exposed to electrocution hazards while utilizing a pump jack scaffold platform that was approximately 3 feet from energized power lines carrying 13KV/26KV/69KV that was not de-energized and grounded, guarded, insulated or protected by other means.

B) Litana Development Inc does not ensure that scaffolds utilized by its subcontractors and or other workers are at least 10 feet away from energized primary powerlines. Between the dates of 5/3/22, at 361 -367 Marshall St., Paterson NJ - Pump Jack Scaffold Right Side - Marshall St. Façade, (a): Installation of Tyvek - when a carpentry subcontractor's employees are engaged in the installation of Tyvek were exposed to electrocution hazards while utilizing a pump jack scaffold platform that was approximately 3 feet from energized power lines carrying 13KV/26KV/69KV that was not de-energized and grounded, guarded, insulated or protected by other means.

Abatement: De-energize and ground, guard, insulate, relocate power lines or use other protective means.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

October 19, 2022

Proposed Penalty:

\$145,027.00


Lisa Levy
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604



INVOICE / DEBT COLLECTION NOTICE

Company Name: Litana Development Inc
Inspection Site: 361 - 367 Marshall St, Paterson, NJ 07503
Issuance Date: 10/13/2022

Summary of Penalties for Inspection Number: 1595046

Citation 1 Item 1, Willful - Serious	\$145,027.00
Citation 1 Item 2, Willful - Serious	\$145,027.00
Citation 1 Item 3, Willful - Serious	\$145,027.00

TOTAL PROPOSED PENALTIES: **\$435,081.00**

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. You can also make your payment electronically at 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.

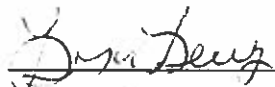
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor

(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.



Lisa Levy

Area Director

10/13/2022

Date

U.S. Department of Labor Occupational Safety and Health Administration
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604



10/13/2022

Elite Brothers Construction LLC
and its successors
432 E 24th Street
Paterson, NJ 07514

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 (201) 288-1700.

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.

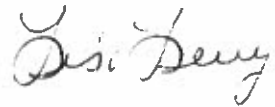
As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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. If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa Levy".

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



Citation and Notification of Penalty

To:
Elite Brothers Construction LLC
and its successors
432 E 24th Street
Paterson, NJ 07514

Inspection Number: 1594422
Inspection Date(s): 04/16/2022 - 10/13/2022
Issuance Date: 10/13/2022

Inspection Site:
361 - 367 Marshall St
Paterson, NJ 07503

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.

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

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NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 10/13/2022. The conference will be held by telephone or 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: 1594422

Company Name: Elite Brothers Construction LLC
Inspection Site: 361 - 367 Marshall St. Paterson, NJ 07503
Issuance Date: 10/13/2022

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): _____

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: 1594422
Inspection Date(s): 04/16/2022 - 10/13/2022
Issuance Date: 10/13/2022



Citation and Notification of Penalty

Company Name: Elite Brothers Construction LLC
Inspection Site: 361 - 367 Marshall St. Paterson, NJ 07503

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

29 CFR 1926.451(c)(1)(ii): Supported scaffolds with a height to base width (including outrigger supports, if used) ratio of more than four to one (4:1) were not restrained from tipping by installing guys, ties, and braces according to the manufacturer's recommendation.

a) At or near 361 -367 Marshall St., Paterson NJ - Frame Scaffold - Right façade perpendicular to Marshall St.: employees worked from a 5 tier high fabricated frame scaffold which was not tied, guyed or braced while engaged in masonry activities, on or about 5/3/22 through 6/7/22.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4,786.00

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: 1594422
Inspection Date(s): 04/16/2022 - 10/13/2022
Issuance Date: 10/13/2022



Citation and Notification of Penalty

Company Name: Elite Brothers Construction LLC
Inspection Site: 361 - 367 Marshall St. Paterson, NJ 07503

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 1926.451(c)(2): Supported scaffold poles, legs, posts, frames, or uprights did not bear on base plates and mud sills or other adequate firm foundation:

a) At or near 361 -367 Marshall St., Paterson NJ - Frame Scaffold - Right façade perpendicular to Marshall St.: employees worked from a 5 tier high fabricated frame scaffold erected without base plates on dirt while engaged in masonry activities, on or about 5/3/22 through 6/7/22.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4,786.00

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: 1594422
Inspection Date(s): 04/16/2022 - 10/13/2022
Issuance Date: 10/13/2022



Citation and Notification of Penalty

Company Name: Elite Brothers Construction LLC
Inspection Site: 361 - 367 Marshall St. Paterson, NJ 07503

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

29 CFR 1926.451(c)(2)(ii): Unstable objects were used to support scaffolds or platform units.

a) At or near 361 -367 Marshall St., Paterson NJ - Frame Scaffold - Right façade perpendicular to Marshall St.: employees worked from a 5 tier frame high scaffold erected on hollow concrete blocks while performing masonry activities, on or about 5/3/22 through 6/7/22.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

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: Elite Brothers Construction LLC
Inspection Site: 361 - 367 Marshall St. Paterson, NJ 07503

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

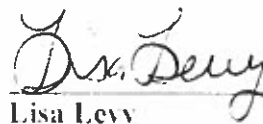
29 CFR 1926.416(a)(1): Employees were permitted to work in proximity to electric power circuits and were not protected against electric shock by de-energizing and grounding the circuits or effectively guarding the circuits by insulation or other means:

- a) At or near 361 -367 Marshall St., Paterson NJ - Articulated Boom - Left facade perpendicular to Marshall St.: employees were exposed to electric hazards while installing base stucco finish utilizing an articulated boom lift on a multi-story residential building approximately 7 feet from a 13KV/26KV/69KV primary lines, on or about 4/16/22 through 5/3/22.
- b) At or near 361 -367 Marshall St., Paterson NJ - Articulated Boom - Right facade perpendicular to Marshall St.: employees were exposed to electric hazards while installing base and finish stucco finish utilizing an articulated boom lift on a multi-story residential building approximately 7 feet from a 13KV/26KV/69KV primary lines, on or about 4/16/22 through 5/3/22.
- c) At or near 361 -367 Marshall St., Paterson NJ - Articulated Boom - Left facade perpendicular to Marshall St.: employees were exposed to electric hazards while installing final stucco finish utilizing an articulated boom lift on a multi-story residential building approximately 7 feet from a 13KV/26KV/69KV primary lines, on or about 5/3/22 through 6/7/22.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 24, 2022
\$31,906.00



Lisa Levy
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604



INVOICE / DEBT COLLECTION NOTICE

Company Name: Elite Brothers Construction LLC
Inspection Site: 361 - 367 Marshall St, Paterson, NJ 07503
Issuance Date: 10/13/2022

Summary of Penalties for Inspection Number: 1594422

Citation 1 Item 1, Serious	\$4,786.00
Citation 1 Item 2a, Serious	\$4,786.00
Citation 1 Item 2b, Serious	\$0.00
Citation 2 Item 1, Willful - Serious	\$31,906.00

TOTAL PROPOSED PENALTIES: **\$41,478.00**

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. You can also make your payment electronically at 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 the **OSHA Penalty Payment Form** search result, select Continue. The direct link is: <https://www.pay.gov/pay.gov/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.

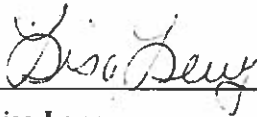
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 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.

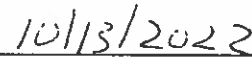
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per 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.



Lisa Levy

Area Director



Date

U.S. Department of Labor Occupational Safety and Health Administration
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604



10/13/2022

Prata Construction LLC
and its successors
3125 Route 10 East
Denville, NJ 07834

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 (201) 288-1700.

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.

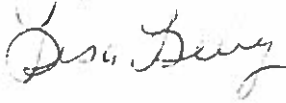
As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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. If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lisa Levy".

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



Citation and Notification of Penalty

To:

Prata Construction LLC
and its successors
3125 Route 10 East
Denville, NJ 07834

Inspection Number: 1590322

Inspection Date(s): 04/15/2022 - 10/13/2022

Issuance Date: 10/13/2022

Inspection Site:

361 - 367 Marshall St
Paterson, NJ 07503

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 (201) 288-1700. 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. 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. 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

10/13/2022. The conference will be held by telephone or 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: 1590322

Company Name: Prata Construction LLC
Inspection Site: 361 - 367 Marshall St. Paterson, NJ 07503
Issuance Date: 10/13/2022

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): _____

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



Citation and Notification of Penalty

Company Name: Prata Construction LLC
Inspection Site: 361 - 367 Marshall St. Paterson. NJ 07503

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

29 CFR 1926.452(j)(2): Poles were not secured to the structure by rigid triangular bracing or equivalent at the bottom, top, and other points as necessary.

a) Employees installed Tyvek on the building's façade from 2 pump jack scaffolds that were over 50 feet high which did not have triangular bracing installed at the bottom and other points as necessary, on or about 4/15/22, at or near 361-367 Marshall St., Paterson NJ.

b) Employees installed Tyvek on the building's façade from 2 pump jack scaffolds that were over 50 feet high which did not have triangular bracing installed at the bottom and other points as necessary, on or about 5/3/22, at or near 361-367 Marshall St., Paterson NJ.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4,786.00



Citation and Notification of Penalty

Company Name: Prata Construction LLC
Inspection Site: 361 - 367 Marshall St. Paterson, NJ 07503

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

29 CFR 1926.502(d)(15): Anchorage points used for attachment of personal fall arrest equipment were not independent of any anchorage point being used to support or suspend platforms and capable of supporting at least 5,000 pounds (22.2 kN) per employee

a) Employees installed Tyvek on the building's façade from 2 pump jack scaffolds that were over 50 feet high and the anchorage used for the personal fall arrest system was not installed per specifications to support at least 5,000 pounds, on or about 4/15/22, at or near 361-367 Marshall St., Paterson NJ.

b) Employees installed Tyvek on the building's façade from 2 pump jack scaffolds that were over 50 feet high and the anchorage used for the personal fall arrest system was not installed per specifications to support at least 5,000 pounds, on or about 5/3/22, at or near 361-367 Marshall St., Paterson NJ.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4,786.00

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

Inspection Number: 1590322
Inspection Date(s): 04/15/2022 - 10/13/2022
Issuance Date: 10/13/2022



Citation and Notification of Penalty

Company Name: Prata Construction LLC
Inspection Site: 361 - 367 Marshall St. Paterson, NJ 07503

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

29 CFR 1926.451(f)(6): Scaffolds were erected, used, dismantled, altered, or moved such that they, or any conductive material handled on them, could have come closer than the minimum distances established for specific voltages as set forth in the table in subparagraph (f)(6).

- a) At or near 361 -367 Marshall St., Paterson NJ - Pump Jack Scaffold Left Side - Marshall St. Façade: employees were exposed to electric hazards while installing Tyvek from a pump jack scaffold platform that was approximately 5 feet from a 13KV/26KV primary line, on or about 4/15/22
- b) At or near 361 -367 Marshall St., Paterson NJ - Pump Jack Scaffold Right Side - Marshall St. Façade: employees were exposed to electric hazards while installing Windows from a pump jack scaffold platform that was approximately 5 feet from a 13KV/26KV/69KV primary line, on or about 4/15/22
- c) At or near 361 -367 Marshall St., Paterson NJ - Pump Jack Scaffold Left Side - Marshall St. Façade: employees were exposed to electric hazards while installing siding from a pump jack scaffold platform that was approximately 5 feet from a 13KV primary line, on or about 5/3/22.
- d) At or near 361 -367 Marshall St., Paterson NJ - Pump Jack Scaffold Right Side - Marshall St. Façade: employees were exposed to electric hazards while installing siding from a pump jack scaffold platform that was approximately 5 feet from a 13KV primary line, on or about 5/3/22.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 24, 2022
\$31,906.00



Lisa Levy
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
500 Route 17 South
2nd Floor
Hasbrouck Heights, NJ 07604



INVOICE / DEBT COLLECTION NOTICE

Company Name: Prata Construction LLC
Inspection Site: 361 - 367 Marshall St, Paterson, NJ 07503
Issuance Date: 10/13/2022

Summary of Penalties for Inspection Number: 1590322

Citation 1 Item 1, Serious	\$4,786.00
Citation 1 Item 2, Serious	\$4,786.00
Citation 2 Item 1, Willful - Serious	\$31,906.00

TOTAL PROPOSED PENALTIES: **\$41,478.00**

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. You can also make your payment electronically at 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/pavgov/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.

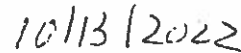
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent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



Lisa Levy
Area Director



Date