

Este documento es muy importante. Si ud. No habla inglés,
busque un traductor o llame al (316) 269-6644.

U.S. Department of Labor Occupational Safety and Health Administration
100 N. Broadway Suite 470
Wichita, KS 67202
Phone: (316) 269-6644 Fax: (316) 269-6185



February 28, 2024

Dear Abraham Peters,

On 09/01/2023, an OSHA compliance officer met with you or your representative as part of an inspection at 1200 East Pancake Boulevard, Liberal, KS 67901. This letter includes the citations for the violations that were found (see summary below). Please choose one of the three options from the box to the right and complete the associated steps found on the following page **within 15 working days**. Please call us if you have any questions about the enclosed citation and/or penalties; we are here to help you choose the best option to resolve your citation as quickly as possible.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd Underwood".

Todd Underwood, Area Director

Your Citation Summary

Red Barn Truck Wash & Service Center
LLC

Inspection Number: 1695602

Total Amount Due: \$171,680.00

**Payment Due Date: 15 working days
after receipt of
this letter**

You must correct each violation by the date listed in the Citation and Notification of Penalty. Please see the violations and the correction deadline for each violation starting on page 6.

Total Number of Violations: 2

**Your First Correction Deadline is:
03/25/24**

Step 1 – Choose a Response Option and *Act within 15 working days*

Respond now before you lose the ability to discuss potential adjustments to penalty amounts and/or due dates. Please choose one option below and complete the steps on the next page.

Option #1 – Discuss with OSHA

I would like to discuss the citation with an OSHA representative. This may lead to changes in the penalty amount, due date or correction deadlines (if appropriate).

Option #2 – Correct and Pay

I agree with the citation, penalties, and correction deadlines, and do not contest.

Option #3 – Contest the Citation

I do not agree with the citation, penalties, and/or correction deadlines, and would like to contest.

Questions or Concerns?

If you have any questions or concerns regarding the citation, penalties, and/or correction deadlines, please call us at (316) 269-6644.

Step 2 – Complete One Option Checklist

Please post a copy of the citation at or near the place where each violation occurred, even if you plan to contest. You can use the checklist to the right to help plan your next steps. Please do not send in your checklist.

Option #1 – Discuss with OSHA

I will complete by:

1. Call: (316) 269-6644 as soon as possible to schedule a meeting with an OSHA representative that must occur **within 15 working days** of receiving this citation. Bring supporting documentation of existing conditions and corrections done thus far. If necessary, you can still contest the citation after this meeting. ****This meeting does NOT extend your 15 working day deadline to contest the citation.****
2. Fill in and post the attached "Notice to Employees OSHA Informal Conference" after scheduling meeting.

___ / ___

___ / ___

Option #2 – Correct Violations and Pay Penalty

I will complete by:

1. Correct violations, then complete and mail the attached "Certification of Corrective Action Worksheet" along with the appropriate evidence of repair (e.g. photos, purchase orders, etc.) to the OSHA office listed on the first page, **postmarked within 10 calendar days after each violation's correction deadline and include any required evidence. If these documents are transmitted by means other than mailing, the date the Agency received the documents is the date of submission.**
2. Pay the **Total Penalty** by using one of the following methods:
****Include your Inspection Number (see first page) on the payment.****

___ / ___

___ / ___

Pay Online: Search "OSHA" on www.pay.gov and complete the "OSHA Penalty Payment Form." Pay by debit, credit or Automated Clearing House (ACH) **within 15 working days.** Penalties over \$25,000 must be paid by ACH and require a Transaction ID (Call 202-693-2170 to obtain one).

Pay by Check: Mail check or money order payable to "DOL-OSHA" for the Total Penalty to the OSHA office listed on the first page **within 15 working days.**

Option #3 – Contest the Citation

I will complete by:

Mail a letter of intent to legally contest to the OSHA office listed on the first page, postmarked within **15 working days.**

___ / ___

U.S. Department of Labor
Occupational Safety and Health Administration
100 N. Broadway
Suite 470
Wichita, KS 67202



Citation and Notification of Penalty

To:

Red Barn Truck Wash & Service Center LLC, dba Red
Barn Truck Wash
and its successors
1200 East Pancake Boulevard
Liberal, KS 67901

Inspection Number: 1695602

Inspection Date(s): 09/01/2023 - 02/21/2024

Issuance Date: 02/28/2024

Inspection Site:

1200 East Pancake Boulevard
Liberal, KS 67901

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 (316) 269-6644. 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

A telephone informal conference has been scheduled with OSHA to discuss the citation(s) issued on 02/28/2024. The conference will be held by telephone on _____ at _____, Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1695602

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901
Issuance Date: 02/28/2024

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, 100 N. Broadway, Suite 470, Wichita, KS 67202.**

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

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

29 CFR 1910.28(b)(1)(i): The employer did not ensure that each employee on a walking-working surface with an unprotected side or edge that is 4 feet (1.2m) or more above a lower level was protected from falling by guardrail systems, safety net system, or personal fall arrest system:

At 1200 East Pancake Blvd, Liberal, Kansas, the employer did not ensure that employees were protected from fall hazards of greater than 4 feet to the ground level below with a guardrail, netting, or other fall protection system. On September 28, 2023, during truck wash activities, employees were observed standing on the mid rail and top rail of a Ballymore mobile ladder stand to extend their reach, exposing employees to a fall hazard of approximately 9 feet from the top rail and approximately 7 feet from the mid rail to the concrete below.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

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

29 CFR 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program as described in 29 CFR 1910.95(c) through (n) whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level of 85 decibels or the adjusted TWA sound level in dBA for an extended work shift:

An effective hearing conservation program which included noise monitoring, audiometric testing of employees and training of employees as detailed in the standard was not instituted by Red Barn Truck Wash & Service Center, LLC.

Note: The 8-hour TWA sound level of 85 dBA that triggers the requirement for a hearing conservation program (HCP) can be adjusted for work shifts less than or greater than 8 hours. When making the adjustment, the following formula is used: $AL = 90 + 16.61 \log [50/10 (\text{hours})]$. Affected employees were exposed to continuous noise levels over a 10-hour work shift. Therefore, the TWA sound level that triggers the requirement for a HCP is adjusted or reduced for the affected employees to 83.4 dBA.

- a) On or about September 28, 2023, an employee who worked in the truck wash bays cleaned trucks with scrubbers and high pressure water. The employee was exposed to continuous noise levels at 70.7% of the allowable 10-hour time-weighted average sound level (83.4 dBA). The equivalent dBA level of 70.7% is approximately 87.4 dBA. The sampling was performed for 587 minutes.
- b) On or about September 28, 2023, an employee who worked in the truck wash bays cleaned trucks with scrubbers and high pressure water. The employee was exposed to continuous noise levels at 78.6% of the allowable 10-hour time-weighted average sound level (83.4 dBA). The equivalent dBA level of 78.6% is approximately 88.2 dBA. The sampling was performed for 571 minutes.
- c) On or about September 28, 2023, an employee who worked in the truck wash bays cleaned trucks with scrubbers and high pressure water. The employee was exposed to continuous noise levels at 88.8% of the allowable 10-hour time-weighted average sound level (83.4 dBA). The equivalent dBA level of 88.8% is approximately 89.1 dBA. The sampling was performed for 605 minutes.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:

March 25, 2024

Proposed Penalty:

\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

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

29 CFR 1910.134(c)(1): A written respiratory protection program that included the provisions in 29 CFR 1910.134(c)(1)(i) - (ix) with worksite specific procedures was not established and implemented for required respirator use:

On or about September 1, 2023, at 1200 East Pancake Blvd, Liberal, KS, the employer failed to establish and implement a respiratory protection program. The employer required employees to don tight-fitting, filtering facepiece respirators when performing tank cleanout activities.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

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

29 CFR 1910.134(d)(2)(i): The employer did not provide the following respirators for employee use in IDLH atmospheres:

- (A) A full facepiece pressure demand SCBA certified by NIOSH for a minimum service life of thirty minutes, or
- (B) A combination full facepiece pressure demand supplied-air respirator (SAR) with auxiliary self-contained air supply.

On or about September 1, 2023, at 1200 East Pancake Blvd, Liberal, KS, the employer provided tight-fitting, filtering facepiece respirators while performing tank cleanout activities. The respirators failed to provide sufficient protection in atmospheric conditions that were immediately dangerous to life and health due to the volume of hydrogen sulfide gas present inside the tank.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

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

29 CFR 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator before the employee was fit tested or required to use the respirator in the workplace:

On or about September 1, 2023, at 1200 East Pancake Blvd Liberal, Kansas, employees engaged in tanker trailer cleaning operations were exposed to respiratory hazards, in that the employer did not provide medical evaluations prior to required use of a 3M half-faced and Radnor N95 respirators.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,148.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

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

29 CFR 1910.134(f)(2): The employer did not ensure that an employee using a tight-fitting respirator was fit tested prior to initial use of the respirator, whenever a different respirator facepiece was used, and at least annually thereafter:

On or about September 1, 2023, at 1200 East Pancake Blvd Liberal, Kansas, employees engaged in tanker trailer cleaning operations were exposed to respiratory hazards, in that the employer did not provide a fit test prior to initial use of tight-fitting 3M half-faced and Radnor N95 respirators.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,148.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

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

29 CFR 1910.134(h)(2)(i): Respirators were not stored to protect them from damage, contamination, dust, sunlight, extreme temperatures, excessive moisture, and damaging chemicals or were not packed or stored to prevent deformation of the facepiece and exhalation valve:

At 1200 East Pancake Blvd Liberal, Kansas, employees engaged in tanker trailer cleaning operations were exposed to respiratory hazards, in that the employer did not ensure that half-face respirators were stored or packed when not in use. On or about September 28, 2023, a 3M half-face respirator was observed stored, by hanging the respirator on a fire extinguisher, in wash bay 2 area, and was not protected from damage, contamination, and dust.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$2,765.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

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

29 CFR 1910.134(k)(1): The employer did not provide effective training that covered the required elements in 1910.134(k)(1)(i) through 1910.134(k)(1)(vii):

On or about September 1, 2023, at 1200 East Pancake Boulevard in Liberal, Kansas, the employer failed to provide respiratory protection training to employees prior to required use of tight-fitting, filtering facepiece respirators during tank cleanout activities.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 9 Type of Violation: **Serious**

29 CFR 1910.146(c)(1): The employer did not evaluate the workplace to determine if any spaces were permit-required confined spaces:

On or about September 1, 2023, at 1200 East Pancake Blvd, Liberal, KS, the employer failed to evaluate the workplace for permit-required confined spaces. Employees were exposed to permit-required confined spaces including, but not limited to, when employees enter over-the-road tanker trailers to perform clean out activities. Employees are exposed to hazardous atmospheric conditions while inside tanker trailers from gases to include, but not limited to, hydrogen sulfide.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1910.146(c)(4): Employer has not fully developed (all elements), implemented and updated their current confined space program/procedures to protect employees who enter permit spaces and are exposed to potential hazards.

On or about September 1, 2023, at 1200 East Pancake Boulevard in Liberal, Kansas, the employer failed to develop a written permit space entry program. Employees entered over-the road tanker trailers to perform clean out activities.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1910.146(d)(3): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not develop and implement the means, procedures, and practices necessary for safe permit space entry operations:

At 1200 East Pancake Blvd Liberal, Kansas, on or about September 1, 2023, the employer failed to protect employees from respiratory hazards associated with performing tanker trailer cleaning activities in a confined space. The employer did not develop and implement the means, procedures, and practices necessary for safe permit-space entry operations prior entering a confined space. No procedures existed to specify acceptable entry conditions, provide for an authorized attendant, isolate the permit space, methods for purging, inerting, or venting, and provide a verification that conditions in the permit space are acceptable for entry throughout the duration of the entry.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 12 Type of Violation: **Serious**

29 CFR 1910.146(d)(4): The employer did not provide the equipment specified in paragraphs (d)(4)(i)-(d)(4)(ix) of this section at no cost to employees, did not maintain that equipment properly, and/or did not ensure that employees used that equipment properly:

On or about September 1, 2023, at 1200 East Pancake Boulevard in Liberal, Kansas, the employer failed to provide employees with necessary equipment prior to permit-required confined space entry. This was observed in the following instances:

1. Employees were not provided with atmospheric monitoring and testing equipment;
2. Employees were not provided with ventilating equipment needed to obtain acceptable entry conditions;
3. Employees were not provided with communication equipment; and
4. Employees were not provided with rescue and emergency equipment.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 13 Type of Violation: **Serious**

29 CFR 1910.146(d)(5)(i): The employer did not evaluate permit space conditions when entry operations were conducted by testing conditions in the permit space to determine if acceptable entry conditions existed before entry was authorized to begin:

At 1200 East Pancake Blvd Liberal, Kansas, on or about September 1, 2023, the employer failed to protect employees from respiratory hazards in permit-required confined spaces. The employer failed to evaluate or otherwise test conditions prior to permitting entry, to determine if conditions were safe to enter and conduct work.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 14 Type of Violation: **Serious**

29 CFR 1910.146(d)(6): The employer did not provide at least one attendant outside the permit space into which entry was authorized for the duration of entry operations:

At 1200 East Pancake Blvd Liberal, Kansas, on or about September 1, 2023, the employer failed to protect employees working in a permit-required confined space by providing at least one qualified attendant outside the space, in that the observer did not have knowledge of the potential hazards that entrants might face, such as signs and symptoms and consequences of exposure to hydrogen sulfide, nor was the observer aware of their responsibility to alert entrants to warning signs or symptoms of over-exposure to a dangerous situation and/or communicate the need to evacuate the space.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 15 Type of Violation: **Serious**

29 CFR 1910.146(d)(8): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not designate the persons who were to have active roles in entry operations, identify the duties of each such employee:

At 1200 East Pancake Blvd Liberal, Kansas, on or about September 1, 2023, the employer failed to protect employees working in a permit-required confined space by not designating persons to have active roles prior to entering a confined space. Active roles not assigned include attendants, and entry supervisors.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 16 Type of Violation: **Serious**

29 CFR 1910.146(d)(9): The employer did not develop and implement procedures for summoning rescue and emergency services, for rescuing entrants from permit spaces, for providing necessary emergency services to rescued employees, and/or for preventing unauthorized entry.

On or about September 1, 2023, at 1200 East Pancake Boulevard in Liberal, KS, the employer failed to develop procedures to summon emergency services. Employees routinely perform over-the-road tanker trailer cleanout services. The work activity required employees to enter and work inside permit-required confined spaces where the entrant is exposed to hazardous atmospheric conditions.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 17 Type of Violation: **Serious**

29 CFR 1910.146(d)(10): The employer did not develop and implement a system for the preparation, issuance, use, and cancellation of entry permits as required by this section.

On or about September 1, 2023, at 1200 East Pancake Boulevard in Liberal, Kansas, the employer failed to develop permit-required confined space entry permits for employees who performed over-the-road tanker trailer cleanout services. The work activity required employees to work inside permit-required confined spaces.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 18 Type of Violation: **Serious**

29 CFR 1910.146(g)(1): The employer did not provide training so that all employees whose work was regulated by 29 CFR 1910.146 (permit required confined spaces) acquired the understanding, knowledge, and skills necessary for the safe performance of the duties assigned under 29 CFR 1910.146:

On or about September 1, 2023, at 1200 East Pancake Blvd, Liberal, Kansas, the employer failed to provide training such that the entrant employee acquired the understanding, knowledge, and skills necessary for safe entry operations. The entrant employee routinely entered over-the-road tanker trailers that previously contained decomposing animal wastes which exposed the entrant to hazardous atmospheric conditions due to hydrogen sulfide gas.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 19 Type of Violation: **Serious**

29 CFR 1910.146(g)(1): The employer did not provide training so that all employees whose work was regulated by 29 CFR 1910.146 (permit required confined spaces) acquired the understanding, knowledge, and skills necessary for the safe performance of the duties assigned under 29 CFR 1910.146:

On or about September 1, 2023, at 1200 East Pancake Blvd, Liberal, Kansas, the employer failed to provide training such that the attendant employee acquired the understanding, knowledge, and skills necessary for safe entry operations. The attendant employee routinely observed over-the-road tanker trailers entry that previously contained decomposing animal wastes which exposed the entrant to hazardous atmospheric conditions due to hydrogen sulfide gas.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 20 Type of Violation: **Serious**

29 CFR 1910.146(g)(1): The employer did not provide training so that all employees whose work was regulated by 29 CFR 1910.146 (permit required confined spaces) acquired the understanding, knowledge, and skills necessary for the safe performance of the duties assigned under 29 CFR 1910.146:

On or about September 1, 2023, at 1200 East Pancake Blvd, Liberal, Kansas, the employer failed to provide training such that an effected employee acquired the understanding, knowledge, and skills necessary for safe entry operations. The effected employee routinely assists in the cleaning of over-the-road tanker trailers entry that previously contained decomposing animal wastes which exposed the entrant to hazardous atmospheric conditions due to hydrogen sulfide gas.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,839.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 21 Type of Violation: **Serious**

29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use:

On or about September 1, 2023, at 1200 East Pancake Blvd, in Liberal, Kansas, the employer failed to ensure that employees were provided with a suitable eyewash station. Employees were routinely exposed to corrosive chemicals when conducting over-the-road trailer cleaning to include but not limited to ChemStation 5456, which contains sodium hydroxide, and ChemStation 9450, which contains hydrochloric acid which are corrosive.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,148.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 22 Type of Violation: **Serious**

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met:

On or about September 1, 2023, at 1200 East Pancake Blvd, in Liberal, Kansas, the employer did not implement and establish a hazard communication program. Employees routinely use cleaning chemicals to include, but not limited to, ChemStation 5456 that contains sodium hydroxide which is corrosive, ChemStation 9450 that contains hydrochloric acid which is corrosive, ChemStation 9575 that contains phosphoric acid and citric acid which are irritants, and ChemStation 45642 that contains 2-butoxy-ethanol which is an irritant, when performing daily cleaning tasks.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$4,148.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 23 Type of Violation: **Serious**

29 CFR 1910.1200(g)(8): The employer shall maintain in the workplace copies of the required safety data sheets for each hazardous chemical, and shall ensure that they are readily accessible during each work shift to employees when they are in their work area(s). (Electronic access and other alternatives to maintaining paper copies of the safety data sheets are permitted as long as no barriers to immediate employee access in each workplace are created by such options.)

On or about September 1, 2023, at 1200 East Pancake Blvd, in Liberal, Kansas, the employer did not ensure that employees were provided with access to safety data sheets (SDS's). Hazardous chemicals used in the workplace include, but are not limited to ChemStation 5456 that contains sodium hydroxide which is corrosive, ChemStation 9450 that contains hydrochloric acid which is corrosive, ChemStation 9575 that contains phosphoric acid and citric acid which are irritants, ChemStation 45642 that contains 2-butoxy-ethanol which is an irritant, and ZAP RTU31 that contains sulfuric acid, phosphoric acid, and ammonium bifluoride which are corrosive.

29 CFR 1903.19(e)(1) requires certification that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$2,765.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

Citation 1 Item 24 Type of Violation: **Serious**

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

On or about September 1, 2023, at 1200 East Pancake Blvd, in Liberal, Kansas, the employer failed to provide hazard communication training. Employees routinely used cleaning chemicals to include, but not limited to sodium hydroxide, hydrochloric, phosphoric acid, 2-butoxy-ethanol, and citric acid which are corrosive and skin and eye irritants, when performing daily cleaning tasks.

29 CFR 1903.19(c)(1) requires certification that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:

March 25, 2024

Proposed Penalty:

\$2,765.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

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

29 CFR 1910.146(d)(2): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not identify and evaluate the hazards of permit spaces before employees entered:

At 1200 East Pancake Blvd Liberal, Kansas, on or about November 3, 2023, the employer failed to protect employees from hazards associated with performing tanker trailer cleaning activities in a confined space. The employer did not identify and evaluate the hazards associated with truck tank trailer prior entering a confined space to conduct cleaning operations.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$32,265.00

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: 1695602
Inspection Date(s): 09/01/2023 - 02/21/2024
Issuance Date: 02/28/2024



Citation and Notification of Penalty

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901

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

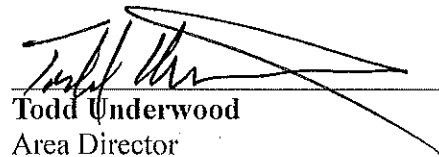
29 CFR 1910.146(g)(1): The employer did not provide training so that all employees whose work was regulated by 29 CFR 1910.146 (permit required confined spaces) acquired the understanding, knowledge, and skills necessary for the safe performance of the duties assigned under 29 CFR 1910.146:

On or about November 3, 2023, the employer failed to protect employees from hazards associated with tanker trailer cleaning operations inside a confined space, in that the employer did not provide employees with training to address physical hazards, such as limited entry/egress, 220 degree water used to flush the tank, atmospheric hazards such as oxygen deficiency/enrichment, flammable environments, and toxic environments.

29 CFR 1903.19(d)(1) requires certification and documentation that the abatement of the above violation is complete.

Date By Which Violation Must be Abated:
Proposed Penalty:

March 25, 2024
\$32,265.00



Todd Underwood
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
100 N. Broadway
Suite 470
Wichita, KS 67202



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Red Barn Truck Wash & Service Center LLC, dba Red Barn Truck Wash
Inspection Site: 1200 East Pancake Boulevard, Liberal, KS 67901
Issuance Date: 02/28/2024

Summary of Penalties for Inspection Number: 1695602

Citation 1 Item 1, Serious	\$4,839.00
Citation 1 Item 2, Serious	\$4,839.00
Citation 1 Item 3, Serious	\$4,839.00
Citation 1 Item 4, Serious	\$4,839.00
Citation 1 Item 5, Serious	\$4,148.00
Citation 1 Item 6, Serious	\$4,148.00
Citation 1 Item 7, Serious	\$2,765.00
Citation 1 Item 8, Serious	\$4,839.00
Citation 1 Item 9, Serious	\$4,839.00
Citation 1 Item 10, Serious	\$4,839.00
Citation 1 Item 11, Serious	\$4,839.00
Citation 1 Item 12, Serious	\$4,839.00
Citation 1 Item 13, Serious	\$4,839.00
Citation 1 Item 14, Serious	\$4,839.00
Citation 1 Item 15, Serious	\$4,839.00
Citation 1 Item 16, Serious	\$4,839.00
Citation 1 Item 17, Serious	\$4,839.00
Citation 1 Item 18, Serious	\$4,839.00
Citation 1 Item 19, Serious	\$4,839.00
Citation 1 Item 20, Serious	\$4,839.00
Citation 1 Item 21, Serious	\$4,148.00
Citation 1 Item 22, Serious	\$4,148.00
Citation 1 Item 23, Serious	\$2,765.00
Citation 1 Item 24, Serious	\$2,765.00
Citation 2 Item 1, Willful - Serious	\$32,265.00
Citation 2 Item 2, Willful - Serious	\$32,265.00

TOTAL PROPOSED PENALTIES: **\$171,680.00**

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.

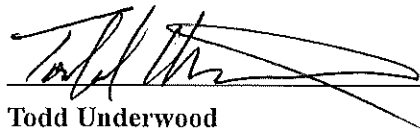
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



Todd Underwood

Area Director

2-28-2024

Date