

**U.S. Department of Labor** Occupational Safety and Health Administration  
2020 S. Arlington Heights Road  
Suite 102  
Arlington Heights, IL 60005



05/14/2024

K.L.F. Enterprises, Inc.  
and its successors  
2300 W. 167th Street  
Markham, IL 60428

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), 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 (847) 227-1700.

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

Sincerely,



**Sukhvir Kaur**  
Area Director

Enclosures

## U.S. Department of Labor

Occupational Safety and Health Administration  
2020 S. Arlington Heights Road  
Suite 102  
Arlington Heights, IL 60005



# Citation and Notification of Penalty

**To:**

K.L.F. Enterprises, Inc.  
and its successors  
2300 W. 167th Street  
Markham, IL 60428

**Inspection Number:** 1710852**Inspection Date(s):** 11/16/2023 - 05/13/2024**Issuance Date:** 05/14/2024**Inspection Site:**

2615 Washington Street  
Waukegan, IL 60085

*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 (847) 227-1700. 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](http://www.pay.gov). At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

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

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

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

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

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

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

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

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 05/13/2024. The conference will be held by telephone or at the OSHA office located at 2020 S. Arlington Heights Road, Suite 102, Arlington Heights, IL 60005 on 05/13/2024 at 2:00 PM. Employees and/or representatives of employees have a right to attend an informal conference.

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1710852**

Company Name: K.L.F. Enterprises, Inc.  
Inspection Site: 2615 Washington Street, Waukegan, IL 60085  
Issuance Date: 05/14/2024

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, 2020 S. Arlington Heights Road, Suite 102, Arlington Heights, IL 60005.**

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:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington Street, Waukegan, IL 60085

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

29 CFR 1926.21(b)(2): The employer did not instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to his/her environment to control or eliminate any hazards or other exposure to illness or injury:

a) On or about November 16, 2023, an employee was not provided with the instructions from an employer regarding the recognition and avoidance of unsafe conditions and the applicable regulations or how to control or eliminate any hazards associated with the demolition work. An employee was observed performing interior demolition work while the building was actively being demolished with the use of heavy machinery. An employee was exposed to multiple hazards associated with demolition work such as fall hazards, struck-by hazards, impalement hazard, and unexpected building collapse hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

June 10, 2024  
\$11,292.00





**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington Street, Waukegan, IL 60085

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

29 CFR 1926.21(b)(2): The employer did not instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to his/her environment to control or eliminate any hazards or other exposure to illness or injury:

a) On or about November 16, 2023, an employee was not provided with the instructions from an employer regarding the recognition and avoidance of unsafe conditions and the applicable regulations or how to control or eliminate any hazards associated with the demolition work. An employee was observed performing interior demolition work while the building was actively being demolished with the use of heavy machinery. An employee was exposed to multiple hazards associated with demolition work such as fall hazards, struck-by hazards, impalement hazard, and unexpected building collapse hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

June 10, 2024  
\$11,292.00

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

**Inspection Number:** 1710852  
**Inspection Date(s):** 11/16/2023 - 05/13/2024  
**Issuance Date:** 05/14/2024



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington Street, Waukegan, IL 60085

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

29 CFR 1926.102(a)(1): Employees were not provided with eye and face protection equipment when machines or operations present potential eye or face injury from physical, chemical, or radiation agents:

a) On November 16, 2023, employees were exposed to eye and face injury while engaged in torch cutting operations.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET)

Date By Which Violation Must be Abated:  
Proposed Penalty:

June 10, 2024  
\$9,680.00

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:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington Street, Waukegan, IL 60085

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

29 CFR 1926.501(b)(1): Each employee on a walking/working surface with an unprotected side or edge which was 6 feet (1.8 m) or more above a lower level was not protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems:

a) On November 17, 2023, employees engaged in demolition operations were exposed to fall hazards while walking and working along an unprotected edge of the floor deck.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:

June 10, 2024

Proposed Penalty:

\$11,292.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington Street, Waukegan, IL 60085

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

29 CFR 1926.501(b)(4)(i): Each employee on walking/working surfaces was not protected from falling through holes (including skylights), more than six feet (1.8 m) above lower levels, by personal fall arrest systems, covers, or guardrail systems erected around such holes:

a) On November 16, 2023, an employee engaged in demolition operations was exposed to fall hazard of approximately one story while working around an unprotected floor hole.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:

June 10, 2024

Proposed Penalty:

\$11,292.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington Street, Waukegan, IL 60085

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

29 CFR 1926.501(b)(4)(i): Each employee on walking/working surfaces was not protected from falling through holes (including skylights), more than six feet (1.8 m) above lower levels, by personal fall arrest systems, covers, or guardrail systems erected around such holes:

a) On November 16, 2023, employees engaged in demolition operations was exposed to fall hazard of approximately one story while working around an unprotected floor hole.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:

June 10, 2024

Proposed Penalty:

\$11,292.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington Street, Waukegan, IL 60085

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

29 CFR 1926.503(a)(1): The employer did not provide a training program for each employee potentially exposed to fall hazards to enable each employee to recognize the hazards of falling and the procedures to be followed in order to minimize these hazards:

a) On or about November 16, 2023, employer did not provide training to each employee engaged in demolition work in order to recognize fall hazards and to understand procedures to control or minimize those hazards.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:

June 10, 2024

Proposed Penalty:

\$11,292.00

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

**Inspection Number:** 1710852  
**Inspection Date(s):** 11/16/2023 - 05/13/2024  
**Issuance Date:** 05/14/2024



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington Street, Waukegan, IL 60085

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

29 CFR 1926.701(b): All protruding reinforcing steel, onto and/or into which employees could fall or come against, was not guarded to eliminate the hazard of impalement:

a) On November 16, 2023, employees engaged in demolition operations were exposed to impalement hazards while working around unprotected rebar.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

June 10, 2024  
\$9,680.00

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:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington Street, Waukegan, IL 60085

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

29 CFR 1926.850(a): Employer will perform an engineering survey, made by a competent person, of the structure to determine the condition of the framing, floors, and walls, and possibility of unplanned collapse of any portion of the structure. Any adjacent structure where employees may be exposed shall also be similarly checked. Employer will perform engineering survey required prior to permitting employees to start demolition operations.

a) On or about November 16, 2023, the employer did not perform an engineering survey to determine the conditions of the floors, walls, and possibility of unplanned collapse of any portion of the structure, prior to permitting employees to enter the jobsite.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated: June 10, 2024  
Proposed Penalty: \$11,292.00

  
\_\_\_\_\_  
**Sukhvir Kaur**  
Area Director



**U.S. Department of Labor**  
Occupational Safety and Health Administration  
2020 S. Arlington Heights Road  
Suite 102  
Arlington Heights, IL 60005



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**INVOICE /  
DEBT COLLECTION NOTICE**

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**Company Name: K.L.F. Enterprises, Inc.**  
**Inspection Site: 2615 Washington Street, Waukegan, IL 60085**  
**Issuance Date: 05/14/2024**

Summary of Penalties for Inspection Number: 1710852

Citation 1 Item 1, Serious	\$11,292.00
Citation 1 Item 2, Serious	\$11,292.00
Citation 1 Item 3, Serious	\$9,680.00
Citation 1 Item 4, Serious	\$11,292.00
Citation 1 Item 5, Serious	\$11,292.00
Citation 1 Item 6, Serious	\$11,292.00
Citation 1 Item 7, Serious	\$11,292.00
Citation 1 Item 8, Serious	\$9,680.00
Citation 1 Item 9, Serious	\$11,292.00

**TOTAL PROPOSED PENALTIES: \$98,404.00**

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](http://www.pay.gov). At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From the **OSHA Penalty Payment Form** search result, select Continue. The direct link is: <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular

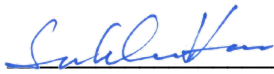
account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to two times.

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

**Interest:** Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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

**Administrative Costs:** Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



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**Sukhvir Kaur**

Area Director

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**May 14, 2024**

Date

**U.S. Department of Labor** Occupational Safety and Health Administration  
2020 S. Arlington Heights Road  
Suite 102  
Arlington Heights, IL 60005



05/14/2024

K.L.F. Enterprises, Inc.  
and its successors  
2300 W. 167th Street  
Markham, IL 60428

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), 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 (847) 227-1700.

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Sincerely,



**Sukhvir Kaur**  
Area Director

Enclosures

# U.S. Department of Labor

Occupational Safety and Health Administration  
2020 S. Arlington Heights Road  
Suite 102  
Arlington Heights, IL 60005



## Citation and Notification of Penalty

**To:**  
K.L.F. Enterprises, Inc.  
and its successors  
2300 W. 167th Street  
Markham, IL 60428

**Inspection Number:** 1711141  
**Inspection Date(s):** 11/16/2023 - 05/13/2024  
**Issuance Date:** 05/14/2024

**Inspection Site:**  
2615 Washington St.  
Waukegan, IL 60085

*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 (847) 227-1700. 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](http://www.pay.gov). At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

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

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

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

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

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

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

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

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 05/14/2024. The conference will be held by telephone or at the OSHA office located at 2020 S. Arlington Heights Road, Suite 102, Arlington Heights, IL 60005 on \_\_\_\_\_ at \_\_\_\_\_ . Employees and/or representatives of employees have a right to attend an informal conference.



**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1711141**

Company Name: K.L.F. Enterprises, Inc.  
Inspection Site: 2615 Washington St., Waukegan, IL 60085  
Issuance Date: 05/14/2024

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, 2020 S. Arlington Heights Road, Suite 102, Arlington Heights, IL 60005.**

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:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

Citation 1 Item 1 a 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: (Construction Reference 1926.103)(a)

a) On or about November 16, 2023, K.L.F. Enterprises, Inc., did not provide medical evaluation to determine employees' ability to use a respirator before the employees were required to use negative pressure half face respirators while performing interior demolition at 2615 Washington St., Waukegan, IL 60085.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1101(m)(1)(i)(B):For employees otherwise required by this standard to wear a negative pressure respirator, employers did not ensure employees are physically able to perform the work and use the equipment. This determination was not made under the supervision of a physician:

a) On or about November 16, 2023, K.L.F. Enterprises, Inc., did not ensure employees were physically able to perform the work and use the equipment for employees required to wear a negative pressure respirator while performing interior demolition at 2615 Washington St., Waukegan, IL 60085.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$0.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1910.134(f)(1):The employer did not ensure that employee(s) required to use a tight-fitting facepiece respirator passed the appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT): (Construction Reference 1926.103)(a)

a) On or about November 16, 2023, K.L.F. Enterprises, Inc., did not ensure employees required to wear a tight-fitting facepiece respirator while performing interior demolition at 2615 Washington St., Waukegan, IL 60085 passed the appropriate fit test.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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 3 a** Type of Violation: **Serious**

29 CFR 1926.62(d)(1)(i): Each employer who had a workplace or operation covered by 29 CFR 1926.62 did not initially determine if any employee was exposed to lead at or above the action level of 30 micrograms per cubic meter of air (30  $\hat{I}$ ¼g/m<sup>3</sup>) calculated as an 8-hour time-weighted average (TWA):

a) On or about November 16, 2023, K.L.F. Enterprises, Inc. did not initially determine if any employee was exposed to lead at or above the action level of 30 micrograms per cubic meter of air (30 ug/m<sup>3</sup>) calculated as an 8-hour time-weighted average (TWA). Employees were exposed to lead during structural demolition of a building located at 2615 Washington St., Waukegan, IL 60085, where an employee was using an oxy-acetylene torch to cut a structural beam that had been covered with paint containing up to 0.15% lead.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00

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:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.62(d)(2)(iv): Until the employer performed an employee exposure assessment as required by 29 CFR 1926.62(d), and documented that the employee(s) performing any of the tasks listed in 29 CFR 1926.62(d)(iv) were not exposed to lead in excess of 2,500 micrograms per cubic meter, 50 times the Permissible Exposure Limit, the employer did not treat the employee(s) as if the employee(s) were exposed to lead in excess of 2,500 micrograms per meter cubed, and did not implement employee protective measures as prescribed in 29 CFR 1926.62(d)(2)(v):

a) On or about November 16, 2023, K.L.F. Enterprises, Inc. did not implement employee protective measures (including but not limited to respiratory protection, change areas, hand washing facilities, biological monitoring and training) as prescribed in 29 CFR 1926.62(d)(2)(v) in the absence of an employee exposure assessment. Employees were exposed to lead during structural demolition of a building located at 2615 Washington St., Waukegan, IL 60085, where an employee was using an oxy-acetylene torch to cut a structural beam that had been covered with paint containing up to 0.15% lead.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$0.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1101(f)(2)(ii): The employer failed to presume that employees were exposed in excess of the TWA and excursion limit during Class I asbestos work, prior to a negative exposure assessment made pursuant to 29 CFR 1926.1101(f)(2)(iii) or exposure monitoring was conducted:

a) On or about November 16, 2023, in the absence of initial personal air monitoring results, while having information and observations pertaining to the presence of fireproofing insulation, containing up to 15% chrysotile asbestos, on structural steel, K.L.F. Enterprises, Inc., did not presume that employees were exposed to asbestos in excess of the TWA and excursion limit. KLF employees were engaged in Class I asbestos work, during mechanical demolition of a building located at 2615 Washington St., Waukegan, IL 60085.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$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:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1153(c)(1): For each employee engaged in a task identified on Table 1, the employer did not fully and properly implement the engineering controls, work practices, and respiratory protection specified for the task on Table 1, unless the employer assesses and limits the exposure of the employee to respirable crystalline silica in accordance with paragraph (d) of this section.

a) On or about November 16, 2023, K.L.F. Enterprises, Inc. did not fully and properly implement the engineering controls, work practices, and respiratory protection specified for the task on Table 1 with respect to excavators used to fracture concrete and brick containing 10-20% crystalline silica during demolition activities. Employees were exposed to crystalline silica during interior and exterior demolition at 2615 Washington St., Waukegan, IL 60085.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$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:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1153(d)(2)(i): The employer did not assess the exposure of each employee who was or may reasonably be expected to be exposed to respirable crystalline silica at or above the action level in accordance with either the performance option in paragraph (d)(2)(ii) or the scheduled monitoring option in paragraph (d)(2)(iii) of this section:

a) On or about November 16, 2023, K.L.F. Enterprises, Inc. did not assess the exposure of each employee who was or may reasonably be expected to be exposed to respirable crystalline silica at or above the action level in accordance with either the performance or the scheduled monitoring options outlined in this section. Employees were exposed to demolition dust containing 10-20% crystalline silica during interior and exterior demolition at 2615 Washington St., Waukegan, IL 60085.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$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:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.62(l)(1)(ii): The employer did not train each employee who were subject to exposure to lead at or above the action level on any day, or who were subject to exposure to lead compounds which may cause skin or eye irritation (e.g., lead arsenate, lead azide) in accordance with the requirements of 29 CFR 1926.62 and the employer did not institute a training program and ensure employee participation in the program:

a) On or about November 16, 2023, K.L.F. Enterprises, Inc. did not provide information and training on the health hazards of lead (in accordance with the provisions of HCS and paragraph (l)(1)(i) of this section); the specific nature of operations which could result in exposure; the purpose, selection, fitting, use and limitations of respirators; the purpose of the medical surveillance program and the engineering controls and work practices associated with the employee's work. During structural demolition of a building located at 2615 Washington St., Waukegan, IL 60085, the foreman was operating an excavator, holding a structural beam in the excavator's grapples, while two co-workers were using an oxy-acetylene torch to cut a structural beam that had been painted with paint containing up to 0.15% lead.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1101(e)(1): All Class I, II, and III asbestos work was not conducted within regulated areas.

a) On or about November 16, 2023, K.L.F. Enterprises, Inc., conducted demolition work at 2615 Washington St., Waukegan, IL 60085 and removed fireproofing insulation sprayed on structural beams, which contained 15% chrysotile asbestos, thereby exposing employees to the hazards associated with asbestos. The employer did not ensure that Class I Asbestos work was performed in a regulated area equipped with ancillary facilities including but not limited to decontamination and shower areas, pursuant to 29 CFR 1926.1101 regulations.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00

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:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1101(g)(3)(iii): Dust and debris containing asbestos containing material and presumed asbestos containing material were dry swept, shoveled or removed by other dry clean-up methods:

a) On or about November 16, 2023, K.L.F. Enterprises, Inc., conducted structural demolition work using an excavator at 2615 Washington St., Waukegan, IL 60085 and removed fireproofing insulation sprayed on structural beams, which contained 15% chrysotile asbestos. The employer did not ensure that dust and debris containing asbestos was not shoveled or removed by dry methods.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1101(g)(6)(i): The control method did not enclose, contain or isolate the processes or source of airborne asbestos dust or otherwise capture or redirect such dust before it entered the breathing zone of employees:

a) On or about November 16, 2023, K.L.F. Enterprises, Inc., conducted structural demolition work using an excavator at 2615 Washington St., Waukegan, IL 60085 and removed fireproofing insulation sprayed on structural beams, which contained 15% chrysotile asbestos. The employer did not enclose, contain or isolate airborne asbestos dust or otherwise capture or redirect such dust before it entered the breathing zone of employees.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

---

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 8 a Type of Violation: **Serious**

29 CFR 1926.1101(h)(1)(i): Respirators were not used during all Class I asbestos jobs:

a) On or about November 16, 2024, an employee was performing Class I asbestos removal work at 2615 Washington St., Waukegan, IL 60085 without the use of a respirator. An employee was using an oxy-acetylene torch to cut a structural beam that had been sprayed-on with asbestos-containing fireproofing insulation which contained 15% chrysotile asbestos.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1153(e)(1)(ii): Respiratory protection was not required by the employer when the engineering controls and work practices described in Table 1 were not fully and properly implemented:

a) On or about November 16, 2023, K.L.F. Enterprises, Inc., did not require respirator use by an employee performing demolition activities involving silica-containing materials (10-20%) at 2615 Washington St., Waukegan, IL 60085, in the absence of water suppression as required by Table 1 of this standard.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$0.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

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

29 CFR 1926.1101(h)(1)(i): Respirators were not used during all Class I asbestos jobs:

a) On or about November 16, 2024, an employee was performing Class I work at 2615 Washington St., Waukegan, IL 60085 without the use of a respirator. An employee was assisting a co-worker with using an oxy-acetylene torch to cut a structural beam that had been sprayed-on with fireproofing insulation which contained 15% chrysotile asbestos.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00





**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

---

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

29 CFR 1926.1153(e)(1)(ii): Respiratory protection was not provided for tasks not listed in Table 1, or where the employer did not fully and properly implement the engineering controls, work practices, and respiratory protection described in Table 1:

a) On or about November 16, 2023, K.L.F. Enterprises, Inc., did not require respirator use by an employee performing demolition activities involving silica-containing materials (10-20%) at 2615 Washington St., Waukegan, IL 60085, in the absence of water suppression as required by Table 1 of this standard.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$0.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

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

29 CFR 1926.1101(h)(1)(i): Respirators were not used during all Class I asbestos jobs:

a) On or about November 16, 2024, an employee was performing Class I work at 2615 Washington St., Waukegan, IL 60085 without the use of a respirator. The foreman was operating an excavator, holding a structural beam in the excavator's grapples, while two co-workers were using an oxy-acetylene torch to cut a structural beam that had been sprayed-on with fireproofing insulation which contained 15% chrysotile asbestos.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1153(e)(1)(ii):Respiratory protection was not provided for tasks not listed in Table 1, or where the employer did not fully and properly implement the engineering controls, work practices, and respiratory protection described in Table 1:

On or about November 16, 2023, K.L.F. Enterprises, Inc., did not require respirator use by an employee performing demolition activities involving silica-containing materials (10-20%) at 2615 Washington St., Waukegan, IL 60085 in the absence of water suppression as required by Table 1 of this standard.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$0.00

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

**Inspection Number:** 1711141  
**Inspection Date(s):** 11/16/2023 - 05/13/2024  
**Issuance Date:** 05/14/2024



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1101(i)(1): The employer did not provide or require the use of protective clothing such as coveralls or similar whole-body clothing, head coverings, gloves, and foot coverings for employees performing Class I work which involved the removal of over 25 linear or 10 square feet of thermal system insulation or surfacing asbestos containing material and presumed asbestos containing material:

a) On or about November 16, 2023, K.L.F. Enterprises, Inc. conducted structural demolition work using an excavator at 2615 Washington St., Waukegan, IL 60085 and removed fireproofing insulation sprayed on structural beams, which contained 15% chrysotile asbestos. The employer did not provide or require the use of protective clothing such as coveralls, or similar whole-body clothing, head coverings, gloves, and foot coverings, for employees performing Class I asbestos work.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00

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:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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 12 a      Type of Violation: **Serious**

29 CFR 1926.1101(k)(1)(ii): The employer did not include asbestos in the program established to comply with the Hazard Communication Standard (HCS) (§ 1910.1200), did not ensure that each employee had access to labels on containers of asbestos and safety data sheets, did not ensure hazard communication training on asbestos in accordance with the provisions of the Hazard Communication Standard 29 CFR 1910.1200 as well as paragraphs (k)(9) and (10) of this section. The employer did not provide information on at least the following hazards: Cancer and lung effects.

a) On or about November 16, 2023, K.L.F. Enterprises, Inc. did not provide employees with hazard communication training on asbestos, offering information on at least the following hazards: Cancer and lung effects of asbestos. During structural demolition of a building located at 2615 Washington St., Waukegan, IL 60085, the foreman was operating an excavator, holding a structural beam in the excavator's grapples, while two co-workers were using an oxy-acetylene torch to cut a structural beam that had been sprayed-on with fireproofing insulation which contained 15% chrysotile asbestos.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**July 02, 2024**  
**\$11,292.00**

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:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1101(k)(9)(i): The employer did not institute, at no cost to employees, a training program for each employee who was likely to be exposed in excess of the permissible exposure limit (PEL) and for each employee who performed Class I through IV asbestos operations:

a) On or about November 16, 2023, K.L.F. Enterprises, Inc. did not institute, a training program for each employee performing Class 1 asbestos operations during structural demolition of buildings and whose exposure may exceed the permissible exposure limit (PEL). During structural demolition of a building located at 2615 Washington St., Waukegan, IL 60085, the foreman was operating an excavator, holding a structural beam in the excavator's grapples, while two co-workers were using an oxy-acetylene torch to cut a structural beam that had been sprayed-on with fireproofing insulation which contained 15% chrysotile asbestos.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$0.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1101(k)(3)(ii)(B): Before the employer permitted its own employees to perform work subject to this standard in areas containing asbestos-containing material (ACM) and presumed asbestos-containing material (PACM), the employer did not identify the presence, location and quantity of asbestos containing material and/or presumed asbestos containing material therein pursuant to 29 CFR 1926.1101(k)(1):

a) On or about November 16, 2023, K.L.F. Enterprises, Inc., did not inform its own employees of the presence, location and quantity of asbestos containing material including fireproofing insulation containing 15% chrysotile asbestos, in the building being demolished at 2615 Washington St., Waukegan, IL 60085.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1101(l)(2): Asbestos waste, scrap, debris, bags, containers, equipment, and contaminated clothing consigned for disposal was not collected and disposed of in sealed, labeled, impermeable bags or other closed, labeled, impermeable containers:

a) On or about November 16, 2023, K.L.F. Enterprises, Inc., did not dispose of asbestos waste, scrap, and debris in sealed bags or containers. The employer was conducting structural demolition work at 2615 Washington St., Waukegan, IL 60085 and removed fireproofing insulation sprayed on structural beams, which contained 15% chrysotile asbestos.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00

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:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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 15 a      Type of Violation: **Serious**

29 CFR 1926.1101(m)(1)(i)(A): The employer did not institute a medical surveillance program for all employees who for a combined total of 30 or more days per year are engaged in Class I, II and III work or are exposed at or above a permissible exposure limit:

a) On or about November 16, 2023, K.L.F. Enterprises, Inc. did not institute a medical surveillance program for all employees who were engaged in Class I work for a combined total of 30 or more days per year. Employees disturbed and removed fireproofing insulation containing 15% chrysotile asbestos during interior and exterior demolition at 2615 Washington St., Waukegan, IL 60085.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1153(h)(1)(i): The employer did not make medical surveillance available at no cost to the employee, and at a reasonable time and place, for each employee who was required under this section to use a respirator for 30 or more days per year:

a) On or about November 16, 2023, K.L.F. Enterprises, Inc. did not make medical surveillance available for each employee who was required under this section to use a respirator for 30 or more days per year. Employees were exposed to crystalline silica during interior and exterior demolition at 2615 Washington St., Waukegan, IL 60085, in the absence of full implementation of water suppression controls.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$0.00



**Citation and Notification of Penalty**

**Company Name:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1153(i)(1): The employer did not include respirable crystalline silica in the program established to comply with the hazard communication standard (HCS) (29 CFR 1910.1200):

a) On or about November 16, 2023, K.L.F. Enterprises, Inc. did not ensure that employees were trained in accordance with the provisions of HCS and paragraph (i)(2) of this section. The employer did not provide information on at least the following hazards: Cancer, lung effects, Immune system effects, and kidney effects of silica. Employees were exposed to dust containing 10-20% crystalline silica during interior and exterior demolition at 2615 Washington St., Waukegan, IL 60085.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$11,292.00

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:** K.L.F. Enterprises, Inc.  
**Inspection Site:** 2615 Washington St., Waukegan, IL 60085

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

29 CFR 1926.1101(k)(4): Employer who discovered asbestos containing material and/or presumed asbestos containing material on a worksite did not convey information concerning the presence, location and quantity of such newly discovered asbestos containing material and/or presumed asbestos containing material to the owner and to other employer of employees working at the worksite within 24 hours of discovery:

a) On or about November 16, 2023, K.L.F. Enterprises, Inc., did not convey information concerning the presence, location and quantity of newly discovered fireproofing insulation, containing up to 15% chrysotile asbestos, on structural beams and/or other presumed asbestos containing material to the owner and to other employer of employees working at the worksite within 24 hours of discovery. K.L.F. Enterprises Inc. performed mechanical demolition of an old hospital located at 2615 Washington St., Waukegan, IL 60085 during the week leading up to November 16, 2023.

In accordance with 29 CFR 1903.19(d), abatement certification is required for this violation (using the CERTIFICATION OF CORRECTIVE ACTION WORKSHEET), and in addition, documentation demonstrating that abatement is complete must be included with your certification. This documentation may include, but is not limited to, evidence of the purchase or repair of the equipment, photographic or video evidence of abatement, or other written records.

Date By Which Violation Must be Abated:  
Proposed Penalty:

July 02, 2024  
\$112,926.00

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**Sukhvir Kaur**  
Area Director

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

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**U.S. Department of Labor**  
Occupational Safety and Health Administration  
2020 S. Arlington Heights Road  
Suite 102  
Arlington Heights, IL 60005



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**INVOICE /  
DEBT COLLECTION NOTICE**

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**Company Name: K.L.F. Enterprises, Inc.**  
**Inspection Site: 2615 Washington St., Waukegan, IL 60085**  
**Issuance Date: 05/14/2024**

Summary of Penalties for Inspection Number: 1711141

Citation 1 Item 1a, Serious	\$11,292.00
Citation 1 Item 1b, Serious	\$0.00
Citation 1 Item 2, Serious	\$11,292.00
Citation 1 Item 3a, Serious	\$11,292.00
Citation 1 Item 3b, Serious	\$0.00
Citation 1 Item 3c, Serious	\$0.00
Citation 1 Item 3d, Serious	\$0.00
Citation 1 Item 3e, Serious	\$0.00
Citation 1 Item 4, Serious	\$11,292.00
Citation 1 Item 5, Serious	\$11,292.00
Citation 1 Item 6, Serious	\$11,292.00
Citation 1 Item 7, Serious	\$11,292.00
Citation 1 Item 8a, Serious	\$11,292.00
Citation 1 Item 8b, Serious	\$0.00
Citation 1 Item 9a, Serious	\$11,292.00
Citation 1 Item 9b, Serious	\$0.00
Citation 1 Item 10a, Serious	\$11,292.00
Citation 1 Item 10b, Serious	\$0.00
Citation 1 Item 11, Serious	\$11,292.00
Citation 1 Item 12a, Serious	\$11,292.00
Citation 1 Item 12b, Serious	\$0.00
Citation 1 Item 13, Serious	\$11,292.00
Citation 1 Item 14, Serious	\$11,292.00
Citation 1 Item 15a, Serious	\$11,292.00
Citation 1 Item 15b, Serious	\$0.00
Citation 1 Item 16, Serious	\$11,292.00

**TOTAL PROPOSED PENALTIES:****\$293,598.00**

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](http://www.pay.gov). At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From 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.


**Sukhvir Kaur**

Area Director

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 May 14, 2024

Date