

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



03/22/2024

OJR Construction Inc  
and its successors  
330 Orchard Street  
Watertown, MA 02471

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000-04R) revised 2018, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (617) 565-6924.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

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

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

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

Sincerely,

**James Mulligan**  
Area Director

Enclosures

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



## Citation and Notification of Penalty

**To:**  
OJR Construction Inc  
and its successors  
330 Orchard Street  
Watertown, MA 02471

**Inspection Number:** 1700718  
**Inspection Date(s):** 09/29/2023 - 09/29/2023  
**Issuance Date:** 03/22/2024

**Inspection Site:**  
15 Elko St.  
Brighton, MA 02135

*The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.*

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

**Posting** - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

**Informal Conference** - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period by calling (617) 565-6924. During such an informal conference, you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

**Right to Contest** – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. **Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.**

**Penalty Payment** – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically at [www.pay.gov](http://www.pay.gov). At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. The direct link is:

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

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

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

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

**Employer Discrimination Unlawful** – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that

he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

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

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

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 03/22/2024. The conference will be held by telephone or at the OSHA office located at 639 Granite Street, Suite 114, Braintree, MA 02184 on \_\_\_\_\_ at

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1700718**

Company Name: OJR Construction Inc  
Inspection Site: 15 Elko St., Brighton, MA 02135  
Issuance Date: 03/22/2024

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

**NOTE: 29 USC 666(g)** whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

**POSTING:** A copy of completed Corrective Action Worksheet should be posted for employee review.

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

**Inspection Number:** 1700718  
**Inspection Date(s):** 09/29/2023 - 09/29/2023  
**Issuance Date:** 03/22/2024



**Citation and Notification of Penalty**

**Company Name:** OJR Construction Inc  
**Inspection Site:** 15 Elko St., Brighton, MA 02135

---

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

29 CFR 1926.102(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation.

LOCATION: the rooftop of 15 Elko St. Brighton, MA  
On or about September 28:

The employer exposed employees to eye injuries, while using nail guns when eye protection was not used or provided.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 01, 2024  
\$5,323.00

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:** 1700718  
**Inspection Date(s):** 09/29/2023 - 09/29/2023  
**Issuance Date:** 03/22/2024



**Citation and Notification of Penalty**

**Company Name:** OJR Construction Inc  
**Inspection Site:** 15 Elko St., Brighton, MA 02135

---

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

29 CFR 1926.451(b)(5)(ii): The end of a platform greater than 10 feet in length extended over its support more than 18 inches and the platform was not designed and installed so that the cantilevered portion of the platform is able to support employees without tipping, or has guardrails which block employee access to the cantilevered end.

LOCATION: the rooftop of 15 Elko St. Brighton, MA  
On or about September 28th 2023:

Employees were exposed to falls of over 15 feet, while working on a roof when the employer installed scaffold planks which extended more than 18 inches over the supporting surface without determining the tipping weight or installing guard rails.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 01, 2024  
\$5,323.00

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:** 1700718  
**Inspection Date(s):** 09/29/2023 - 09/29/2023  
**Issuance Date:** 03/22/2024



**Citation and Notification of Penalty**

**Company Name:** OJR Construction Inc  
**Inspection Site:** 15 Elko St., Brighton, MA 02135

---

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

29 CFR 1926.451(f)(3):Scaffolds and scaffold components were not inspected for visible defects by a competent person before each work shift, and after any occurrence which could affect a scaffold's structural integrity.

LOCATION: 15 Elko St, Boston, MA

The employer exposed employees to fall hazards when a competent person was not present on the jobsite.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 01, 2024  
\$5,323.00

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:** 1700718  
**Inspection Date(s):** 09/29/2023 - 09/29/2023  
**Issuance Date:** 03/22/2024



**Citation and Notification of Penalty**

**Company Name:** OJR Construction Inc  
**Inspection Site:** 15 Elko St., Brighton, MA 02135

---

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

29 CFR 1926.451(g)(1):Employees on scaffolds more than 10 feet (3.1 m) above a lower level were not protected from falling to that lower level by fall protection established in paragraphs (g)(1)(i)-(vii) of this section:

LOCATION: The roofing site at 15 Elko St. in Brighton, MA

On or about September 28th, 2023 OJR Construction Inc. exposed employees to falls of 27 feet to the ground below when fall protection was not used or provided.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 01, 2024  
\$5,323.00

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:** 1700718  
**Inspection Date(s):** 09/29/2023 - 09/29/2023  
**Issuance Date:** 03/22/2024



**Citation and Notification of Penalty**

**Company Name: OJR Construction Inc**  
**Inspection Site:** 15 Elko St., Brighton, MA 02135

---

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

29 CFR 1926.451(h)(2)(i): The area below the scaffold was not barricaded, and employees were not prohibited from entering the hazard area.

LOCATION: the jobsite at 15 Elko St. Brighton, MA

On or about September 28th, 2023 OJR Construction Inc. did not ensure that the area below the scaffold was barricaded, exposing employees to struck by hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 01, 2024  
\$5,323.00

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:** 1700718  
**Inspection Date(s):** 09/29/2023 - 09/29/2023  
**Issuance Date:** 03/22/2024



**Citation and Notification of Penalty**

**Company Name: OJR Construction Inc**  
**Inspection Site:** 15 Elko St., Brighton, MA 02135

---

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

29 CFR 1926.452(k)(1):Platforms exceeded a height of 20 feet (6.1 m)

LOCATION: the jobsite at 15 Elko St. Brighton, MA

On or about September 28th, 2023: An employee fell to his death while climbing a ladder jack scaffold which exceeded 20 feet in height.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 01, 2024  
\$5,323.00

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:** 1700718  
**Inspection Date(s):** 09/29/2023 - 09/29/2023  
**Issuance Date:** 03/22/2024



**Citation and Notification of Penalty**

**Company Name:** OJR Construction Inc  
**Inspection Site:** 15 Elko St., Brighton, MA 02135

---

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

29 CFR 1926.1053(b)(1): Where portable ladders were used for access to an upper landing surface and the ladder's length allows, the ladder side rails did not extend at least 3 feet (.9 m) above the upper landing surface being accessed

LOCATION: the rooftop of 15 Elko St. Brighton, MA

On or about September 28th, 2023 OJR Construction Inc. used a ladder to access the pick at the top of the ladder-scaffold system in place where the ladder side rails did not extend at least 3 feet (.9 m) above the upper landing surface being accessed

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 01, 2024  
\$5,323.00

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:** 1700718  
**Inspection Date(s):** 09/29/2023 - 09/29/2023  
**Issuance Date:** 03/22/2024



**Citation and Notification of Penalty**

**Company Name: OJR Construction Inc**  
**Inspection Site:** 15 Elko St., Brighton, MA 02135

---

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

29 CFR 1926.1053(b)(8):Ladders placed in a location where they could be displaced by workplace activities or traffic, such as in passageways, doorways, or driveways, were not secured to prevent accidental displacement, nor was a barricade used to keep the activities or traffic away from the ladder.

LOCATION: the rooftop of 15 Elko St. Brighton, MA  
On or about September 28th, 2023:

The employer exposed employees to fall and struck by hazards while working on ladders which were within the pathway of vehicular traffic.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 01, 2024  
\$5,323.00

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:** 1700718  
**Inspection Date(s):** 09/29/2023 - 09/29/2023  
**Issuance Date:** 03/22/2024



**Citation and Notification of Penalty**

**Company Name: OJR Construction Inc**  
**Inspection Site:** 15 Elko St., Brighton, MA 02135

---

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

29 CFR 1926.1053(b)(9):The area around the top and/or bottom of (a) ladder(s) was not kept clear

LOCATION: the jobsite at 15 Elko St. Brighton, MA  
On or about September 28th, 2023:

Employees were not provided clear access to the worksite when the employer allowed debris to accumulate at the bottom of ladders.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 01, 2024  
\$5,323.00

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:** 1700718  
**Inspection Date(s):** 09/29/2023 - 09/29/2023  
**Issuance Date:** 03/22/2024



**Citation and Notification of Penalty**

**Company Name:** OJR Construction Inc  
**Inspection Site:** 15 Elko St., Brighton, MA 02135

---

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

29 CFR 1926.1053(b)(22): Employees using ladders were carrying objects or loads that could cause the employee to lose balance and fall

LOCATION: the jobsite at 15 Elko St. Brighton, MA  
On or about September 28th, 2023:

An employee fell 27 feet to the ground below, when the employer allowed him to carry materials while climbing a ladder.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 01, 2024  
\$5,323.00

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:** OJR Construction Inc  
**Inspection Site:** 15 Elko St., Brighton, MA 02135

---

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

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

29 CFR 1926.501(b)(13):Each employee(s) engaged in residential construction activities 6 feet (1.8 m) or more above lower levels were not protected by guardrail systems, safety net system, or personal fall arrest system, nor were employee(s) provided with an alternative fall protection measure under another provision of paragraph 1926.501(b)

LOCATION: The roofing site at 15 Elko St. in Brighton, MA

On or about September 28th, 2023 OJR Construction Inc. failed to protect each employee from falling when fall protection was not used or provided.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

April 01, 2024  
\$35,491.00

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

**Inspection Number:** 1700718  
**Inspection Date(s):** 09/29/2023 - 09/29/2023  
**Issuance Date:** 03/22/2024



**Citation and Notification of Penalty**

**Company Name:** OJR Construction Inc  
**Inspection Site:** 15 Elko St., Brighton, MA 02135

---

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

LOCATION: The roofing site at 15 Elko St. in Brighton, MA

On or about September 28th, 2023 OJR Construction Inc. failed to 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.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	April 01, 2024
Proposed Penalty:	\$0.00

---

**James Mulligan**  
Area Director

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



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




---

**INVOICE /  
DEBT COLLECTION NOTICE**

---

**Company Name:** OJR Construction Inc  
**Inspection Site:** 15 Elko St., Brighton, MA 02135  
**Issuance Date:** 03/22/2024

Summary of Penalties for Inspection Number: 1700718

Citation 1 Item 1, Serious	\$5,323.00
Citation 1 Item 2, Serious	\$5,323.00
Citation 1 Item 3, Serious	\$5,323.00
Citation 1 Item 4, Serious	\$5,323.00
Citation 1 Item 5, Serious	\$5,323.00
Citation 1 Item 6, Serious	\$5,323.00
Citation 1 Item 7, Serious	\$5,323.00
Citation 1 Item 8, Serious	\$5,323.00
Citation 1 Item 9, Serious	\$5,323.00
Citation 1 Item 10, Serious	\$5,323.00
Citation 2 Item 1a, Willful - Serious	\$35,491.00
Citation 2 Item 1b, Willful - Serious	\$0.00

**TOTAL PROPOSED PENALTIES:** **\$88,721.00**

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 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.

---

**James Mulligan**  
Area Director

---

Date