

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
2300 Main Street  
Suite 168  
Kansas City, MO 64108



## Citation and Notification of Penalty

**To:**  
SKINNER TANK COMPANY  
1001 W. Chicago Street  
Yale, OK 74085

**Inspection Number:** 1438020  
**Inspection Date(s):** 10/15/2019 - 10/15/2019  
**Issuance Date:** 03/30/2020

**Inspection Site:**  
900 Lower Lake Road  
Saint Joseph, MO 64504

*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 816-483-9531. 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 on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. 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 03/30/2020. The conference will be held by telephone or at the OSHA office located at 2300 Main Street, Suite 168, Kansas City, MO 64108 on \_\_\_\_\_ at

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1438020**

Company Name: SKINNER TANK COMPANY  
Inspection Site: 900 Lower Lake Road, Saint Joseph, MO 64504  
Issuance Date: 03/30/2020

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, 2300 Main Street, Suite 168, Kansas City, MO 64108**

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:** SKINNER TANK COMPANY  
**Inspection Site:** 900 Lower Lake Road, Saint Joseph, MO 64504

---

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

29 CFR 1910.178(l)(1)(i): The employer did not ensure that each powered industrial truck operator is competent to operate a powered industrial truck safely, as demonstrated by the successful completion of the training and evaluation specified in this paragraph (l):

The employer is failing to protect employees from struck-by or rollover hazards associated with improper training and evaluation of forklift operators using equipment at this location. This was most recently observed on or about October 14, 2019, at a jobsite located at 900 SW Lower Lake Road, St. Joseph, Missouri. Employees were allowed to operate a forklift at the jobsite who had not been properly trained by a competent person to evaluate and certify that the employees are operating in a safe manner.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/23/2020
Proposed Penalty:	\$13494.00



**Citation and Notification of Penalty**

**Company Name:** SKINNER TANK COMPANY  
**Inspection Site:** 900 Lower Lake Road, Saint Joseph, MO 64504

---

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

29 CFR 1926.20(b)(3): Machinery, tool(s), material(s), or equipment which was not in compliance with the applicable requirement(s) of 29 CFR 1926 was not prohibited, and/or was not either identified as unsafe by tagging, or locking the controls to render them inoperable, or physically removed from its place of operation:

The employer is failing to protect employees from falling hazards associated with improper fall protection equipment being used at this location. This was most recently observed on or about October 14, 2019, at a jobsite located at 900 SW Lower Lake Road, St. Joseph, Missouri. The employer allowed employees to use defective equipment that was necessary to protect employees from falling. The victim used a lanyard with a hook that had the closing mechanism removed instead of providing an anchoring device to use on the columns. The lanyard and harness were also in poor condition due to years of usage.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/23/2020
Proposed Penalty:	\$13494.00



**Citation and Notification of Penalty**

**Company Name:** SKINNER TANK COMPANY  
**Inspection Site:** 900 Lower Lake Road, Saint Joseph, MO 64504

---

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

29 CFR 1926.451(e)(1): When scaffold platforms were more than 2 feet (0.6 m) above or below a point of access, portable ladders, hook-on ladders, attachable ladders, stair towers (scaffold stairways/towers), stairway-type ladders (such as ladder stands), ramps, walkways, integral prefabricated scaffold access, or direct access from other scaffold, structure, personnel hoist, or similar surface was not used:

The employer is failing to protect employees from falling hazards associated with improper access to platforms at this location. This was most recently observed on or about October 14, 2019, at a jobsite located at 900 SW Lower Lake Road, St. Joseph, Missouri. Employees were required to climb off a scaffold platform and on to the top of the tank structure in order to tack weld sheets. Employees were not provided equipment to prevent an employee from potentially falling to their death.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/23/2020
Proposed Penalty:	\$13494.00

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:** SKINNER TANK COMPANY  
**Inspection Site:** 900 Lower Lake Road, Saint Joseph, MO 64504

---

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

29 CFR 1926.1402(b): The equipment was assembled or used without ensuring that ground conditions are firm, drained, and graded to a sufficient extent so that, in conjunction (if necessary) with the use of supporting materials, the equipment:

The employer is failing to protect employees from structural collapse or struck-by hazards associated with improper cribbing for the lifting equipment used at this location. This was most recently observed on or about October 14, 2019, at a jobsite located at 900 SW Lower Lake Road, St. Joseph, Missouri. Employees were exposed to fall or structural collapse hazards in that the crane was being operated on ungraded soil. The employer had put scaffold planks down as supports that had broken in half due to the weight exerted by the crane and caused one foot to sink in to the ground, which could cause the crane to collapse.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/23/2020
Proposed Penalty:	\$13494.00



**Citation and Notification of Penalty**

**Company Name:** SKINNER TANK COMPANY  
**Inspection Site:** 900 Lower Lake Road, Saint Joseph, MO 64504

---

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

29 CFR 1926.1412(d)(1)(x): The employer failed to inspect ground conditions around the equipment for proper support, including ground settling under and around outriggers/stabilizers and supporting foundations, ground water accumulation, or similar conditions:

The employer is failing to protect employees from structural collapse or struck-by hazards associated with improper cribbing and dangerous ground conditions. This was most recently observed on or about October 14, 2019, at a jobsite located at 900 SW Lower Lake Road, St. Joseph, Missouri. The employer has employees operating and working in close proximity to the crane without having had a competent person ensure the stability of the ground conditions and proper use of equipment support, cribbing.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/23/2020
Proposed Penalty:	\$13494.00

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:** SKINNER TANK COMPANY  
**Inspection Site:** 900 Lower Lake Road, Saint Joseph, MO 64504

---

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

29 CFR 1926.1412(d)(1)(xii): The employer, prior to each shift, failed to perform a visual inspection of the crane to ensure that the operator cab windows did not have significant cracks, breaks, or other deficiencies that would hamper the operator's view:

The employer is failing to protect employees from structural collapse or struck-by hazards associated with obstructed views from lifting equipment's cab used at this location. This was most recently observed on or about October 14, 2019, at a jobsite located at 900 SW Lower Lake Road, St. Joseph, Missouri. The employer has employees operating and working in close proximity to the crane without having had a competent person ensure the operator has an unobstructed view from the cracks in the overhead window.

29 CFR 1903.19(i)(1) requires that a warning tag or a copy of the citation be attached to the above cited equipment.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/23/2020
Proposed Penalty:	\$13494.00



**Citation and Notification of Penalty**

**Company Name:** SKINNER TANK COMPANY  
**Inspection Site:** 900 Lower Lake Road, Saint Joseph, MO 64504

---

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

29 CFR 1926.1412(d)(1)(xiv): Safety devices and operational aids for proper operation.

The employer is failing to protect employees from structural collapse or struck-by hazards associated with improper cribbing and other deficiencies that should have been identified for the lifting equipment used at this location. This was most recently observed on or about October 14, 2019, at a jobsite located at 900 SW Lower Lake Road, St. Joseph, Missouri. The employer did not have a competent person perform a visual inspection prior to each shift who would have observed that the crane's anti-two-block devices had been disengaged, thus exposing employees to struck by hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/23/2020
Proposed Penalty:	\$13494.00



**Citation and Notification of Penalty**

**Company Name:** SKINNER TANK COMPANY  
**Inspection Site:** 900 Lower Lake Road, Saint Joseph, MO 64504

---

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

29 CFR 1926.1422: Hand signal charts were not posted on the equipment or conspicuously posted in the vicinity of the hoisting operations:

The employer is failing to protect employees from structural collapse or struck-by hazards associated with obstructed the lack of hand signal charts that were not present on the crane which could cause an operator to accidentally swing a load into an employee, drop a load onto an employee, or cause the crane to collapse. This was most recently observed on or about October 14, 2019, at a jobsite located at 900 SW Lower Lake Road, St. Joseph, Missouri. Employees were exposed to overhead hazards of lifting materials on to the top of the tank and were being directed by an untrained employees with no knowledge of the lifting chart. The hand signals posted on the crane was not visible to read by an employee.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/23/2020
Proposed Penalty:	\$13494.00



**Citation and Notification of Penalty**

**Company Name:** SKINNER TANK COMPANY  
**Inspection Site:** 900 Lower Lake Road, Saint Joseph, MO 64504

---

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

29 CFR 1926.1425(c)(3): The materials were not rigged by a qualified rigger:

The employer is failing to protect employees from structural collapse or struck-by hazards associated with proper rigging of materials hoisted on to the structure performed by a qualified and trained rigger. This was most recently observed on or about October 14, 2019, at a jobsite located at 900 SW Lower Lake Road, St. Joseph, Missouri. Employees were exposed to overhead hazards of lifting materials on to the top of the tank in which the metal sheeting which was to be laid down on top of the I-beam was raised in a vertical manner by an employee using a specialized clamp by a rigger who was not qualified to rig the load.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/23/2020
Proposed Penalty:	\$13494.00



**Citation and Notification of Penalty**

**Company Name:** SKINNER TANK COMPANY  
**Inspection Site:** 900 Lower Lake Road, Saint Joseph, MO 64504

---

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

29 CFR 1926.1427(c)(1): The employer did not ensure that, prior to operating any equipment covered under subpart CC, the person operating the equipment was licensed by a government entity for operation of the equipment within that entity's jurisdiction:

The employer is failing to protect employees from structural collapse or struck-by hazards associated with having an untrained and uncertified operator lifting materials to exposed employees on the tank. This was most recently observed on or about October 14, 2019, at a jobsite located at 900 SW Lower Lake Road, St. Joseph, Missouri. Employees were exposed to overhead hazards and structural collapse hazards due to the operator of the crane was not licensed to operate the crane and was operating the crane in unsafe manners and conditions. The operator, was lifting the crane without proper footings, missing equipment, performing blind lifts, and was being rigged and signaled by untrained, unqualified employees.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/23/2020
Proposed Penalty:	\$10390.00

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:** SKINNER TANK COMPANY  
**Inspection Site:** 900 Lower Lake Road, Saint Joseph, MO 64504

---

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

29 CFR 1926.1428(a): The Employer did not train employees, or ensure employees were trained, to properly direct the crane operator while placing materials:

The employer is failing to protect employees from structural collapse or struck-by hazards. This was most recently observed on or about October 14, 2019, at a jobsite located at 900 SW Lower Lake Road, St. Joseph, Missouri. The employer used an inadequately trained employees as a signalers for crane operations exposing the tank construction crew to struck by hazards while working on elevations greater than 56 feet.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/23/2020
Proposed Penalty:	\$13494.00



**Citation and Notification of Penalty**

**Company Name:** SKINNER TANK COMPANY  
**Inspection Site:** 900 Lower Lake Road, Saint Joseph, MO 64504

---

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

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:

The employer is failing to protect employees from falling hazards associated with improper fall protection training at this location. This was most recently observed on or about October 14, 2019, at a jobsite located at 900 SW Lower Lake Road, St. Joseph, Missouri. Employees who were subject to falls and fall related hazards were not properly instructed on means necessary to protect themselves and prevent fall hazards and the regulations applicable to control or eliminate the fall hazards.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/23/2020
Proposed Penalty:	\$134937.00



**Citation and Notification of Penalty**

**Company Name:** SKINNER TANK COMPANY  
**Inspection Site:** 900 Lower Lake Road, Saint Joseph, MO 64504

---

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

29 CFR 1926.105(a): Safety nets were not provided when workplaces were more than 25 feet above the ground or water surface, or other surface(s) where the use of ladders, scaffolds, catch platforms, temporary floors, safety lines, or safety belts was impractical:

The employer is failing to protect employees from falling. This was most recently observed on or about on or about October 14, 2019, at a jobsite located at 900 SW Lower Lake Road, St. Joseph, Missouri. Employees were exposed to fall hazards at this location while putting on the top sections of the tank as well when they were installing the supporting I beams. The employer failed to provide employees fall protection and fall protection devices, such as, personal fall arrest systems, catch platform, scaffolding systems, or a safety net systems were not utilized by the employer. This lack of protection resulted in the death of an employee.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 04/23/2020  
Proposed Penalty: \$134937.00

*for Kimberly Robinson*

**Karena Lorek**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
2300 Main Street  
Suite 168  
Kansas City, MO 64108



## INVOICE / DEBT COLLECTION NOTICE

---

**Company Name:** SKINNER TANK COMPANY  
**Inspection Site:** 900 Lower Lake Road, Saint Joseph, MO 64504  
**Issuance Date:** 03/30/2020

<b>Summary of Penalties for Inspection Number</b>	<b>1438020</b>
<b>Citation 1, Serious</b>	<b>\$145330.00</b>
<b>Citation 2, Willful</b>	<b>\$269874.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$415204.00</b>

---

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. 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 2 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 two percent (2%). 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.

*for Kimberly Robinson*  
\_\_\_\_\_

**Karena Lorek**  
Area Director

03-30-2020  
\_\_\_\_\_

Date