

U.S. Department of Labor

Occupational Safety and Health Administration
8713 Airport Freeway
Suite 302
Fort Worth, TX 76180
Phone: 817-428-2470 Fax: 817-581-7723



Citation and Notification of Penalty

To:

The Turner Company LLP
11049 S US Highway 287
Rhome, TX 76078

Inspection Number: 1138055**Inspection Date(s):** 04/05/2016 - 04/05/2016**Issuance Date:** 07/29/2016**Inspection Site:**

11049 S US Highway 287
Rhome, TX 76078

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. 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. 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. 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 07/29/2016. The conference will be held by telephone or at the OSHA office located at 8713 Airport Freeway, Suite 302, Fort Worth, TX 76180 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1138055

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078
Issuance Date: 07/29/2016

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, 8713 Airport Freeway, Suite 302, Fort Worth, TX 76180**

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: 1138055
Inspection Date(s): 04/05/2016 - 04/05/2016
Issuance Date: 07/29/2016



Citation and Notification of Penalty

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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

29 CFR 1910.22(a)(1): All places of employment, passageways, storerooms or service rooms were not kept clean and orderly or in a sanitary condition:

Throughout the yard and throughout buildings and passageways, the employer had items such as but not limited to trash, used tires, pallets, used containers, equipment and scrap parts/equipment haphazardly stored creating an unsanitary and unsafe condition which exposed employees to trips/falls and impalement hazards.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/26/2016
\$3960.00

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: 1138055
Inspection Date(s): 04/05/2016 - 04/05/2016
Issuance Date: 07/29/2016



Citation and Notification of Penalty

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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

29 CFR 1910.23(a)(8): Every floor hole into which persons can accidentally walk were not guarded:

In building two (2), employees accessed the upper catwalk of the mixer where an approximately 24x24 inch hole was not covered or guarded exposing the employees to a fall hazard of approximately 14 feet.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/26/2016
\$4950.00

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: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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

29 CFR 1910.23(c)(1): Open-sided floors and/or platforms four feet or more above adjacent floor or ground level were not guarded with standard railings (or equivalent) and toeboards:Note: Toeboards are only required when persons can pass, there is moving equipment or there is equipment with which falling materials could create a hazard:

At the facility, employees working from heights of 4 feet or greater where not provided guard rails, fall protection and or toe-boards exposing employees to unprotected fall hazards and struck-by hazards;

- a) at building 2, the mixer upper catwalk platform had missing guard rails;
- b) throughout multiple work areas and buildings, the tops of concrete forms did not have guard rails or fall protection;
- c) throughout multiple work areas and buildings, platforms installed on the sides of concrete forms did not have guard rails or did not have complete standard guard rails installed; and
- d) throughout multiple work areas and buildings, work platforms did not have toe-boards installed.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/26/2016
Proposed Penalty: \$6930.00



Citation and Notification of Penalty

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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

29 CFR 1910.27(b)(1)(ii): The distance between rungs exceeded 12 inches and were not uniform throughout the ladder.

At facility, employees accessed upper working platforms using fixed ladders that exposed the employees to fall hazards:

- a) at building two (2) on the cement/mixer silo, the fixed ladders had a rung distance of 16 inches between rungs; and
- b) at building five (5) on the concrete forms, the fixed ladders were not uniform throughout.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------|
| Date By Which Violation Must be Abated: | 08/26/2016 |
| Proposed Penalty: | \$6930.00 |

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: 1138055
Inspection Date(s): 04/05/2016 - 04/05/2016
Issuance Date: 07/29/2016



Citation and Notification of Penalty

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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

29 CFR 1910.27(d)(1)(iii): Fixed Ladder cages did extend a minimum of 42 inches above the top of landing, and other acceptable protection was not provided:

At the facility on the batch plants, the employees accessed upper landing areas and the ladder cages did not extend above the platforms exposing employees to unprotected fall hazards up to 45 feet to the ground below.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/26/2016
\$4950.00

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: 1138055
Inspection Date(s): 04/05/2016 - 04/05/2016
Issuance Date: 07/29/2016



Citation and Notification of Penalty

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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

29 CFR 1910.27(d)(3): The side rails and rungs of side step ladders did not continue a minimum of 3 1/2 feet above the landing platform:

At the facility batch plants, employees accessed upper landing areas and the side rails of the ladders did not extend above the landing platform exposing employees to fall hazards up to approximately 45 feet to the ground below.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------|
| Date By Which Violation Must be Abated: | 08/26/2016 |
| Proposed Penalty: | \$6930.00 |

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: 1138055
Inspection Date(s): 04/05/2016 - 04/05/2016
Issuance Date: 07/29/2016



Citation and Notification of Penalty

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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 7 a Type of Violation: **Serious**

29 CFR 1910.179(e)(3)(ii): Crane(s) with more than one trolley operating on the same bridge were not equipped with trolley bumpers or equivalent on the adjacent ends of the trolleys:

In the building five (5) production area, employees operated crane number 2 daily which did not have trolley bumpers installed exposing employees to being struck by and crushed by the load.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------|
| Date By Which Violation Must be Abated: | 08/26/2016 |
| Proposed Penalty: | \$4208.00 |

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: 1138055
Inspection Date(s): 04/05/2016 - 04/05/2016
Issuance Date: 07/29/2016



Citation and Notification of Penalty

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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

29 CFR 1910.179(e)(4): Bridge truck(s) were not equipped with sweep(s) which extended below the top of the rail and projected in the front of the truck wheel(s):

In building five(5), employees operated the #2 crane which did not have rail sweeps installed on either side of the bridge truck exposing employees to being struck by the load or a derailed crane.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/26/2016

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: 1138055
Inspection Date(s): 04/05/2016 - 04/05/2016
Issuance Date: 07/29/2016



Citation and Notification of Penalty

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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

29 CFR 1910.303(b)(7)(i): Unused openings in boxes, raceways, auxiliary gutters, cabinets, equipment cases, or housings were not effectively closed to afford protection substantially equivalent to the wall of the equipment.

At building five (5), employees accessed 480/3-phase electrical panels to turn on/off lights and equipment, and the raceway that housed all the energized conductors was not covered exposing the employees to electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------|
| Date By Which Violation Must be Abated: | 08/26/2016 |
| Proposed Penalty: | \$6930.00 |

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: 1138055
Inspection Date(s): 04/05/2016 - 04/05/2016
Issuance Date: 07/29/2016



Citation and Notification of Penalty

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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 1910.303(e)(1)(i): Electric equipment was used without the manufacturer's name, trademark, or other descriptive marking by which the organization responsible for the product could be identified:

At building five (5) and throughout the facility, employees accessed electrical panels that did not have the manufacturer's name, trademark or other descriptive markings to identify the electrical equipment exposing employees to electrical shock and fire hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------|
| Date By Which Violation Must be Abated: | 08/26/2016 |
| Proposed Penalty: | \$4950.00 |

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: 1138055
Inspection Date(s): 04/05/2016 - 04/05/2016
Issuance Date: 07/29/2016



Citation and Notification of Penalty

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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

29 CFR 1910.303(e)(1)(ii): Electric equipment was used without markings giving voltage, current, wattage, or other ratings as necessary:

At building five (5) and throughout the facility, employees accessed electrical panels that were not marked with the voltage, current or wattage exposing employees to electrical shock and fire hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/26/2016

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: 1138055
Inspection Date(s): 04/05/2016 - 04/05/2016
Issuance Date: 07/29/2016



Citation and Notification of Penalty

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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

29 CFR 1910.305(b)(1)(ii): Unused openings in boxes, cabinets, or fittings were not effectively closed:

At the facility throughout the buildings, employees used receptacle gang boxes and electrical cabinets with opened unused holes that were not effectively closed which exposed employees to fire and electrical shock hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------|
| Date By Which Violation Must be Abated: | 08/26/2016 |
| Proposed Penalty: | \$4950.00 |

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: 1138055
Inspection Date(s): 04/05/2016 - 04/05/2016
Issuance Date: 07/29/2016



Citation and Notification of Penalty

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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

29 CFR 1910.305(e)(1): Cabinets, cutout boxes, fittings, boxes, and panelboard enclosures in damp or wet locations were not installed to prevent moisture or water from entering and accumulating within the enclosures:

At the facility throughout building five and other locations, employees accessed panel boxes and electrical enclosures in wet locations that did not prevent water or moisture from entering exposing employees to electrical shock hazards.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/26/2016
\$4950.00

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: 1138055
Inspection Date(s): 04/05/2016 - 04/05/2016
Issuance Date: 07/29/2016



Citation and Notification of Penalty

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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

29 CFR 1910.305(j)(2)(iv): A receptacle installed in a wet or damp location was not suitable for the location:

At the facility on the west side of building 5, employees used receptacle gang boxes that were exposed to rain and not protected by a ground fault circuit interrupter nor suitable for the wet locations exposing employees to electrical shock hazards.

Date By Which Violation Must be Abated:
Proposed Penalty:

08/26/2016
\$4950.00

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: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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

29 CFR 1910.141(a)(3)(i): Places of employment were not kept clean to the extent that the nature of the work allowed:

In the production areas, restrooms were not kept clean or in a sanitary conditions and all trash cans in and around the restrooms were overflowing and not emptied regularly. Employees were exposed to unsanitary health hazards.

The Turner Company, LLP was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.141(a)(3)(i), which was contained in OSHA inspection number 984276, citation number 1, item number 2 and was affirmed as a final order on 01/28/15, with a final abatement date of 01/23/15, with respect to a workplace located at 11049 S U.S. Highway 287 Rhome, TX 76078.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|---|------------|
| Date By Which Violation Must be Abated: | 08/26/2016 |
| Proposed Penalty: | \$11880.00 |



Citation and Notification of Penalty

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078

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

29 CFR 1910.305(b)(2)(i): Pull boxes, junction boxes, and fittings were not provided with covers approved for the purpose:

Throughout the facility, employees used receptacle gang boxes and switches that had missing covers exposing employees to the live internal parts and electrical shock.

The Turner Company, LLP was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.305(b)(2)(i), which was contained in OSHA inspection number 984276, citation number 1, item number 8 and was affirmed as a final order on 01/28/15, with a final abatement date of 01/23/15, with respect to a workplace located at 11049 S U.S. Highway 287 Rhome, TX 76078.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

08/26/2016
\$9900.00

A handwritten signature in blue ink, appearing to read "J. Rector", written over a horizontal line.

Jack A. Rector
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
8713 Airport Freeway
Suite 302
Fort Worth, TX 76180
Phone: 817-428-2470 Fax: 817-581-7723



INVOICE / DEBT COLLECTION NOTICE

Company Name: The Turner Company LLP
Inspection Site: 11049 S US Highway 287, Rhome, TX 76078
Issuance Date: 07/29/2016

| | |
|---|-------------------|
| Summary of Penalties for Inspection Number | 1138055 |
| Citation 1, Serious | \$65588.00 |
| Citation 2, Repeat | \$21780.00 |
| TOTAL PROPOSED PENALTIES | \$87368.00 |

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 on 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

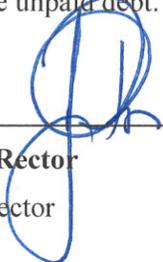
account, the bank will attempt to make the transfer up to 2 times.

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 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.



Jack A. Rector
Area Director

7/29/2014

Date