

**U.S. Department of Labor**  
 Occupational Safety and Health Administration  
 53 Pleasant Street, Room 3901  
 J.C. Cleveland Federal Bldg.  
 Concord, NH 03301  
 Phone: 603-225-1629 Fax: 603-225-1580



## Citation and Notification of Penalty

**To:**  
 Monro Muffler Brake, Inc.  
 dba Monro in BJ's  
 and its successors  
 200 Hollender Parkway  
 Rochester, NY 14615

**Inspection Site:**  
 1801 Woodbury Ave  
 Portsmouth, NH 03801

**Inspection Number:** 755161  
**Inspection Date(s):** 11/27/2012 - 11/27/2012  
**Issuance Date:** 05/15/2013

*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.

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

**Notification of Corrective Action** – For each violation which you do not contest, you are required by 29 CFR 1903.19 to submit an *abatement certification* to the Area Director of the OSHA office issuing the citation as identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citation states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

Also, the law requires a copy of all abatement verification documents which are required by 29 CFR 1903.19 be posted at the location where the violation appeared and the corrective action took place.

**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.

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



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 05/15/2013. The conference will be held by telephone or at the OSHA office located at 53

Pleasant Street, Room 3901, J.C. Cleveland Federal Bldg., Concord, NH 03301 on

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 755161**

Company Name: Monro Muffler Brake, Inc., dba Monro in BJ's  
Inspection Site: 1801 Woodbury Ave, Portsmouth, NH 03801  
Issuance Date: 05/15/2013

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, 53 Pleasant Street, Room 3901, J.C. Cleveland Federal Bldg., Concord, NH 03301

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: 755161  
Inspection Date(s): 11/27/2012 - 11/27/2012  
Issuance Date: 05/15/2013



**Citation and Notification of Penalty**

Company Name: Monro Muffler Brake, Inc., dba Monro in BJ's  
Inspection Site: 1801 Woodbury Ave, Portsmouth, NH 03801

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**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:

- (a) Automotive Shop - Employees were exposed to tripping / fall hazards due to the fact that the automotive shop floor was cluttered with stock and loose material.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$3300.00

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

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Company Name: Monro Muffler Brake, Inc., dba Monro in BJ's  
Inspection Site: 1801 Woodbury Ave, Portsmouth, NH 03801

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 2a** Type of Violation: **Serious**

29 CFR 1910.37(a)(3): Exit route(s) were not kept free and unobstructed:

- (a) Automotive Shop - Cardboard boxes, a 20 pound propane bottle, used oil filters and a 50 gallon drum of oil was stored in front of the fire exit door.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$5500.00

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

29 CFR 1910.106(e)(9)(iii): Combustible waste material and residues in a building or unit operating area were not kept to a minimum, stored in covered metal receptacles and disposed of daily:

- (a) Automotive Shop - Used oil and gas soaked rags were not stored appropriately in that they were not stored in a covered metal receptacle, and disposed of daily.

Date By Which Violation Must be Abated:

Corrected During Inspection

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: 755161  
Inspection Date(s): 11/27/2012 - 11/27/2012  
Issuance Date: 05/15/2013



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Inspection Site: 1801 Woodbury Ave, Portsmouth, NH 03801

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

29 CFR 1910.157(c)(1): Portable fire extinguishers were not mounted, located and identified so that they were readily accessible without subjecting the employees to injuries:

- (a) Automotive Shop - Fire extinguishers were stored on the floor behind stock.

Date By Which Violation Must be Abated:

Corrected During Inspection



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

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**Citation and Notification of Penalty**

Company Name: Monro Muffler Brake, Inc., dba Monro in BJ's  
Inspection Site: 1801 Woodbury Ave, Portsmouth, NH 03801

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

29 CFR 1910.253(a)(3): Apparatus such as torches, regulators or pressure-reducing valves, acetylene generators, and manifolds used in an oxygen-fuel gas system had not been approved:

- (a) Automotive Shop - The pressure gas regulators on the Oxygen cylinder was damaged.
- (b) Automotive Shop - The pressure gas regulators on the Acetylene cylinder was damaged.
- (c) Automotive Shop - The pressure gas regulators on the Argon cylinder was damaged.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$5500.00

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

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Issuance Date: 05/15/2013



**Citation and Notification of Penalty**

**Company Name:** Monro Muffler Brake, Inc., dba Monro in BJ's  
**Inspection Site:** 1801 Woodbury Ave, Portsmouth, NH 03801

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 4a** Type of Violation: **Serious**

29 CFR 1910.303(f)(2): Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, was not legibly marked to indicate its purpose, nor located and arranged so the purpose was evident:

- (a) Automotive Shop - The main electrical panel in the shop was not labeled.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$3300.00

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

29 CFR 1910.304(g)(5): The path to ground from circuits, equipment, and enclosures was not permanent, continuous, and effective:

- (a) Automotive Shop - An extension cord which was plugged into a metal light stand was missing a ground pin.

Date By Which Violation Must be Abated:

Corrected During Inspection

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: 755161  
Inspection Date(s): 11/27/2012 - 11/27/2012  
Issuance Date: 05/15/2013



**Citation and Notification of Penalty**

**Company Name:** Monro Muffler Brake, Inc., dba Monro in BJ's  
**Inspection Site:** 1801 Woodbury Ave, Portsmouth, NH 03801

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

29 CFR 1910.303(g)(2)(i): Except as elsewhere required or permitted by Subpart S of Part 1910, live parts of electric equipment operating at 50 volts or more were not guarded against accidental contact by use of approved cabinets or other forms of approved enclosures or by any of the means identified in paragraphs (A), (B), (C), and (D) of 29 CFR 1910.303(g)(2)(i):

- (a) Bathroom - Employees were exposed to electrical shock and electrocution due to the fact that unguarded live electrical wires were located directly next to the toilet paper dispenser.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$60500.00

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

Inspection Number: 755161  
Inspection Date(s): 11/27/2012 - 11/27/2012  
Issuance Date: 05/15/2013



**Citation and Notification of Penalty**

**Company Name:** Monro Muffler Brake, Inc., dba Monro in BJ's  
**Inspection Site:** 1801 Woodbury Ave, Portsmouth, NH 03801

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

29 CFR 1910.26(c)(2)(vii): Ladders having defects are to be marked and taken out of service until repaired by either maintenance department or the manufacturer:

(a) Automotive Shop - Damaged ladders were not removed from the work area.

*Monro Muffler, Brake Inc. was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29CFR1910.26(c)(2)(vii), which was contained in OSHA Inspection number 3315500140, citation number 01, item number 002, with a final order date of 06/01/11 with respect to a workplace located at 200 Holleder Parkway, Rochester, NY 14615.*

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$16500.00

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

Inspection Number: 755161  
Inspection Date(s): 11/27/2012 - 11/27/2012  
Issuance Date: 05/15/2013



**Citation and Notification of Penalty**

**Company Name:** Monro Muffler Brake, Inc., dba Monro in BJ's  
**Inspection Site:** 1801 Woodbury Ave, Portsmouth, NH 03801

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**Citation 3 Item 2** Type of Violation: **Repeat**

29 CFR 1910.101(b): The in-plant handling, storage, and utilization of all compressed gases in cylinders, portable tanks, rail tankcars, or motor vehicle cargo tanks were not in accordance with Compressed Gas Association Pamphlet P-1-1965, which is incorporated by reference as specified in CFR 1910.6:

- (a) Automotive Shop Oxygen and Acetylene tanks were not secured in place to prevent them from being knocked over, as required by the Compressed Gas Association Pamphlet P-1-1965, Section 3.4.4., or stored in locations where heavy moving objects couldn't strike or fall on them, as required by the Compressed Gas Association Pamphlet P-1-1965, Section 3.3.8.

*Monro Muffler, Brake Inc. was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29CFR1910.101 (b), which was contained in OSHA Inspection number 314349358, citation number 01, item number 001, with a final order date of 09/02/11, with respect to a workplace located at 113 East Main Street, Canton, NY 13617.*

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$27500.00

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

Inspection Number: 755161  
Inspection Date(s): 11/27/2012 - 11/27/2012  
Issuance Date: 05/15/2013



**Citation and Notification of Penalty**

Company Name: Monro Muffler Brake, Inc., dba Monro in BJ's  
Inspection Site: 1801 Woodbury Ave, Portsmouth, NH 03801

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Citation 3 Item 3 Type of Violation: **Repeat**

29 CFR 1910.141(d)(1): Washing facilities were not maintained in a sanitary condition:

(a) Automotive Shop - The bathroom was not sanitary.

*Monro Muffler, Brake Inc. was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29CFR1910.141 (d) (1), which was contained in OSHA Inspection number 3312368582, citation number 02, item number 002, with a final order date of 05/18/09, with respect to a workplace located at 50 Eastview Mall Drive, Victor, NY 14564.*

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$16500.00

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: 755161  
Inspection Date(s): 11/27/2012 - 11/27/2012  
Issuance Date: 05/15/2013



### Citation and Notification of Penalty

Company Name: Monro Muffler Brake, Inc., dba Monro in BJ's  
Inspection Site: 1801 Woodbury Ave, Portsmouth, NH 03801

### Citation 3 Item 4 Type of Violation: **Repeat**

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

(a) Automotive Shop - No eye wash station while employees worked with corrosives.

*Monro Muffler, Brake Inc. was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29CFR1910.151(c), which was contained in OSHA Inspection number 315139758, citation number 01, item number 002, with a final order date of 10/09/12, with respect to a workplace located at 901 Technology Center Drive, Stoughton, MA 02072.*

*Monro Muffler, Brake Inc. was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29CFR1910.151(c), which was contained in OSHA Inspection number 3315500140, citation number 01, item number 003, with a final order date of 06/01/11, with respect to a workplace located at 200 Holleder Parkway, Rochester, NY 14615.*

*Monro Muffler, Brake Inc. was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29CFR1910.151(c), which was contained in OSHA Inspection number 315138164, citation number 01, item number 003, with a final order date of 10/02/12, with respect to a workplace located at 102 Falmouth Road, Hyannis, MA 02601.*

### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

05/21/2013  
\$27500.00

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

Inspection Number: 755161  
Inspection Date(s): 11/27/2012 - 11/27/2012  
Issuance Date: 05/15/2013



**Citation and Notification of Penalty**

**Company Name:** Monro Muffler Brake, Inc., dba Monro in BJ's  
**Inspection Site:** 1801 Woodbury Ave, Portsmouth, NH 03801

**Citation 3 Item 5** Type of Violation: **Repeat**

29 CFR 1910.253(b)(4)(iii): Oxygen cylinders in storage were not separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least one-half hour:

- (a) Automotive Shop - Oxygen cylinders and Acetylene cylinders were not separated by the required minimum distance or by the required noncombustible barrier.

*Monro Muffler, Brake Inc. was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29CFR1910.253 (b)(4)(iii), which was contained in OSHA Inspection number 3312368582, citation number 01, item number 003, with a final order date of 05/18/09, with respect to a workplace located at 50 Eastview Mall Drive, Victor, NY 14564.*

*Monro Muffler, Brake Inc. was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29CFR1910.253 (b)(4)(iii), which was contained in OSHA Inspection number 314402389, citation number 02, item number 001, with a final order date of 01/31/11, with respect to a workplace located at 3334 Berlin Turnpike, Newington, CT 06111.*

*Monro Muffler, Brake Inc. was previously cited for a violation of this Occupational Safety and Health standard or its equivalent standard 29CFR1910.253 (b)(4)(iii), which was contained in OSHA Inspection number 315001552, citation number 01, item number 001, with a final order date of 07/15/11, with respect to a workplace located at 16950 Bagley Rd. Middleburg Heights, OH 44130.*

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$55000.00

Rosemarie Ohar  
Area Director



U.S. Department of Labor  
 Occupational Safety and Health Administration  
 53 Pleasant Street, Room 3901  
 J.C. Cleveland Federal Bldg.  
 Concord, NH 03301  
 Phone: 603-225-1629 Fax: 603-225-1580



## INVOICE / DEBT COLLECTION NOTICE

**Company Name:** Monro Muffler Brake, Inc., dba Monro in BJ's  
**Inspection Site:** 1801 Woodbury Ave, Portsmouth, NH 03801  
**Issuance Date:** 05/15/2013

<b>Summary of Penalties for Inspection Number</b>	<b>755161</b>
<b>Citation 1, Serious</b>	<b>\$17600.00</b>
<b>Citation 2, Willful</b>	<b>\$60500.00</b>
<b>Citation 3, Repeat</b>	<b>\$143000.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$221100.00</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.

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

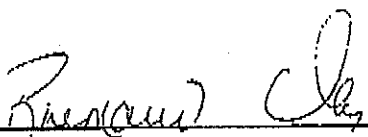
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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

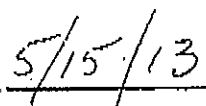
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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

  
\_\_\_\_\_  
Rosemarie Ohar  
Area Director

  
\_\_\_\_\_  
Date