



Notification of Failure to Abate Alleged Violations

To:
E.N. Range Inc.
and its successors
3310 NW 29 St
Miami, FL 33142

Original Inspection Number: 312153588
Original Inspection Date: 02/10/2009-04/17/2009

Inspection Number: 314259854
Inspection Date(s): 02/24/2010-03/18/2010
Issuance Date: 08/23/2010

Inspection Site:
4325 N. State Rd 7
Lauderdale Lakes, FL 33319

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.

After the original inspection, a Citation(s) was issued to you in accordance with the provisions of the Occupational Safety and Health Act of 1970 (the Act), notifying you of certain violations of the Act and the dates by which they were to be abated. Based upon reinspection, it is alleged that you have failed to abate the violation(s) listed below within the time prescribed, and the following additional penalties are proposed. The additional penalty is computed by multiplying a daily penalty times the number of days the violation(s) remained unabated. You are to notify the Area Director in writing of the date and nature of the corrective action taken. If you do not abate the violation(s), further penalties may be proposed and other enforcement action to compel abatement may be taken under section 11(b) of the Act.

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 and identified above. The certification **must** be sent by you within **10 calendar days** of the issuance 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 citations 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.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

You are further notified that you must pay the ADDITIONAL PENALTY unless you inform the Area Director in writing that you intend to contest the Notification or the Additional Penalty within 15 working days (excluding weekends and Federal holidays) from your receipt of this notification. If you do not contest within 15 working days after receipt, the Notification and the additional penalties will become the final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court of agency. Issuance of this Notification 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, if contested, unless the Notification is affirmed by the Review Commission.

Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance.

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, but not sooner than 30 calendar days after the Citation Issuance Date. 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 Notification of Failure to Abate Alleged Violations issued on 08/23/2010 . The conference will be held at the OSHA office located at 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL, 33324 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

ABATEMENT CERTIFICATION

Darlene Fossum, Area Director
U.S. Department of Labor - OSHA
1000 South Pine Island Road
Suite 100
Fort Lauderdale, FL 33324
Phone: (954)424-0242

E.N. Range Inc.
3310 NW 29 St
Miami, FL 33142

The hazard referenced in Inspection Number 314259854 for the violation identified as:

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by the following method: _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by the following method: _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by the following method: _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by the following method: _____.

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by the following method: _____.

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 that \$10,000, or by imprisonment for not more than six months or both.

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

Signature

Typed or Printed Name

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



Notification of Failure to Abate Alleged Violation

Original Inspection: 312153588

Inspection: 314259854

Original Inspection Dates: 02/10/2009 - 04/17/2009

Inspection Dates: 02/24/2010 - 03/18/2010

Issuance Date: 08/23/2010

Company Name: E.N. Range Inc.

Inspection Site: 4325 N. State Rd 7, Lauderdale Lakes, FL 33319

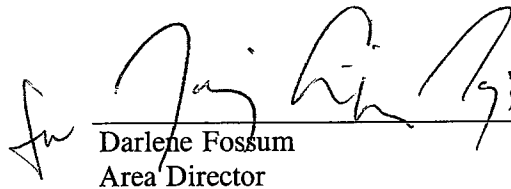
Citation 1 Item 5

29 CFR 1910.1025(e)(5): When administrative controls were used as a means of reducing employees TWA exposure to lead, the employer did not establish and implement a job rotation schedule:

On or about 2/24/10, at E.N. Range Inc., the employer did not include in their lead compliance program a job rotation schedule.

PLEASE NOTE: CERTIFICATION AND DOCUMENTATION OF ABATEMENT IS REQUIRED FOR THIS VIOLATION.

Additional Penalty: \$ 84000.00



Darlene Fossum
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
1000 South Pine Island Road
Suite 100
Fort Lauderdale, FL 33324
Phone: (954)424-0242 FAX: (954)424-3073



INVOICE/ DEBT COLLECTION NOTICE

Company Name: E.N. Range Inc.
Inspection Site: 4325 N. State Rd 7, Lauderdale Lakes, FL 33319
Issuance Date: 08/23/2010
Opt. Insp. Nr:

Summary of Penalties for Inspection Number 312153588
Followup Inspection Number 314259854

TOTAL ADDITIONAL PROPOSED PENALTIES = \$84000.00

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.

OSHA does not agree to any restrictions or conditions 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.

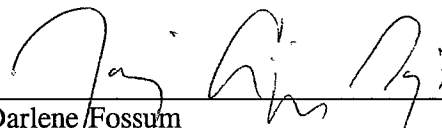
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts 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 4%. 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.

fw 

Darlene Fossum
Area Director

08/23/10

Date