

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



Citation and Notification of Penalty

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

Inspection Number: 314260605
Inspection Date(s): 03/22/2010 - 08/23/2010
Issuance Date: 08/23/2010

Inspection Site:
3130 SW 19th Street - Bay #453
Pembroke Park, FL 33009

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 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. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

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 page 3 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.

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.

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.

NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) 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.

**U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION**

GUIDELINES FOR PREPARING A NOTIFICATION OF CORRECTIVE ACTION

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 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 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.

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.

NOTE: NON-CERTIFICATION OF ABATEMENT CAN RESULT IN ADDITIONAL PENALTIES BEING ASSESSED!

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 29th Street
Miami, FL 33142

The hazard referenced in Inspection Number 314260605 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 than \$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



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

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

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

29 CFR 1910.134(g)(1)(iii): For all tight-fitting respirators, the employer did not ensure that employees performed a user seal check each time they put on the respirator using the procedures recommended by the respirator manufacturer.

- a) On or about 3/22/10, at 3130 SW 19th Street, Pembroke Park, employees did not perform user seal checks after putting on 3M 7503 half-face air purifying respirators.
- b) On or about 5/6/10, at 3315 NW River Drive, Miami, an employee did not perform a user seal check after putting on a 3M 7502 half-face air purifying respirator.

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

Date By Which Violation Must be Abated:	09/02/2010
Proposed Penalty:	\$ 4000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

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

29 CFR 1910.134(k)(1)(iv): The employer did not ensure that each user could demonstrate knowledge of how to inspect, put on, remove, use, and check the seals of the respirator:

- a) On or about 3/22/10, at 3130 SW 19th Street, Pembroke Park, employees were not trained on how to perform a user seal check after putting on 3M 7502 half-face air purifying respirators.
- b) On or about 5/6/10, at 3315 NW River Drive, Miami, an employee was not trained on how to perform a user seal check after putting on a 3M 7502 half-face air purifying respirator.

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

Date By Which Violation Must be Abated: 09/02/2010

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

29 CFR 1910.212(a)(5): Fan blade guard(s) were not provided where the periphery of the blades was less than seven feet from the floor or working level:

- a) On or about 5/6/10, in the sorting area at 3315 NW River Drive, Miami, a box fan was observed operating without the rear blade guard/cover installed.

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

Date By Which Violation Must be Abated: 09/02/2010
Proposed Penalty: \$ 2000.00



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

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

29 CFR 1910.305(g)(2)(ii): Flexible cords were not used in continuous lengths without splice or tap:

a) On or about 5/6/10, in the sorting area at 3315 NW River Drive, Miami, a spliced electrical extension cord was used to power a fan.

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

Date By Which Violation Must be Abated:	09/02/2010
Proposed Penalty:	\$ 1600.00

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

29 CFR 1910.134 (d)(1)(i): The employer had not selected and provided an appropriate respirator based on the respiratory hazard(s) to which the worker was exposed and workplace and user factors that affected respirator performance and reliability:

a) On or about 3/22/10, at 3130 SW 19th Street, Pembroke Park, the employer provided an employee with a 3M half-face air purifying respirator in an environment where the employee's lead exposure was greater than ten times the permissible exposure limit (PEL).

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

Date By Which Violation Must be Abated:	09/02/2010
Proposed Penalty:	\$ 4000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

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

29 CFR 1910.1025(g)(1): Appropriate protective work clothing and equipment were not provided at no cost to the employee when employee(s) were exposed to lead above the permissible exposure limit (PEL), without regard to the use of respirators, or where the possibility of skin or eye irritation existed:

a) On or about 5/6/10, at 3315 NW River Drive, Miami, an employee was observed sorting brass casings without utilizing protective clothing, shoe covering or eye protection.

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

Date By Which Violation Must be Abated:	09/02/2010
Proposed Penalty:	\$ 4000.00

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

29 CFR 1910.1025(i)(2)(i): Clean change rooms were not provided for employees exposed to lead in excess of the permissible exposure limit (PEL), without regard to the use of respirators:

a) On or about 5/06/10, at 3315 NW River Drive, Miami, it was determined that a clean change room was not provided for an employee who was exposed to an airborne lead concentration of 75 ug/m3.

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

Date By Which Violation Must be Abated:	09/16/2010
Proposed Penalty:	\$ 4000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

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

29 CFR 1910.1025(i)(3)(iii): The employer did not assure that employees who were required to shower pursuant to paragraph (i)(3)(i) did not leave the workplace wearing any clothing or equipment worn during the work shift:

a) On or about 5/6/10, at 3310 NW 29th Street, Miami, it was determined that an employee who was exposed to lead above the PEL, left the site wearing the clothing that was worn during the brass sorting process.

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

Date By Which Violation Must be Abated:	09/16/2010
Proposed Penalty:	\$ 4000.00

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

29 CFR 1910.1025(j)(2)(i): Required biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin (ZPP) levels were not provided to each employee covered under paragraph (j)(1)(i) of this section under the schedule listed in (A), (B) and (C):

a) On or about 4/12/10, it was determined that a zinc protoporphyrin (ZPP) analysis was not conducted for employees who were exposed to lead in excess of the action level.

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

Date By Which Violation Must be Abated:	09/16/2010
Proposed Penalty:	\$ 4000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

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

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

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead at concentrations greater than fifty micrograms per cubic meter of air averaged over an eight-hour period:

a) AT PEMBROKE GUN & RANGE:

29 CFR 1910.1025(c)(1) limits the exposure of each employee to lead to 50 ug/m3. Thus, on or about 3/22/10, each employee exposed above the 8-hour time weighted average for lead constitutes a separate violation of the standard. An employee who was cleaning the range was exposed to an 8-hour time weighted average (TWA) airborne concentration of lead of 469 ug/m3.

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

Date By Which Violation Must be Abated:	09/02/2010
Proposed Penalty:	\$ 56000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

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

29 CFR 1910.1025(e)(1): Engineering and work practice controls (including administrative controls) were not implemented to reduce and maintain employee exposure to lead in accordance with the schedule in Table I of this paragraph:

a) On or about 3/22/10, at 3130 SW 19th Street, Pembroke Park, the employer did not implement engineering or work practice controls for employees who were exposed above the PEL when cleaning the shooting range.

ABATEMENT SCHEDULE

DUE ON 9/2/10:

STEP 1 - Effective respiratory protection shall be provided and used by employees as an interim protective measure.

DUE ON 10/7/10:

STEP 2 - Submit to the Area Director a written detailed plan of abatement outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to the hazardous substance referenced in this citation. This plan shall include, at a minimum, target dated for the following actions which should be consistent with the dates required by the citation:

- a) Evaluation of the extent and location of the hazard source;
- b) Evaluation of control measure options;
- c) Selection of optimum control measures;
- d) Determination of control measure design;
- e) Ordering and delivery of equipment and materials;
- f) Installation and control measures;
- g) Training of employees in the proper operation and maintenance of the newly implemented control measures; and
- h) Assurance of effective performance of control measures.

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

All proposed control measures shall be approved for each particular use by a competent Industrial Hygienist or other technically qualified person. Progress reports are required during the abatement period.

DUE ON 12/30/10:

STEP 3 - Correction shall be completed by the implementation of feasible engineering and/or administrative controls and their effectiveness at achieving compliance verified.

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

Date By Which Violation Must be Abated: 12/30/2010



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

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

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

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead at concentrations greater than fifty micrograms per cubic meter of air averaged over an eight-hour period:

a) AT PEMBROKE GUN & RANGE:

29 CFR 1910.1025(c)(1) limits the exposure of each employee to lead to 50 ug/m³. Thus, on or about 3/22/10, each employee exposed above the 8-hour time weighted average for lead constitutes a separate violation of the standard. An employee who was dumping recovered lead into a 55-gallon drum was exposed to an 8-hour time weighted average (TWA) airborne concentration of lead of 536 ug/m³.

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

Date By Which Violation Must be Abated:	09/02/2010
Proposed Penalty:	\$ 56000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

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

29 CFR 1910.1025(e)(1): Engineering and work practice controls (including administrative controls) were not implemented to reduce and maintain employee exposure to lead in accordance with the schedule in Table I of this paragraph:

a) On or about 3/22/10, at 3130 SW 19th Street, Pembroke Park, the employer did not implement engineering or work practice controls for employees who were exposed above the PEL when dumping mined lead into 55-gallon containers.

ABATEMENT SCHEDULE

DUE ON 9/2/10:

STEP 1 - Effective respiratory protection shall be provided and used by employees as an interim protective measure.

DUE ON 10/7/10:

STEP 2 - Submit to the Area Director a written detailed plan of abatement outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to the hazardous substance referenced in this citation. This plan shall include, at a minimum, target dated for the following actions which should be consistent with the dates required by the citation:

- a) Evaluation of the extent and location of the hazard source;
- b) Evaluation of control measure options;
- c) Selection of optimum control measures;
- d) Determination of control measure design;
- e) Ordering and delivery of equipment and materials;
- f) Installation and control measures;
- g) Training of employees in the proper operation and maintenance of the newly implemented control measures; and

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

h) Assurance of effective performance of control measures.

All proposed control measures shall be approved for each particular use by a competent Industrial Hygienist or other technically qualified person. Progress reports are required during the abatement period.

DUE 12/30/10:

STEP 3 - Correction shall be completed by the implementation of feasible engineering and/or administrative controls and their effectiveness at achieving compliance verified.

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

Date By Which Violation Must be Abated: 12/30/2010

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

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

Citation 2 Item 3a Type of Violation: **Willful**

29 CFR 1910.1025(c)(1): Employee(s) were exposed to lead at concentrations greater than fifty micrograms per cubic meter of air averaged over an eight-hour period:

a) AT MAIN FACILITY - 3315 NW RIVER DRIVE, MIAMI:

29 CFR 1910.1025(c)(1) limits the exposure of each employee to lead to 50 ug/m3. Thus, on or about 5/6/10, each employee exposed above the 8-hour time weighted average for lead constitutes a separate violation of the standard. An employee who was sorting brass casings was exposed to an 8-hour time weighted average (TWA) airborne concentration of lead of 75 ug/m3.

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

Date By Which Violation Must be Abated:	09/02/2010
Proposed Penalty:	\$ 56000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

Citation 2 Item 3b Type of Violation: **Willful**

29 CFR 1910.1025(e)(1): Engineering and work practice controls (including administrative controls) were not implemented to reduce and maintain employee exposure to lead in accordance with the schedule in Table I of this paragraph:

a) On or about 5/6/10, at 3130 SW 19th Street, Pembroke Park, the employer did not implement engineering or work practice controls for employees who were exposed above the PEL when sorting brass casings.

ABATEMENT SCHEDULE

DUE ON 9/2/10:

STEP 1 - Effective respiratory protection shall be provided and used by employees as an interim protective measure.

DUE ON 10/7/10:

STEP 2 - Submit to the Area Director a written detailed plan of abatement outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to the hazardous substance referenced in this citation. This plan shall include, at a minimum, target dates for the following actions which should be consistent with the dates required by the citation:

- a) Evaluation of the extent and location of the hazard source;
- b) Evaluation of control measure options;
- c) Selection of optimum control measures;
- d) Determination of control measure design;
- e) Ordering and delivery of equipment and materials;
- f) Installation and control measures;
- g) Training of employees in the proper operation and maintenance of the newly implemented control measures; and
- h) Assurance of effective performance of control measures.

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

All proposed control measures shall be approved for each particular use by a competent Industrial Hygienist or other technically qualified person. Progress reports are required during the abatement period.

DUE ON 12/30/10:

STEP 3 - Correction shall be completed by the implementation of feasible engineering and/or administrative controls and their effectiveness at achieving compliance verified.

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

Date By Which Violation Must be Abated: 12/30/2010

Citation 2 Item 4 Type of Violation: **Willful**

29 CFR 1910.1025(d)(6)(iii): Where the initial monitoring revealed that employee exposure to lead was above the permissible exposure limit, monitoring was not repeated at least two (2) consecutive measurements, taken at least seven (7) days apart, were below the PEL:

a) AT PEMBROKE GUN & RANGE:

29 CFR 1910.1025(d)(6)(iii) requires the employer to repeat air monitoring when there has been documented exposures above the permissible exposure limit. Thus, on or about 3/22/10, each employee not monitored quarterly constitutes a separate violation of the standard.

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

Date By Which Violation Must be Abated: 09/02/2010
Proposed Penalty: \$ 56000.00

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Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

Citation 2 Item 5 Type of Violation: **Willful**

29 CFR 1910.1025(d)(6)(iii): Where the initial monitoring revealed that employee exposure to lead was above the permissible exposure limit, monitoring was not repeated at least two (2) consecutive measurements, taken at least seven (7) days apart, were below the PEL:

a) AT PEMBROKE GUN & RANGE:

29 CFR 1910.1025(d)(6)(iii) requires the employer to repeat air monitoring when there has been documented exposures above the permissible exposure limit. Thus, on or about 3/22/10, each employee not monitored quarterly constitutes a separate violation of the standard.

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

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Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

Citation 2 Item 6 Type of Violation: **Willful**

29 CFR 1910.1025(d)(6)(iii): Where the initial monitoring revealed that employee exposure to lead was above the permissible exposure limit, monitoring was not repeated at least two (2) consecutive measurements, taken at least seven (7) days apart, were below the PEL:

a) AT MAIN FACILITY - 3315 NW RIVER DRIVE, MIAMI:
29 CFR 1910.1025(d)(6)(iii) requires the employer to repeat air monitoring when there has been documented exposures above the permissible exposure limit. Thus, on or about 5/6/10, each employee not monitored quarterly constitutes a separate violation of the standard.

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

Date By Which Violation Must be Abated:	09/02/2010
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See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

Citation 2 Item 7 Type of Violation: **Willful**

29 CFR 1910.1025(g)(1): Appropriate protective work clothing and equipment were not provided at no cost to the employee when employee(s) were exposed to lead above the permissible exposure limit (PEL), without regard to the use of respirators, or where the possibility of skin or eye irritation existed:

a) On or about 3/22/10, at 3131 SW 19th Street, Bay # 453, Pembroke Park, employees who were cleaning a shooting range and exposed to lead above the PEL were not wearing any form of shoe coverings and eye protection.

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

Date By Which Violation Must be Abated:	09/02/2010
Proposed Penalty:	\$ 56000.00

Citation 2 Item 8 Type of Violation: **Willful**

29 CFR 1910.1025(h)(2)(ii): Shoveling, sweeping or brushing methods were used to remove lead accumulations where vacuuming or other equally effective methods were available and feasible:

a) On or about 3/22/10, at 3130 SW 19th Street, Pembroke Park, employees were observed shovelling and dry sweeping lead from the floor of the indoor shooting range.

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

Date By Which Violation Must be Abated:	09/16/2010
Proposed Penalty:	\$ 56000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

Citation 2 Item 9 Type of Violation: **Willful**

29 CFR 1910.1025(i)(3)(ii): Shower facilities, in accordance with 29 CFR 1910.141(d)(3), were not provided for employee(s) exposed to lead in excess of the permissible exposure limit (PEL), without regard to the use of respirators:

- a) On or about 3/22/10, at 3130 SW 19th Street, Pembroke Park, the employer did not provide a shower for employees who were exposed to airborne lead in excess of the PEL when engaged in de-leading activities at the shooting range.
- b) On 4/21/2010, at 3315 NW River Drive, Miami, the employer did not provide a shower for an employee who was exposed to airborne lead in excess of the PEL when sorting spent brass casings.

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

Date By Which Violation Must be Abated:	09/16/2010
Proposed Penalty:	\$ 56000.00

Citation 2 Item 10 Type of Violation: **Willful**

29 CFR 1910.1025(i)(3)(iii): The employer did not assure that employees who were required to shower pursuant to paragraph (i)(3)(i) did not leave the workplace wearing any clothing or equipment worn during the work shift:

- a) On or about 3/22/10, at 3310 SW 19th Street, Miami, it was determined that employees who were exposed above the PEL left the site wearing the same shoes that were used during de-leading processes at the shooting range.

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

Date By Which Violation Must be Abated:	09/16/2010
Proposed Penalty:	\$ 56000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

Citation 2 Item 11 Type of Violation: **Willful**

29 CFR 1910.1025(j)(2)(i)(A): The employer shall make available biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels at least every six months for all employees exposed above the action level for more than 30 days per year:

a) AT PEMBROKE GUN & RANGE:

29 CFR 1910.1025(j)(2)(i)(A) requires the employer to make biological monitoring available for all employees at least every six months. Thus, on or about 3/22/10, each employee who was exposed to lead above the permissible exposure level and did not have biological monitoring conducted at least every six months constitutes a separate violation.

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

Date By Which Violation Must be Abated:	09/02/2010
Proposed Penalty:	\$ 56000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

Citation 2 Item 12 Type of Violation: **Willful**

29 CFR 1910.1025(j)(2)(i)(A): The employer shall make available biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels at least every six months for all employees exposed above the action level for more than 30 days per year:

a) AT PEMBROKE GUN & RANGE:

29 CFR 1910.1025(j)(2)(i)(A) requires the employer to make biological monitoring available for all employees at least every six months. Thus, on or about 3/22/10, each employee who was exposed to lead above the permissible exposure level and did not have biological monitoring conducted at least every six months constitutes a separate violation.

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

Date By Which Violation Must be Abated:	09/02/2010
Proposed Penalty:	\$ 56000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

Citation 2 Item 13 Type of Violation: **Willful**

29 CFR 1910.1025(j)(2)(i)(A): The employer shall make available biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels at least every six months for all employees exposed above the action level for more than 30 days per year:

a) AT MAIN FACILITY - 3315 NW RIVER DRIVE, MIAMI:
29 CFR 1910.1025(j)(2)(i)(A) requires the employer to make biological monitoring available for all employees at least every six months. Thus, on or about 5/6/10, each employee who was exposed to lead above the permissible exposure level and did not have biological monitoring conducted at least every six months constitutes a separate violation.

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

Date By Which Violation Must be Abated:	09/02/2010
Proposed Penalty:	\$ 56000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

Citation 2 Item 14 Type of Violation: **Willful**

29 CFR 1910.1025(j)(3)(ii)(B): Medical examinations for lead made available pursuant to paragraphs (j)(3)(i)(A)-(B) of this section did not include a thorough physical examination, with particular attention to teeth, gums, hematologic, gastrointestinal, renal, cardiovascular, and neurological systems. Also, pulmonary status was not evaluated when respiratory protection was used:

a) PEMBROKE GUN & RANGE:

29 CFR 1910.1025(j)(3)(ii)(B) is a requirement for the employer to evaluate each employee's pulmonary status when using respiratory protection. Thus, on or about 3/22/10, each employee that was issued a 3M half-face respirator constitutes a separate violation of the standard.

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

Date By Which Violation Must be Abated:	09/02/2010
Proposed Penalty:	\$ 56000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

Citation 2 Item 15 Type of Violation: **Willful**

29 CFR 1910.1025(j)(3)(ii)(B): Medical examinations for lead made available pursuant to paragraphs (j)(3)(i)(A)-(B) of this section did not include a thorough physical examination, with particular attention to teeth, gums, hematologic, gastrointestinal, renal, cardiovascular, and neurological systems. Also, pulmonary status was not evaluated when respiratory protection was used:

a) PEMBROKE GUN & RANGE:

29 CFR 1910.1025(j)(3)(ii)(B) is a requirement for the employer to evaluate each employee's pulmonary status when using respiratory protection. Thus, on or about 3/22/10, each employee that was issued a 3M half-face respirator constitutes a separate violation of the standard.

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

Date By Which Violation Must be Abated:	09/02/2010
Proposed Penalty:	\$ 56000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

Citation 2 Item 16 Type of Violation: **Willful**

29 CFR 1910.1025(j)(4)(ii): The employer did not assure that therapeutic or diagnostic chelation was done under the supervision of a licensed physician in a clinical setting with thorough and appropriate medical monitoring and that the employee was notified in writing prior to its occurrence:

a) 29 CFR 1910.1025(j)(4)(ii) requires that employees are provided chelation therapy under the supervision of a licensed physician. Thus, on or about 5/6/10, each employee provided with the chelation product without the supervision of a licensed physician in a clinical setting with thorough and appropriate medical monitoring, constitutes a separate violation of the standard.

IN THE ALTERNATIVE:

29 CFR 1910.1025(j)(4)(i): The employer did not assure that any person whom he retained, employed, supervised or controlled did not engage in prophylactic lead chelation of any employee:

a) 29 CFR 1910.1025(j)(4)(i) prohibits the employer from providing prophylactic chelation to employees. Thus, on or about 5/6/10, each employee provided with the prophylactic chelation product constitute a separate violation of the standard.

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

Date By Which Violation Must be Abated:	08/27/2010
Proposed Penalty:	\$ 56000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

Citation 2 Item 17 Type of Violation: Willful

29 CFR 1910.1025(j)(4)(ii): The employer did not assure that therapeutic or diagnostic chelation was done under the supervision of a licensed physician in a clinical setting with thorough and appropriate medical monitoring and that the employee was notified in writing prior to its occurrence:

a) 29 CFR 1910.1025(j)(4)(ii) requires that employees are provided chelation therapy under the supervision of a licensed physician. Thus, on or about 5/6/10, each employee provided with the chelation product without the supervision of a licensed physician in a clinical setting with thorough and appropriate medical monitoring, constitutes a separate violation of the standard.

IN THE ALTERNATIVE:

29 CFR 1910.1025(j)(4)(i): The employer did not assure that any person whom he retained, employed, supervised or controlled did not engage in prophylactic lead chelation of any employee:

a) 29 CFR 1910.1025(j)(4)(i) prohibits the employer from providing prophylactic chelation to employees. Thus, on or about 5/6/10, each employee provided with the prophylactic chelation product constitute a separate violation of the standard.

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

Date By Which Violation Must be Abated:	08/27/2010
Proposed Penalty:	\$ 56000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

Citation 2 Item 18 Type of Violation: **Willful**

29 CFR 1910.1025(j)(4)(ii): The employer did not assure that therapeutic or diagnostic chelation was done under the supervision of a licensed physician in a clinical setting with thorough and appropriate medical monitoring and that the employee was notified in writing prior to its occurrence:

a) 29 CFR 1910.1025(j)(4)(ii) requires that employees are provided chelation therapy under the supervision of a licensed physician. Thus, on or about 5/6/10, each employee provided with the chelation product without the supervision of a licensed physician in a clinical setting with thorough and appropriate medical monitoring, constitutes a separate violation of the standard.

IN THE ALTERNATIVE:

29 CFR 1910.1025(j)(4)(i): The employer did not assure that any person whom he retained, employed, supervised or controlled did not engage in prophylactic lead chelation of any employee:

a) 29 CFR 1910.1025(j)(4)(i) prohibits the employer from providing prophylactic chelation to employees. Thus, on or about 5/6/10, each employee provided with the prophylactic chelation product constitute a separate violation of the standard.

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

Date By Which Violation Must be Abated:	08/27/2010
Proposed Penalty:	\$ 56000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: E.N. Range, Inc.
Inspection Site: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009

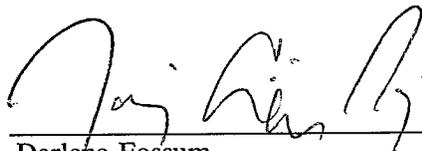
Citation 3 Item 1 Type of Violation: **Other**

29 CFR 1910.1025(g)(2)(vii): Containers of contaminated protective clothing and equipment required by paragraph (g)(2)(v) were not labeled as follows: "CAUTION: CLOTHING CONTAMINATED WITH LEAD. DO NOT REMOVE DUST BY BLOWING OR SHAKING. DISPOSE OF LEAD CONTAMINATED WASH WATER IN ACCORDANCE WITH APPLICABLE LOCAL, STATE, OR FEDERAL REGULATIONS.":

a) On or about 3/22/10, at 3130 SW 19th Street, Pembroke Street, warning labels were not placed on bags in which lead contaminated protective clothing was stored.

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

Date By Which Violation Must be Abated:	09/02/2010
Proposed Penalty:	\$ 0.00

fw


Darlene Fossum
Area Director

See pages 1 through 3 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
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: 3130 SW 19th Street - Bay #453, Pembroke Park, FL 33009
Issuance Date: 08/23/2010
Summary of Penalties for Inspection Number 314260605

Citation 1, Serious	= \$ 27600.00
Citation 2, Willful	= \$ 1008000.00
Citation 3, Other	= \$ 0.00
TOTAL PROPOSED PENALTIES	= \$ 1035600.00

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 or endorsements put on any check or money order for less than 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.

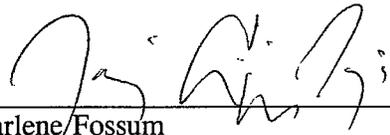
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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



Darlene Fossum
Area Director

08/23/10

Date

Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Citation and Notification of Penalty.

If the hazards itemized on this citation(s) are not abated/corrected and a follow-up inspection is conducted, your establishment may receive a Failure to Abate Citation for the uncorrected hazards with subsequent additional monetary penalties of up to thirty (30) times the original penalty amount of the uncorrected hazards.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the Citation(s).