

U.S. Department of Labor Occupational Safety and Health Administration
660 White Plains Rd,
4th Floor
Tarrytown, NY 10591
Phone: 914-524-7510 Fax: 914-524-7515



01/23/2015

AMB Construction Inc.
70-16 20th Ave.
Brooklyn, NY 11204

Dear Mr. Peja:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000) revised 1990, which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

As indicated on page 8 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 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 the citation. The running of this contest period is not interrupted by an informal conference. You must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely:

Diana Cortez
Area Director

Enclosures

U.S. Department of Labor

Occupational Safety and Health Administration
660 White Plains Rd
4th Floor
Tarrytown, NY 10591
Phone: 914-524-7510 Fax: 914-524-7515



Citation and Notification of Penalty

To:
AMB Construction Inc.
70-16 20th Ave.
Brooklyn, NY 11204

Inspection Number: 988651
Inspection Date(s): 08/01/2014 - 09/22/2014
Issuance Date: 01/23/2015

Inspection Site:
123 Babbitt Rd.
Bedford Hills, NY 10507
Attention: Mr. Peja

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty **you either call to schedule an informal conference (see paragraph below) or** you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest – You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on OSHA Penalty Payment Form. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

Notification of Corrective Action – For each violation which you do not contest, you must provide *abatement certification* to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that *abatement documentation* is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 01/23/2015. The conference will be held by telephone or at the OSHA office located at 660 White Plains Rd, 4th Floor, Tarrytown, NY 10591 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 988651

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507
Issuance Date: 01/23/2015

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, 660 White Plains Rd, 4th Floor, Tarrytown, NY 10591**

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

Citation Number _____ and Item Number _____ was corrected on _____
By (Method of Abatement): _____

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

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



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees in that employees were exposed to fall hazards:

location: beside exterior of the building, L section
on or about: 8/25/14

a) Employees were using a Genie S-45 aerial lift, while installing gutters. The 22 1/2 inch wide basket entrance did not have an acceptable midrail, as the sliding midrail was taped to the toprail. The employees were not tied off using a body belt or harness. The aerial lift was not inspected daily. The employees were exposed to a fall of up to 16'.

Among other methods, one feasible and acceptable method to correct the hazard is:

1. Follow ANSI/SIA A92.5-1992 for Boom-Supported Elevating Work Platforms 4.11.2.3 Mid-rail which states:
The guardrail system shall include a mid-rail approximately midway between the top-rail and the platform surface.

and

2. Follow ANSI/SIA A92.5-1992 for Boom-Supported Elevating Work Platforms 8.3 (j) Pre-start inspection which states:
Before use each day, or at the beginning of each shift, the aerial platform shall be given a visual inspection and function test including but not limited to the following: (j) Guardrail system.

NOTE: Because abatement of this violation is already documented in the inspection casefile, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

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

Inspection Number: 988651
Inspection Date(s): 08/01/2014 - 09/22/2014
Issuance Date: 01/23/2015



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$2750.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

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

29 CFR 1926.21(b)(2): The employer did not instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to his/her environment to control or eliminate any hazards or other exposure to illness or injury:

location: entire site
on or about: 8/1/14

a) Employees were using a Genie S-45 aerial lift, while engaged in roofing and fascia work around the eave of the building. The employees, who were exposed to a fall of up to 25', were not provided with safe aerial lift training.

location: entire site
on or about: 8/25/14

b) Employees were using a Genie S-45 aerial lift, while engaged in installing gutters around the eave of the building. The employees, who were exposed to a fall of up to 16', were not provided with safe aerial lift training.

NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/26/2015
Proposed Penalty:	\$3850.00

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

Inspection Number: 988651
Inspection Date(s): 08/01/2014 - 09/22/2014
Issuance Date: 01/23/2015



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

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

29 CFR 1926.304(i)(1): Each circular hand-fed rip saw was not guarded by a hood which completely encloses the portion of the saw above the table and that portion of the saw above the material being cut:

location: outside staging area
on or about: 8/1/14

a) Employees were using a Ryobi 10" table saw RTS31 to rip cut plywood, for the fascia. The blade of the table saw was not guarded.

NOTE: Because abatement of this violation is already documented in the inspection casefile, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$2750.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

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

29 CFR 1926.404(b)(1)(i); The employer did not use either ground fault circuit interrupters as specified in paragraph (b)(1)(ii) of this section or an assured equipment grounding conductor program as specified in paragraph (b)(1)(iii) of this section to protect employees on construction sites:

location: staging area
on or about: 8/1/14

a) Employees were using extension cords to power electrical equipment, including a Milwaukee 7 1/4" circular saw and a Ryobi 10" table saw RTS31. The employees were not provided with GFCI protection or an assured equipment grounding conductor program.

NOTE: Because abatement of this violation is already documented in the inspection casefile, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$2750.00

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

Inspection Number: 988651
Inspection Date(s): 08/01/2014 - 09/22/2014
Issuance Date: 01/23/2015



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

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

29 CFR 1926.453(b)(2)(iv): Employee(s) working in an aerial lift were not standing firmly on the floor of the basket:

location: beside exterior of the building, K&F roof sections
on or about: 8/1/14

a) Employees were using a Genie S-45 aerial lift, while engaged in fascia work around the eave of the building. The employees were climbing and standing on the lift guardrails. The employees were exposed to a fall of up to 25'.

NOTE: Because abatement of this violation is already documented in the inspection casefile, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$3850.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

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

29 CFR 1926.501(b)(1): Each employee on a walking/working surface with an unprotected side or edge which was 6 feet (1.8 m) or more above a lower level was not protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems:

location: G,J roof
on or about: 9/20/14

a) An employee, on the roof while preparing to engage in patchwork, was not provided with fall protection. The employee was exposed to a fall of 19 feet.

location: B,F,G,J roof
on or about: 9/20/14

b) An employee, on the roof while engaged in gutter installation, was not provided with fall protection. The employee was exposed to a fall of up to 25 feet.

NOTE: Because abatement of this violation is already documented in the inspection casefile, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$2750.00



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

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

29 CFR 1926.501(b)(11): Each employee on a steep roof with unprotected sides and edges 6 feet (1.8 m) or more above lower levels was not protected from falling by guardrail systems with toeboards, safety net systems, or personal fall arrest systems:

location: K roof
on or about: 8/1/14

a) An employee, working on a steep roof, was not provided with fall protection. The employee was exposed to a fall of 20 feet.

location: K roof
on or about: 8/25/14

b) Employees, walking on a steep roof, were not provided with fall protection. The employees were exposed to a fall of 20 feet.

NOTE: Because abatement of this violation is already documented in the inspection casefile, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$3850.00



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

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 8 a Type of Violation: **Serious**

29 CFR 1926.1053(b)(1): When portable ladders were used for access to an upper landing surface, the ladder side rails did not extend at least 3 feet (.9 m) above the upper landing surface to which the ladder was used to gain access; or, when such an extension was not possible because of the ladder's length, then the ladder was not secured at its top to a rigid support that will not deflect, and a grasping device, such as a grabrail, was not provided to assist employees in mounting and dismounting the ladder. In no case shall the extension be such that ladder deflection under a load would, by itself, cause the ladder to slip off its support:

location: wall between roof B and roof F
on or about: 9/20/14

a) An employee was using a ladder to access the top of the wall that was between roof B and the roof F. The A-frame ladder did not reach the top of the wall separating the two roofs.

NOTE: Because abatement of this violation is already documented in the inspection casefile, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$2750.00



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

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

29 CFR 1926.1053(b)(4): Ladder(s) were used for purposes other than the purpose for which they were designed:

wall between roof B and roof F
on or about: 9/20/14

a) An employee was using a ladder to access the top of the wall that was between roof B and the roof F. The ladder was used in the leaning position. The spreaders were not opened up.

NOTE: Because abatement of this violation is already documented in the inspection casefile, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

Date By Which Violation Must be Abated:

Corrected During Inspection



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

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

29 CFR 1926.1053(b)(21): Each employee did not use at least one hand to grasp the ladder when progressing up and/or down the ladder:

location: beside J roof
on or about: 9/20/14

a) An employee was using a 40' portable metal extension ladder to access the roof. The employee did not have at least one hand grasp the ladder when progressing up the ladder.

location: beside J roof
on or about: 9/20/14

b) An employee was using a 40' portable metal extension ladder to access an upper part of the exterior wall, below the J roof. The employee did not have at least one hand grasp the ladder when progressing up the ladder.

NOTE: Because abatement of this violation is already documented in the inspection casefile, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$2750.00

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

Inspection Number: 988651
Inspection Date(s): 08/01/2014 - 09/22/2014
Issuance Date: 01/23/2015



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

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

29 CFR 1926.1060(a): The employer did not provide a training program for each employee using ladders and stairways, that enabled employee to recognize hazards related to ladders and stairways, and that trained each employee in the procedures to be followed to minimize these hazards:

location: entire site
on or about: 9/20/14

a) An employee was using a portable extension ladder while engaged in patch work and roofing work. The employee was not provided with ladder safety training.

NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/26/2015
Proposed Penalty:	\$2750.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

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

29 CFR 1926.453(b)(2)(v): A body belt was not worn and/or a lanyard was not attached to the boom or basket when working from an aerial lift:

location: beside exterior of the building, K&F sections
on or about: 8/1/14

a) Employees were using a Genie S-45 aerial lift, while engaged in fascia work around the eave of the building. The employees were not tied off using a body belt or harness. The employees were exposed to a fall of up to 25'.

location: beside exterior of the building, L section
on or about: 8/25/14

b) Employees were using a Genie S-45 aerial lift, while installing gutters around the eave of the building. The employees were not tied off using a body belt or harness. The employees were exposed to a fall of up to 16'.

location: beside exterior of the building, B,F,K,L section
on or about: 9/20/14

c) An employee was using a Genie S-45 aerial lift, while installing gutters around the eave of the building and to access the roof. The employee was not tied off using a body belt or harness. The employee was exposed to a fall of up to 23'.

NOTE: Because abatement of this violation is already documented in the inspection casefile, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

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: 988651
Inspection Date(s): 08/01/2014 - 09/22/2014
Issuance Date: 01/23/2015



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

Proposed Penalty:

\$38500.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

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

29 CFR 1926.501(b)(10): Except as otherwise provided in paragraph (b) of this section, each employee engaged in roofing activities on low-slope roofs, with unprotected sides and edges 6 feet (1.8 m) or more above lower levels was not protected from falling by guardrail systems, safety net systems, personal fall arrest systems, or a combination of warning line system and guardrail system, warning line system and safety net system, or warning line system and personal fall arrest system, or warning line system and safety monitoring system:

location: roof
on or about: 8/1/14

a) Employees engaged in roofing activities, were not provided with fall protection. The employees were exposed to a fall of 15-25 feet.

location: dormer roof
on or about: 8/25/14

b) Employees, engaged in roofing activities, were not using fall protection. The employees were exposed to a fall of 11 feet.

location: F section roof
on or about: 8/25/14

c) An employee, engaged in roofing activities, was not using fall protection. The employee was exposed to a fall of 25 feet.

location: G section roof
on or about: 8/25/14

d) Employees, engaged in roofing activities, were not using fall protection. The employees were

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: 988651
Inspection Date(s): 08/01/2014 - 09/22/2014
Issuance Date: 01/23/2015



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

exposed to a fall of 19 feet.

The employer, AMB Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, 29 CFR 1926.501(b)(10), which was contained in OSHA inspection number 314617259, citation number 1, item number 2a and was affirmed as a final order on 1/4/2011, with respect to a workplace located at 141 Lower Cross Rd., Stamford, Ct 06813.

NOTE: Because abatement of this violation is already documented in the inspection casefile, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

Date By Which Violation Must be Abated:	Corrected During Inspection
Proposed Penalty:	\$38500.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

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

29 CFR 1926.503(a)(1): The employer did not provide a training program for each employee potentially exposed to fall hazards to enable each employee to recognize the hazards of falling and the procedures to be followed in order to minimize these hazards:

location: entire site
on or about: 8/25/14

a) An employee, engaged in roofing activities, was not provided with fall protection training. The employee was exposed to a fall of 19 feet.

The employer, AMB Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, 29 CFR 1926.503(a)(1), which was contained in OSHA inspection number 314617259, citation number 1, item number 2b and was affirmed as a final order on 1/4/2011, with respect to a workplace located at 141 Lower Cross Rd., Greenwich, Ct 06831.

NOTE: The employer is required to submit abatement certification for this item in accordance with 29 CFR 1903.19.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/26/2015
Proposed Penalty:	\$5500.00



Citation and Notification of Penalty

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507

Citation 4 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1926.404(a)(2): A grounded conductor was attached to a terminal or lead so as to reverse designated polarity:

location: room 23
on or about: 8/1/14

a) The outlet, used by employees to power a Milwaukee circular saw, had the hot and neutral wires reversed.

NOTE: Because abatement of this violation is already documented in the inspection casefile, the employer need not submit certification or documentation of abatement for this violation as normally required by 29 CFR 1903.19.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

A handwritten signature in black ink, appearing to read "Diana Cortez", written over a horizontal line.

Diana Cortez
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
660 White Plains Rd
4th Floor
Tarrytown, NY 10591
Phone: 914-524-7510 Fax: 914-524-7515



INVOICE / DEBT COLLECTION NOTICE

Company Name: AMB Construction Inc.
Inspection Site: 123 Babbitt Rd., Bedford Hills, NY 10507
Issuance Date: 01/23/2015

Summary of Penalties for Inspection Number	988651
Citation 1, Serious	\$30800.00
Citation 2, Willful	\$77000.00
Citation 3, Repeat	\$5500.00
Citation 4, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$113300.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$50,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

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

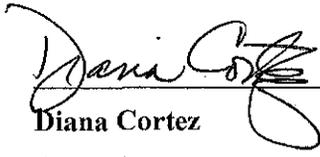
amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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

Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Diana Cortez
Area Director

1/23/15

Date