

**U.S. Department of Labor** Occupational Safety and Health Administration  
1600 167th Street, Suite 9  
Calumet City, IL 60409  
Phone: 708-891-3800 Fax: 708-862-9659



01/22/2015

ERA VALDIVIA CONTRACTORS INC.  
11909 SOUTH AVE. O  
Chicago, IL 60617

Attention: Able Valdivia

Inspection #987421

Dear Mr. Valdivia:

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 dated 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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,



**Kathy Webb**  
Area Director

Enclosures

**U.S. Department of Labor**

Occupational Safety and Health Administration  
1600 167th Street, Suite 9  
Calumet City, Illinois 60409  
PHONE (708) 891-3800 FAX (708) 862-9659  
Website [www.osha.gov](http://www.osha.gov)



Under a law passed by Congress in 1996, the Small Business Administration (SBA) has established an SBA Ombudsman and SBA Regional Fairness Boards to investigate small business complaints about federal agency enforcement actions.

If you are a small business and believe you have been treated unfairly by the Occupational Safety and Health Administration (OSHA), you may file a written, signed complaint with the SBA Ombudsman at:

SBA Office of the National Ombudsman  
409 3<sup>rd</sup> Street, SW  
MC 2120  
Washington, D.C. 20416

Or, call Toll Free: 1-888-REGFAIR

NOTE: Filing a complaint with the SBA Ombudsman does not affect any obligation you may have to comply with an OSHA citation or other enforcement actions.

Your support of occupational safety and health is appreciated.

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1600 167th Street  
Suite 9  
Calumet City, IL 60409  
Phone: 708-891-3800 Fax: 708-862-9659



## Citation and Notification of Penalty

**To:**  
ERA VALDIVIA CONTRACTORS INC.  
11909 SOUTH AVE. O  
Chicago, IL 60617

**Inspection Number:** 987421  
**Inspection Date(s):** 07/29/2014 - 01/21/2015  
**Issuance Date:** 01/22/2015

**Inspection Site:**  
Francisco Bridge  
Blue Island, IL 60406

*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](http://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](http://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 01/22/2015. The conference will be held by telephone or at the OSHA office located at 1600 167th Street, Suite 9, Calumet City, IL 60409 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 987421**

Company Name: ERA VALDIVIA CONTRACTORS INC.  
Inspection Site: Francisco Bridge, Blue Island, IL 60406  
Issuance Date: 01/22/2015

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, 1600 167th Street, Suite 9, Calumet City, IL 60409**

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:** ERA VALDIVIA CONTRACTORS INC.  
**Inspection Site:** Francisco Bridge, Blue Island, IL 60406

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

29 CFR 1926.62(d)(8)(ii): Whenever the results indicate that the representative employee exposure, without regard to respirators, is at or above the PEL the employer shall include in the written notice a statement that the employees exposure was at or above that level and a description of the corrective action taken or to be taken to reduce exposure to below that level.

a. On or about July 25, 2014, at the above addressed jobsite, employees conducting sandblasting operations on steel coated with lead based paint were exposed to lead at a level of 1000 micrograms per cubic meter of air, approximately 20 times the permissible exposure limit of 50 micrograms per cubic meter. The employer failed to notify each affected employee of the overexposure.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

01/28/2015  
\$7000.00



**Citation and Notification of Penalty**

**Company Name:** ERA VALDIVIA CONTRACTORS INC.  
**Inspection Site:** Francisco Bridge, Blue Island, IL 60406

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

29 CFR 1926.62(g)(1): "Provision and use". Where an employee is exposed to lead above the PEL without regard to the use of respirators, where employees are exposed to lead compounds which may cause skin or eye irritation (e.g. lead arsenate, lead azide), and as interim protection for employees performing tasks as specified in paragraph (d)(2) of this section, the employer shall provide at no cost to the employee and assure that the employee uses appropriate protective work clothing and equipment that prevents contamination of the employee and the employee's garments such as, but not limited to:

The employer does not protect each employee during lead abatement work by providing, at no cost to the employee, protective work clothing and equipment.

a. On or about July 25, 2014- at the Francisco Avenue Bridge in Blue Island, IL 60406, employees were conducting sandblasting operations on steel coated with lead based paint. The employer did not provide at no cost to the employee appropriate protective work clothing, thereby exposing employees to the hazards associated with lead.

To abate this hazard in the future the employer must provide, at no cost, protective work clothing for employees whose airborne exposure to lead is above the Permissible Exposure Limit.

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

**Inspection Number:** 987421  
**Inspection Date(s):** 07/29/2014 - 01/21/2015  
**Issuance Date:** 01/22/2015



**Citation and Notification of Penalty**

**Company Name:** ERA VALDIVIA CONTRACTORS INC.  
**Inspection Site:** Francisco Bridge, Blue Island, IL 60406

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The employer has been cited to this practice that included: Era Valdivia Contractors, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.62(g)(1) which was contained in OSHA violation number 108729237, citation number 1, item number 6, issued on December 14, 1995, and became final order on or about January 26, 1996, with respect to a workplace located at 800 2800 West Lake Street in Chicago, IL 60622; and violation number 313893380, citation number 2, item number 1, issued April 29, 2010 and became final order on or about December 29, 2010, with respect to a workplace at Interstate 294 Bridge over Interstate 290 in Berkeley, IL 60163; and violation number 312596745, citation number 1, item number 1, issued December 30, 2009 and became final order on or about September 10, 2011, with respect to a workplace at Interstate 294 Bridge over Interstate 55 in Indian Head Park, IL 60525.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	01/28/2015
Proposed Penalty:	\$70000.00

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:** ERA VALDIVIA CONTRACTORS INC.  
**Inspection Site:** Francisco Bridge, Blue Island, IL 60406

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

29 CFR 1926.62(i)(2)(i): The employer shall provide clean change areas for employees whose airborne exposure to lead is above the PEL, and as interim protection for employees performing tasks as specified in paragraph (d)(2) of this section, without regard to the use of respirators:

The employer does not protect each employee during lead abatement work by providing clean change areas when airborne exposure to lead is above the Permissible Exposure Limit.

a. On or about July 25, 2014- at the Francisco Avenue Bridge in Blue Island, IL 60406, employees were conducting sandblasting operations on steel coated with lead based paint. The employer did not provide clean change areas, thereby exposing employees to the hazards associated with lead.

To abate this hazard in the future, the employer must provide clean change areas for employees whose airborne exposure to lead is above the Permissible Exposure Limit.

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

**Inspection Number:** 987421  
**Inspection Date(s):** 07/29/2014 - 01/21/2015  
**Issuance Date:** 01/22/2015



**Citation and Notification of Penalty**

**Company Name:** ERA VALDIVIA CONTRACTORS INC.  
**Inspection Site:** Francisco Bridge, Blue Island, IL 60406

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The employer has been cited to this practice that included: Era Valdivia Contractors, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.62(i)(2)(i) which was contained in OSHA violation number 108729237, citation number 1, item number 6, issued on December 14, 1995, and became final order on or about January 26, 1996, with respect to a workplace located at 800 2800 West Lake Street in Chicago, IL 60622; and violation number 308566751, citation number 2, item number 4, issued on August 26, 2005, and became final order on or about October 02, 2006, with respect to a workplace located at I-74, Keorner Road Overpass in Peoria, IL 61615; and violation number 313893380, citation number 1, item number 8, issued April 29, 2010 and became final order on or about December 29, 2010, with respect to a workplace at Interstate 294 Bridge over Interstate 290 in Berkeley, IL 60163; and violation number 312596745, citation number 2, item number 2, issued December 30, 2009 and became final order on or about September 10, 2011, with respect to a workplace at Interstate 294 Bridge over Interstate 55 in Indian Head Park, IL 60525.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$70000.00

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:** ERA VALDIVIA CONTRACTORS INC.  
**Inspection Site:** Francisco Bridge, Blue Island, IL 60406

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

29 CFR 1926.62(i)(3)(i): The employer shall provide shower facilities, where feasible, for use by employees whose airborne exposure to lead is above the PEL:

The employer does not protect each employee during lead abatement work by providing shower facilities for employees whose airborne exposure to lead is above the Permissible Exposure Limit.

a. On or about July 25, 2014- at the Francisco Avenue Bridge in Blue Island, IL 60406, employees were conducting sandblasting operations on steel coated with lead based paint. The employer did not provide shower facilities, thereby exposing employees to the hazards associated with lead.

To abate this hazard in the future, the employer must provide shower facilities for employees whose airborne exposure to lead is above the Permissible Exposure Limit.

The employer has been cited to this practice that included: Era Valdivia Contractors, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.62(i)(3)(i) which was contained in OSHA violation number 308566751, citation number 1, item number 6, issued on April 06, 2006, and became final order on or about October 02, 2006, with respect to a workplace located at I-74, Keorner Road Overpass in Peoria, IL 61615.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$70000.00



**Citation and Notification of Penalty**

**Company Name:** ERA VALDIVIA CONTRACTORS INC.  
**Inspection Site:** Francisco Bridge, Blue Island, IL 60406

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

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

29 CFR 1926.62(i)(5)(i): The employer shall provide adequate hand washing facilities for use by employees exposed to lead in accordance with 29 CFR 1926.51(f):

The employer does not protect each employee during lead abatement work by providing adequate hand washing facilities for employees whose airborne exposure to lead is above the Permissible Exposure Limit.

a. On or about July 25, 2014- at the Francisco Avenue Bridge in Blue Island, IL 60406, employees were conducting sandblasting operations on steel coated with lead based paint. The employer did not provide hand washing facilities, thereby exposing employees to the hazards associated with lead.

To abate this hazard in the future, the employer must provide adequate hand washing facilities for employees whose airborne exposure to lead is above the Permissible Exposure Limit.

The employer has been cited to this practice that included: Era Valdivia Contractors, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.62(i)(5)(i) which was contained in OSHA violation number 312596745, citation number 2, item number 3, issued December 30, 2009 and became final order on or about September 10, 2011, with respect to a workplace at Interstate 294 Bridge over Interstate 55 in Indian Head Park, IL 60525; and violation number 305890238, citation number 1, item number 1, issued August 19, 2003 and became final order on or about September 12, 2003, with respect to a workplace at Il-72 Bridge #0145, Springfield, IL 62711.

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**Corrected During Inspection**  
**\$70000.00**

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:** ERA VALDIVIA CONTRACTORS INC.  
**Inspection Site:** Francisco Bridge, Blue Island, IL 60406

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

29 CFR 1926.62(i)(5)(ii): Where showers are not provided the employer shall assure that employees wash their hands and face at the end of the work-shift.

The employer does not protect each employee during lead abatement work by assuring employees wash their hands and face when airborne exposure to lead is above the Permissible Exposure Limit.

a. On or about July 25, 2014- at the Francisco Avenue Bridge in Blue Island, IL 60406, employees were conducting sandblasting operations on steel coated with lead based paint. The employer did not assure employees washed their hands and face at the end of the work shift, thereby exposing employees to the hazards associated with lead.

To abate this hazard in the future, the employer must assure employees wash their hands and face at the end of each work shift when airborne exposure to lead is above the Permissible Exposure Limit.

The employer has been cited to this practice that included: Era Valdivia Contractors, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.62(i)(5)(ii) which was contained in OSHA violation number 312596745, citation number 2, item number 3, issued December 30, 2009 and became final order on or about September 10, 2011, with respect to a workplace at Interstate 294 Bridge over Interstate 55 in Indian Head Park, IL 60525.

Date By Which Violation Must be Abated:

Corrected During Inspection



**Citation and Notification of Penalty**

**Company Name:** ERA VALDIVIA CONTRACTORS INC.  
**Inspection Site:** Francisco Bridge, Blue Island, IL 60406

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

29 CFR 1926.62(e)(2)(iv): Written programs shall be submitted upon request to any affected employee or authorized employee representatives, to the Assistant Secretary and the Director, and shall be available at the worksite for examination and copying by the Assistant Secretary and the Director:

The employer does not protect each employee during lead abatement work by having an available written compliance program onsite when employee airborne exposure to lead is above the Permissible Exposure Limit.

a. On or about July 25, 2014- at the Francisco Avenue Bridge in Blue Island, IL 60406, the employer failed to produce a written copy of the lead compliance program.

To abate this hazard in the future, the employer must have an available written lead compliance program onsite when employee airborne exposure to lead is above the Permissible Exposure Limit.

The employer has been cited to this practice that included: Era Valdivia Contractors, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.62(e)(2)(iv) which was contained in OSHA violation number 313178428, citation 2, item 7, issued on October 13, 2010, and became final order on or about November 11, 2010, with respect to a workplace located at Hwy. 94 over St. Croix river, Hudson, WI.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$220.00



**Citation and Notification of Penalty**

**Company Name:** ERA VALDIVIA CONTRACTORS INC.  
**Inspection Site:** Francisco Bridge, Blue Island, IL 60406

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

29 CFR 1926.62(m)(2)(i): The employer shall post the following warning signs in each work area where an employees exposure to lead is above the PEL:

WARNING  
LEAD WORK AREA  
POISON  
NO SMOKING OR EATING

The employer does not protect each employee during lead abatement work by posting warning signs in each work area where employee exposure to lead is above the Permissible Exposure Limit.

a. On or about July 25, 2014- at the Francisco Avenue Bridge in Blue Island, IL 60406, employees were conducting sandblasting operations on steel coated with lead based paint. The employer did not provide lead warning signs, thereby exposing employees to the hazards associated with lead.

To abate this hazard in the future, the employer must post warning signs in each work area where employee airborne exposure to lead is above the Permissible Exposure Limit.

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

**Inspection Number:** 987421  
**Inspection Date(s):** 07/29/2014 - 01/21/2015  
**Issuance Date:** 01/22/2015



**Citation and Notification of Penalty**

**Company Name:** ERA VALDIVIA CONTRACTORS INC.  
**Inspection Site:** Francisco Bridge, Blue Island, IL 60406

The employer has been cited to this practice that included: Era Valdivia Contractors, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.62(m)(2)(i) which was contained in OSHA violation number 315157677, citation number 1, item number 1, issued on July 12, 2011, and became final order on or about July 15, 2011, with respect to a workplace located at the Cicero Avenue Bridge over Sanitary Ship Canal, Chicago, IL.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

01/28/2015  
\$220.00

A handwritten signature in blue ink that reads "Kathy Webb". The signature is written in a cursive style and is positioned above a horizontal line.

**Kathy Webb**  
Area Director

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  
1600 167th Street  
Suite 9  
Calumet City, IL 60409  
Phone: 708-891-3800 Fax: 708-862-9659



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** ERA VALDIVIA CONTRACTORS INC.  
**Inspection Site:** Francisco Bridge, Blue Island, IL 60406  
**Issuance Date:** 01/22/2015

<b>Summary of Penalties for Inspection Number</b>	<b>987421</b>
<b>Citation 1, Serious</b>	<b>\$7000.00</b>
<b>Citation 2, Willful</b>	<b>\$280000.00</b>
<b>Citation 3, Repeat</b>	<b>\$440.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$287440.00</b>

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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](http://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.



Kathy Webb

Area Director



Date