

U.S. Department of Labor
Occupational Safety and Health Administration
43 Kline Village
Harrisburg, PA 17104
Phone: 717-782-3902 Fax: 717-782-3746



Citation and Notification of Penalty

To:
First Capital Insulation, Incorporated
300 Hudson Street
York, PA 17403

Inspection Number: 1002754
Inspection Date(s): 10/20/2014 - 04/16/2015
Issuance Date: 04/20/2015

Inspection Site:
1900 North 2nd Street
Harrisburg, PA 17102

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 \$25,000 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 04/20/2015. The conference will be held by telephone or at the OSHA office located at 43 Kline Village, Harrisburg, PA 17104 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1002754

Company Name: First Capital Insulation, Incorporated
Inspection Site: 1900 North 2nd Street, Harrisburg, PA 17102
Issuance Date: 04/20/2015

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, 43 Kline Village, Harrisburg, PA 17104**

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: First Capital Insulation, Incorporated
Inspection Site: 1900 North 2nd Street, Harrisburg, PA 17102

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

29 CFR 1926.1101(e)(5): The employer does not ensure that employees do not eat, drink, smoke, chew tobacco or gum, or apply cosmetics in the regulated area:

- (a) First Capital Insulation, Incorporated - Site: 1900 North 2nd Street, Harrisburg, PA - One instance of the employer's ongoing failure to comply with this standard occurred on or about October 20, 2014 when the employer did not prohibit employees performing Class I asbestos removal operations from eating, drinking, or smoking in the containment area.

Abatement certification and documentation of this specific instance required within 10 days after abatement date. The certification shall include a statement that abatement of this specific instance is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement of this specific instance is complete, such as evidence of the purchase of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 05/23/2015
Proposed Penalty: \$70000.00



Citation and Notification of Penalty

Company Name: First Capital Insulation, Incorporated
Inspection Site: 1900 North 2nd Street, Harrisburg, PA 17102

The alleged violations below (2a and 2b) have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

29 CFR 1926.1101(f)(2)(i): The employer with a work operation covered by the asbestos standard does not ensure that a "competent person" conducts an exposure assessment immediately before or at the initiation of the operation to ascertain expected exposures during that operation or workplace:

- (a) First Capital Insulation, Incorporated - Site: 1900 North 2nd Street, Harrisburg, PA - One instance of the employer's ongoing failure to comply with this standard occurred on or about October 21, 2014 when the employer did not conduct any monitoring immediately before or during the asbestos removal process.

Abatement certification and documentation of this specific instance required within 10 days after abatement date. The certification shall include a statement that abatement of this specific instance is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement of this specific instance is complete, such as evidence of the purchase of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	06/05/2015
Proposed Penalty:	\$70000.00



Citation and Notification of Penalty

Company Name: First Capital Insulation, Incorporated
Inspection Site: 1900 North 2nd Street, Harrisburg, PA 17102

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

29 CFR 1926.1101(f)(3)(i): The employer fails to conduct daily monitoring that is representative of the exposure of each employee assigned to work in regulated areas and performing Class I or II work:

- (a) First Capital Insulation, Incorporated - 1900 North 2nd Street, Harrisburg, Pa - One instance of the employer's ongoing failure to comply with this standard occurred on or about October 21 and 22, 2014 when the employer did not conduct daily monitoring for the employees conducting Class I asbestos work within the regulated areas.

Abatement certification and documentation of this specific instance required within 10 days after abatement date. The certification shall include a statement that abatement of this specific instance is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement of this specific instance is complete, such as evidence of the purchase of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/23/2015



Citation and Notification of Penalty

Company Name: First Capital Insulation, Incorporated
Inspection Site: 1900 North 2nd Street, Harrisburg, PA 17102

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

29 CFR 1926.1101(g)(1)(ii): The employer did not use engineering controls and work practices in all operations covered by 29 CFR 1926.1101, regardless of the levels of exposure, in the form of wet methods or wetting agents to control employee exposures during asbestos handling, mixing, removal, cutting, application and cleanup:

- (a) First Capital Insulation, Incorporated - Site: 1900 North 2nd Street, Harrisburg, PA - One instance of the employer's ongoing failure to comply with this standard occurred on or about October 21 and 22, 2014 when the employer did not implement wet methods to control the employee exposure to asbestos.

Abatement certification and documentation of this specific instance required within 10 days after abatement date. The certification shall include a statement that abatement of this specific instance is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement of this specific instance is complete, such as evidence of the purchase of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/23/2015
Proposed Penalty:	\$70000.00



Citation and Notification of Penalty

Company Name: First Capital Insulation, Incorporated
Inspection Site: 1900 North 2nd Street, Harrisburg, PA 17102

Citation 1. Item 4 Type of Violation: **Willful**

29 CFR 1926.1101(g)(5): Class I asbestos work is not performed using one or more of the control methods required by 29 CFR 1926.1101(g)(5)(i) through (g)(5)(vi):

- (a) First Capital Insulation, Incorporated - Site: 1900 North 2nd Street, Harrisburg, PA - One instance of the employer's ongoing failure to comply with this standard occurred on or about October 21 and 22, 2014 when the negative pressure enclosure was not properly established because it did not have a three stage decontamination, it was not smoke-tested, and it did not have a manometer. In addition, the glove bags were used as standard garbage bags; they were not wrapped around the pipes prior to removing the asbestos insulation and the asbestos was not wetted until it was in the bag. Consequently, the employer did not use one of the required control methods while performing the Class I asbestos removal work.

Abatement certification and documentation of this specific instance required within 10 days after abatement date. The certification shall include a statement that abatement of this specific instance is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement of this specific instance is complete, such as evidence of the purchase of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 05/23/2015
Proposed Penalty: \$70000.00



Citation and Notification of Penalty

Company Name: First Capital Insulation, Incorporated
Inspection Site: 1900 North 2nd Street, Harrisburg, PA 17102

The alleged violations below (5a, 5b and 5c) have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 5 a Type of Violation: **Willful**

29 CFR 1926.1101(h)(2)(i): The employer fails to implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) [except (d)(1)(iii)], and (f) through (m), which covers each employee required by 29 CFR 1926.1101 to use a respirator:

- (a) First Capital Insulation, Incorporated - Site: 1900 North 2nd Street, Harrisburg, PA - One instance of the employer's ongoing failure to comply with this standard occurred on or about October 21, 2014 when the employer allowed employees to use North 7700 negative pressure half-mask filtering facepiece respirators for protection against asbestos without being clean shaven or fit tested to ensure an effective fit.

Abatement certification and documentation of this specific instance required within 10 days after abatement date. The certification shall include a statement that abatement of this specific instance is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement of this specific instance is complete, such as evidence of the purchase of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/23/2015
Proposed Penalty:	\$70000.00



Citation and Notification of Penalty

Company Name: First Capital Insulation, Incorporated
Inspection Site: 1900 North 2nd Street, Harrisburg, PA 17102

Citation 1 Item 5 b Type of Violation: **Willful**

29 CFR 1910.134(f)(2): Employee(s) using tight-fitting facepiece respirators were not fit tested prior to initial use of the respirator:

- (a) First Capital Insulation, Incorporated - Site: 1900 North 2nd Street, Harrisburg, PA - One instance of the employer's ongoing failure to comply with this standard occurred on or about October 20, 2014 when the employer did not implement fit testing for the employees who were required to wear North Model 7700 negative pressure respirators for protection against asbestos.

Abatement certification and documentation of this specific instance required within 10 days after abatement date. The certification shall include a statement that abatement of this specific instance is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement of this specific instance is complete, such as evidence of the purchase of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/23/2015

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

Inspection Number: 1002754
Inspection Date(s): 10/20/2014 - 04/16/2015
Issuance Date: 04/20/2015



Citation and Notification of Penalty

Company Name: First Capital Insulation, Incorporated
Inspection Site: 1900 North 2nd Street, Harrisburg, PA 17102

Citation 1 Item 5 c Type of Violation: **Willful**

29 CFR 1910.134(f)(5): The fit test is not administered using an OSHA-accepted qualitative fit test or quantitative fit test protocol:

- (a) First Capital Insulation, Incorporated - Site: 1900 North 2nd Street, Harrisburg, PA - One instance of the employer's ongoing failure to comply with this standard occurred on or about October 21, 2014 when the employer "passed" two employees during the January 2015 fit testing and the employees fit test records indicated that the employees had facial hair during the fit testing procedure.

Abatement certification and documentation of this specific instance required within 10 days after abatement date. The certification shall include a statement that abatement of this specific instance is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement of this specific instance is complete, such as evidence of the purchase of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/23/2015



Citation and Notification of Penalty

Company Name: First Capital Insulation, Incorporated
Inspection Site: 1900 North 2nd Street, Harrisburg, PA 17102

The alleged violations below (6a, 6b and 6c) have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 1 Item 6 a Type of Violation: **Willful**

29 CFR 1926.1101(j)(1)(i): The employer does not establish a decontamination area, consisting of an equipment room, shower area, and clean room in series, adjacent and connected to the regulated area:

- (a) First Capital Insulation, Incorporated - Site: 1900 North 2nd Street, Harrisburg, PA - One instance of the employer's ongoing failure to comply with this standard occurred on or about October 21, 2014 when the employer did not plan for or implement a three stage decontamination adjacent to the regulated area for the Class I asbestos worksite. This was evidenced by the fact that there was no shower or clean room on the site.

Abatement certification and documentation of this specific instance required within 10 days after abatement date. The certification shall include a statement that abatement of this specific instance is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement of this specific instance is complete, such as evidence of the purchase of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	05/23/2015
Proposed Penalty:	\$70000.00



Citation and Notification of Penalty

Company Name: First Capital Insulation, Incorporated
Inspection Site: 1900 North 2nd Street, Harrisburg, PA 17102

Citation 1 Item 6 b Type of Violation: **Willful**

29 CFR 1926.1101(j)(1)(ii): The employer, having employees performing Class I asbestos work, does not develop or implement Decontamination Area Entry Procedures which meet the requirements of paragraphs A through D of this section:

- (a) First Capital Insulation, Incorporated - 1900 North 2nd Street, Harrisburg, PA - One instance of the employer's ongoing failure to comply with this standard occurred on or about October 21, 2014 when the employer did not require employees to remove their street clothes and place them in lockers prior to proceeding into the Dirty Room.

Abatement certification and documentation of this specific instance required within 10 days after abatement date. The certification shall include a statement that abatement of this specific instance is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement of this specific instance is complete, such as evidence of the purchase of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/23/2015

U.S. Department of Labor

Occupational Safety and Health Administration

Inspection Number: 1002754

Inspection Date(s): 10/20/2014 - 04/16/2015

Issuance Date: 04/20/2015



Citation and Notification of Penalty

Company Name: First Capital Insulation, Incorporated

Inspection Site: 1900 North 2nd Street, Harrisburg, PA 17102

Citation 1 Item 6 c Type of Violation: **Wilful**

29 CFR 1926.1101(j)(1)(iii): The employer, which employees performing Class I asbestos work, does not develop or implement Decontamination Area Exit Procedures which meet the requirements of paragraphs A through E of this section:

- (a) First Capital Insulation, Incorporated - 1900 North 2nd Street, Harrisburg, PA - One instance of the employer's ongoing failure to comply with this standard occurred on or about October 21, 2014 when the employees removed their respirators while in the Dirty Room, the employees did not shower before entering the Clean Room, nor did the employees put on their street clothes on in the Clean Room.

Abatement certification and documentation of this specific instance required within 10 days after abatement date. The certification shall include a statement that abatement of this specific instance is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement of this specific instance is complete, such as evidence of the purchase of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

05/23/2015

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: First Capital Insulation, Incorporated
Inspection Site: 1900 North 2nd Street, Harrisburg, PA 17102

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

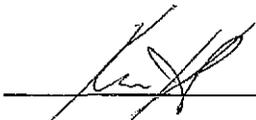
29 CFR 1926.1101(o)(3)(i): On all worksites where employees are engaged in Class I or II asbestos work, the competent person designated in accordance with 29 CFR 1926.1101(e)(6) does not perform or supervise the following duties, as applicable as specified in 29 CFR 1926.1101(o)(3)(i)(A) through 29 CFR 1926.1101(o)(3)(i)(I):

- (a) First Capital Insulation, Incorporated - 1900 North 2nd Street, Harrisburg, PA - One instance of the employer's ongoing failure to comply with this standard occurred on or about October 20, 2014 when the Competent Person did not; correctly set up the Regulated Area, establish and implement Entry and Exit Procedures, implement the monitoring program, ensure that the employees wore their Personal Protective Equipment (PPE) while inside the Regulated Area, ensure that employees used the HEPA vacuum cleaner in the Dirty Room or shower, have a manometer to ensure that the engineering controls (Negative Pressure Enclosure) were working properly.

Abatement certification and documentation of this specific instance required within 10 days after abatement date. The certification shall include a statement that abatement of this specific instance is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement of this specific instance is complete, such as evidence of the purchase of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 05/23/2015
Proposed Penalty: \$70000.00



Kevin Kilp
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
43 Kline Village
Harrisburg, PA 17104
Phone: 717-782-3902 Fax: 717-782-3746



INVOICE / DEBT COLLECTION NOTICE

Company Name: First Capital Insulation, Incorporated
Inspection Site: 1900 North 2nd Street, Harrisburg, PA 17102
Issuance Date: 04/20/2015

Summary of Penalties for Inspection Number	1002754
Citation 1, Willful	\$490000.00
TOTAL PROPOSED PENALTIES	\$490000.00

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 \$25,000 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.

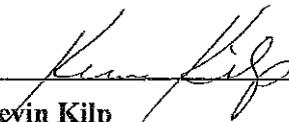
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



Kevin Kilp
Area Director

4-20-2015
Date