

U.S. Department of Labor
Occupational Safety and Health Administration
300 Ala Moana Boulevard
Room 5-146
Honolulu, HI 96850
Phone: 808-541-2680 Fax: 808-541-3456



Citation and Notification of Penalty

To:
Healy Tibbitts Builders, Inc.
and its successors
99-994 Iwaena St.
Suite A
Aiea, HI 96701

Inspection Number: 1013598
Inspection Date(s): 12/10/2014 – 06/03/2015
Issuance Date: 06/03/2015

Inspection Site:
Naval Inactive Ships Maintenance Office, Middle
Loch, Pearl Harbor
93-051 Waipio Access Rd.
Waipahu, HI 96797

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 06/03/2015. The conference will be held by telephone or at the OSHA office located at 300 Ala Moana Boulevard, Room 5-146, Honolulu, HI 96850 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1013598

Company Name: Healy Tibbitts Builders, Inc.

Inspection Site: Naval Inactive Ships Maintenance Office, Middle Loch, Pearl Harbor, 93-051 Waipio Access Rd., Waipahu, HI 96797

Issuance Date: 06/03/2015

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, 300 Ala Moana Boulevard, Room 5-146, Honolulu, HI 96850

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

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

Inspection Number: 1013598
Inspection Date(s): 12/10/2014 – 06-03-15
Issuance Date: 06/03/2015



Citation and Notification of Penalty

Company Name: Healy Tibbitts Builders, Inc.

Inspection Site: Naval Inactive Ships Maintenance Office, Middle Loch, Pearl Harbor, 93-051 Waipio Access Rd., Waipahu, HI 96797

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 an impalement hazard while working above unguarded lifeline stanchion brackets that were protruding from the barge:

a. On December 10, 2014, on a barge, employees were working above and within close proximity to the lifeline stanchion brackets, exposing themselves to an impalement hazard.

Among other methods, recognized and feasible means of abatement to correct these hazards include, but are not limited to; placing a cover over the lifeline stanchion bracket and/or installing the concrete sinker block at a location on the barge, that is further away from the protruding lifeline stanchion brackets.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$6300.00

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: 1013598
Inspection Date(s): 12/10/2014 – 06-03-15
Issuance Date: 06/03/2015



Citation and Notification of Penalty

Company Name: Healy Tibbitts Builders, Inc.

Inspection Site: Naval Inactive Ships Maintenance Office, Middle Loch, Pearl Harbor, 93-051 Waipio Access Rd., Waipahu, HI 96797

Citation 1 Item 2 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 a struck-by hazard when employees worked under a load that was suspended by a crane while employees were installing a concrete sinker block to the riser chain:

a. On December 10, 2014, a crane mounted on a barge suspended a hawsepipe buoy above the employees located on an adjacent barge that were installing a concrete sinker block to the riser chain, exposing employees to a struck-by hazard.

Among other methods, recognized and feasible means of abatement to correct these hazards include, but are not limited to; following the written Navy procedures and place the buoy on the deck of the barge before attaching the concrete sinker block.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$6300.00

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: 1013598
Inspection Date(s): 12/10/2014 – 06-03-15
Issuance Date: 06/03/2015



Citation and Notification of Penalty

Company Name: Healy Tibbitts Builders, Inc.

Inspection Site: Naval Inactive Ships Maintenance Office, Middle Loch, Pearl Harbor, 93-051 Waipio Access Rd., Waipahu, HI 96797

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

29 CFR 1926.251(c)(1): Employers must not use improved plow-steel wire rope and wire-rope slings with loads in excess of the rated capacities (i.e., working load limits) indicated on the sling by permanently affixed and legible identification markings prescribed by the manufacturer:

a. On December 10, 2014, on a barge, a 3/4-inch wire rope sling was used to suspend a load which exceeded the rated capacity indicated on the sling, exposing employees to a struck-by hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$6300.00

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: 1013598
Inspection Date(s): 12/10/2014 – 06-03-15
Issuance Date: 06/03/2015



Citation and Notification of Penalty

Company Name: Healy Tibbitts Builders, Inc.

Inspection Site: Naval Inactive Ships Maintenance Office, Middle Loch, Pearl Harbor, 93-051 Waipio Access Rd., Waipahu, HI 96797

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

29 CFR 1926.251(c)(11): Shock loading was not prohibited:

a. On December 10, 2014, on a barge, a 3/4 -inch wire rope sling was used on a hawsepipe buoy that was subject to a shock load when the capture plate separated from the hawsepipe buoy, exposing employees to a struck-by hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$6300.00

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: 1013598
Inspection Date(s): 12/10/2014 – 06-03-15
Issuance Date: 06/03/2015



Citation and Notification of Penalty

Company Name: Healy Tibbitts Builders, Inc.

Inspection Site: Naval Inactive Ships Maintenance Office, Middle Loch, Pearl Harbor, 93-051 Waipio Access Rd., Waipahu, HI 96797

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

29 CFR 1926.1051(a): Stairway(s) or ladder(s) were not provided at all personnel points of access where there was a break in elevation of 19 inches (48 cm) or more:

a. On December 10, 2014, on a barge, a 4-foot 6-inch high concrete sinker block was accessed using a saw horse that was 2-foot 3-inch high, exposing employees to a fall hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5400.00

A handwritten signature in black ink that reads "Jeff Romeo".

Jeffrey B. Romeo
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
300 Ala Moana Boulevard
Room 5-146
Honolulu, HI 96850
Phone: 808-541-2680 Fax: 808-541-3456



INVOICE / DEBT COLLECTION NOTICE

Company Name: Healy Tibbitts Builders, Inc.
Inspection Site: Naval Inactive Ships Maintenance Office, Middle Loch, Pearl Harbor,
93-051 Waipio Access Rd., Waipahu, HI 96797
Issuance Date: 06/03/2015

Summary of Penalties for Inspection Number	1013598
Citation 1, Serious	\$30600.00
TOTAL PROPOSED PENALTIES	\$30600.00

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.

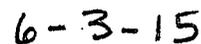
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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



Jeffrey B. Romeo

Area Director



Date

U.S. Department of Labor

Occupational Safety and Health Administration
300 Ala Moana Boulevard
Room 5-146
Honolulu, HI 96850
Phone: 808-541-2680 Fax: 808-541-3456



Citation and Notification of Penalty

To:

Truston Technologies Inc.
and its successors
520 Ridgely Ave.
Annapolis, MD 21409

Inspection Number: 1015940

Inspection Date(s): 12/10/2014 – 06/03/2015

Issuance Date: 06/03/2015

Inspection Site:

Naval Inactive Ships Maintenance Office Middle
Loch, Pearl Harbor
93-051 Waipio Access Rd.
Waipahu, HI 96797

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:

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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 06/03/2015. The conference will be held by telephone or at the OSHA office located at 300 Ala Moana Boulevard, Room 5-146, Honolulu, HI 96850 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1015940

Company Name: Truston Technologies Inc.

Inspection Site: Naval Inactive Ships Maintenance Office Middle Loch, Pearl Harbor,
93-051 Waipio Access Rd., Waipahu, HI 96797

Issuance Date: 06/03/2015

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, 300 Ala Moana Boulevard, Room 5-146, Honolulu, HI 96850**

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

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

Inspection Number: 1015940
Inspection Date(s): 12/10/2014 – 06/03/2015
Issuance Date: 06/03/2015



Citation and Notification of Penalty

Company Name: Truston Technologies Inc.

Inspection Site: Naval Inactive Ships Maintenance Office Middle Loch, Pearl Harbor, 93-051 Waipio Access Rd., Waipahu, HI 96797

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

29 CFR 1926.251(c)(1): Employer used a wire-rope sling with loads in excess of the rated capacities (i.e., working load limits) indicated on the sling that was permanently affixed and legible identification markings prescribed by the manufacturer:

a. On December 10, 2014, on the barge, a 3/4-inch wire rope sling was used to suspend a load which exceeded the rated capacity indicated on the sling, exposing employees to a struck-by hazard.

Date By Which Violation Must be Abated:

Corrected During Inspection

Proposed Penalty:

\$5390.00

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: 1015940
Inspection Date(s): 12/10/2014 – 06/03/2015
Issuance Date: 06/03/2015



Citation and Notification of Penalty

Company Name: Truston Technologies Inc.

Inspection Site: Naval Inactive Ships Maintenance Office Middle Loch, Pearl Harbor, 93-051 Waipio Access Rd., Waipahu, HI 96797

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

29 CFR 1926.251(c)(11): Shock loading is prohibited:

a. On December 10, 2014, on the barge, a 3/4-inch wire rope sling was used on a hawsepipe buoy that was subject to a shock load when the capture plate separated from the hawsepipe buoy, exposing employees to a struck-by hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$5390.00

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: 1015940
Inspection Date(s): 12/10/2014 – 06/03/2015
Issuance Date: 06/03/2015



Citation and Notification of Penalty

Company Name: Truston Technologies Inc.

Inspection Site: Naval Inactive Ships Maintenance Office Middle Loch, Pearl Harbor, 93-051 Waipio Access Rd., Waipahu, HI 96797

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

29 CFR 1926.1051(a): Stairway(s) or ladder(s) were not provided at all personnel points of access where there was a break in elevation of 19 inches (48 cm) or more:

a. On December 10, 2014, on the barge, a 4-foot 6-inch high concrete sinker block was accessed using a saw horse that was 2-foot 3-inch high, exposing employees to a fall hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4620.00

A handwritten signature in black ink that reads "Jeff Romeo". The signature is written in a cursive style and is positioned above a horizontal line.

Jeffrey B. Romeo
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
300 Ala Moana Boulevard
Room 5-146
Honolulu, HI 96850
Phone: 808-541-2680 Fax: 808-541-3456



INVOICE / DEBT COLLECTION NOTICE

Company Name: Truston Technologies Inc.
Inspection Site: Naval Inactive Ships Maintenance Office Middle Loch, Pearl Harbor,
93-051 Waipio Access Rd., Waipahu, HI 96797
Issuance Date: 06/03/2015

Summary of Penalties for Inspection Number	1015940
Citation 1, Serious	\$15400.00
TOTAL PROPOSED PENALTIES	\$15400.00

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.

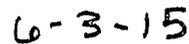
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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



Jeffrey B. Romeo

Area Director



Date

U.S. Department of Labor

Occupational Safety and Health Administration
300 Ala Moana Boulevard
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Notice of Unsafe or Unhealthful Working Conditions

To:
Naval Facilities Engineering and Expeditionary
Warfare Center
1000 23rd Ave.
Port Hueneme
Port Hueneme, CA 93043

Inspection Number: 1015941
Inspection Date(s): 12/10/2014 - 05/08/2015
Issuance Date: 06/03/2015

Inspection Site:
Naval Inactive Ships Maintenance Office, Middle
Loch, Pearl Harbor
93-051 Waipio Access Rd.
Waipahu, HI 96797

The violation(s) described in this Notice 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 Notice of Unsafe and Unhealthful Working Conditions (Notice) describes violations of the Occupational Safety and Health Act of 1970, the Executive Order 12196, and 29 CFR 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters. You must abate the violations referred to in this Notice by the dates listed unless, within 15 working days (excluding weekends and Federal holidays) from your receipt of this Notice you request an Informal Conference with the US Department of Labor OSHA Area Office at the address shown above. Please refer to the enclosed publication "Federal Employer Rights and Responsibilities Following an OSHA Inspection" which outlines the appeals procedure for this Notice and which should be read in conjunction with this form.

Posting – The law requires that a copy of this Notice 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 the nature of the employer's operations, where it will be readily observable by all affected employees. This Notice 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.

Notification of Corrective Action – For each violation which you do not appeal, you must provide abatement certification to the Area Director of the OSHA office issuing the Notice 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 Notice 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 template abatement certification letter is enclosed with this Notice. In addition, where the Notice indicates that abatement documentation is required, 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.

Program Responsibilities - Section 19(a)(1) of the OSH Act requires the head of each Federal agency to comply with applicable occupational safety and health standards. The intent of this section and Executive Order 12196 is implemented through 29 CFR 1960.8(b). If you are cited for violations of applicable safety and health standards, you have also violated the program element 29 CFR 1960.8(b), which stipulates:

"The head of each agency shall comply with the Occupational Safety and Health Administration standards applicable to the agency."

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 within 15 working days after receipt of this Notice. As soon as the time, date, and place of the informal conference have been determined please complete the enclosed "Notice to Employees" and post it where the Notice is posted. During such an informal conference you may present any evidence or views you believe would support an adjustment to the Notice. In addition, bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far.

If you are considering a request for an informal conference to discuss any issues related to the Notice, you must take care to schedule it early enough to allow time to appeal after the informal conference should you decide to do so. Please keep in mind that a written letter of intent to appeal must be submitted by the Agency's National OSH Manager to the OSHA Area Director within 15 business days of your receipt of the OSHA Notice to request that OSHA's Regional Administrator review the case.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and notice 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 notice. 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

An informal conference has been scheduled with the Occupational Safety and Health Administration (OSHA) to discuss the Notice of Unsafe or Unhealthful Working Conditions (Notice) issued on 06/03/2015. The conference will be held by telephone or at the OSHA office located at 300 Ala Moana Boulevard, Room 5-146, Honolulu, HI 96850 on

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET – FEDERAL AGENCIES

Inspection Number: 1015941

Agency Name: Naval Facilities Engineering and Expeditionary Warfare Center

Inspection Site: Naval Inactive Ships Maintenance Office, Middle Loch, Pearl Harbor,
93-051 Waipio Access Rd., Waipahu, HI 96797

Issuance Date: 06/03/2015

Employer Instruction: List the specific method of correction for each item on the enclosed notices that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 300 Ala Moana Boulevard, Room 5-146, Honolulu, HI 96850.** Failure to submit a timely certification of corrective action may result in a notification to your agency DASHO.

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

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

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

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

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

Notice 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

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.

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

Inspection Number: 1015941
Inspection Date(s): 12/10/2014 -
05/08/2015
Issuance Date: 06/03/2015



Notice of Unsafe and Unhealthful Working Conditions

Company Name: Naval Facilities Engineering and Expeditionary Warfare Center

Inspection Site: Naval Inactive Ships Maintenance Office, Middle Loch, Pearl Harbor, 93-051 Waipio Access Rd., Waipahu, HI 96797

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

Employer used an Extra Improved Plow-Steel wire-rope sling with loads in excess of the rated capacities (i.e., working load limits) indicated on the sling by permanently affixed and legible identification markings prescribed by the manufacturer:

- a. On December 10, 2014, on the barge, a 3/4-inch wire rope sling was used to suspend a load which exceeded the rated capacity indicated on the sling, exposing employees to a struck-by hazard.

Date by which Violation must be Abated: Corrected During Inspection

See Pages 1 through 3 of this Notice for information on employer and employee rights and responsibilities.

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

Inspection Number: 1015941
Inspection Date(s): 12/10/2014 -
05/08/2015
Issuance Date: 06/03/2015



Notice of Unsafe and Unhealthful Working Conditions

Company Name: Naval Facilities Engineering and Expeditionary Warfare Center

Inspection Site: Naval Inactive Ships Maintenance Office, Middle Loch, Pearl Harbor, 93-051 Waipio Access Rd., Waipahu, HI 96797

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

29 CFR 1926.251(c)(11): Shock loading was not prohibited:

a. On December 10, 2014, on the barge, a 3/4-inch wire rope sling was used on a hawsepipe buoy that was subject to a shock load when the capture plate separated from the hawsepipe buoy, exposing employees to a struck-by hazard.

Date by which Violation must be Abated: Corrected During Inspection

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

Inspection Number: 1015941
Inspection Date(s): 12/10/2014 -
05/08/2015
Issuance Date: 06/03/2015



Notice of Unsafe and Unhealthful Working Conditions

Company Name: Naval Facilities Engineering and Expeditionary Warfare Center

Inspection Site: Naval Inactive Ships Maintenance Office, Middle Loch, Pearl Harbor, 93-051 Waipio Access Rd., Waipahu, HI 96797

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

29 CFR 1926.1051(a): Stairway(s) or ladder(s) were not provided at all personnel points of access where there was a break in elevation of 19 inches (48 cm) or more:

a. On December 10, 2014, on the barge, a 4-foot 6-inch high concrete sinker block was accessed using a saw horse that was 2-foot 3-inch high, exposing employees to a fall hazard.

Date by which Violation must be Abated: Corrected During Inspection

A handwritten signature in black ink that reads "Jeff B. Romeo". The signature is written in a cursive, flowing style.

Jeffrey B. Romeo

Area Director