

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
507 N. Sam Houston Parkway E.  
Suite 400  
Houston, TX 77060  
Phone: 281-591-2438 Fax: 281-999-7457



## Citation and Notification of Penalty

**To:**  
Jordan General Contractors Inc.  
15115 FM 1488  
Magnolia, TX 77354

**Inspection Number:** 587409  
**Inspection Date(s):** 08/19/2012 - 09/20/2012  
**Issuance Date:** 02/15/2013

**Inspection Site:**  
17000 Premium Dr.  
Hockley, TX 77447

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

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

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

**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.

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

**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 02/15/2013. The conference will be held at the OSHA office located at 507 N. Sam Houston Parkway E., Suite 400, Houston, TX 77060 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 587409**

Company Name: Jordan General Contractors Inc.  
Inspection Site: 17000 Premium Dr., Hockley, TX 77447  
Issuance Date: 02/15/2013

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, 507 N. Sam Houston Parkway E., Suite 400, Houston, TX 77060**

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:** Jordan General Contractors Inc.  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

---

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

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

29 CFR 1910.134(c) (1): The employer did not develop and implement a written respiratory protection program with required worksite-specific procedures and elements for required respirator use: (Construction Reference 1926.103)

The employer does not ensure that a respiratory protection program is developed and implemented with worksite specific procedures and elements for employees required to use respirators. This violation occurred on or about August 19, 2012, at the Watco Mechanical Services interior blast building where employees were exposed to inhalation hazards when required to wear a 3M 8210 filtering face piece respirator (dust mask) while performing demolition activities where a respiratory protection program was not developed.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that a respiratory protection program is developed and implemented with worksite specific procedures and elements for employees required to use respirators.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

<b>Date By Which Violation Must be Abated:</b>	<b>02/25/2013</b>
<b>Proposed Penalty:</b>	<b>\$2640.00</b>

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:** Jordan General Contractors Inc.  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

---

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

29 CFR 1910.134(e)(1): The employer did not provide a medical evaluation to determine the employee's ability to use a respirator, before the employee was fit tested or required to use the respirator in the workplace: (Construction Reference 1926.103)

The employer does not ensure that a medical evaluation to determine the employees ability to use a respirator is provided before the employee is fit tested or required to use the respirator in the workplace. This violation occurred on or about August 19, 2012, at the Watco Mechanical Services interior blast building where employees were exposed to inhalation hazards when required to wear a 3M 8210 filtering face piece respirator (dust mask) while performing demolition activities where a medical evaluation was not conducted.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that a medical evaluation to determine the employees ability to use a respirator is provided before the employee is fit tested or required to use the respirator in the workplace.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

02/25/2013



**Citation and Notification of Penalty**

**Company Name:** Jordan General Contractors Inc.  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

---

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

29 CFR 1910.134(f) (2): Employee(s) using tight-fitting face piece respirators were not fit tested prior to initial use of the respirator: (Construction Reference 1926.103)

The employer does not ensure that employees using a tight-fitting face piece respirator are fit tested prior to initial use of the respirator. This violation occurred on or about August 19, 2012, at the Watco Mechanical Services interior blast building where employees were exposed to inhalation hazards when required to wear a 3M 8210 filtering face piece respirator (dust mask) while performing demolition activities where a respirator fit test was not provided.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees using a tight-fitting face piece respirator are fit tested prior to initial use of the respirator.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

02/25/2013



**Citation and Notification of Penalty**

**Company Name:** Jordan General Contractors Inc.  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

---

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

29 CFR 1910.134(k): The employer did not provide comprehensive, understandable training which did not occur annually and/or more often if necessary: (Construction Reference 1926.103)

The employer does not ensure that employees who are required to use respirators are provided with effective training. This violation occurred on or about August 19, 2012, at the Watco Mechanical Services interior blast building where employees were exposed to inhalation hazards when required to wear a 3M 8210 filtering face piece respirator (dust mask) while performing demolition activities where respirator training was not provided.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees who are required to use respirators are provided with effective training.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

02/25/2013



**Citation and Notification of Penalty**

**Company Name:** Jordan General Contractors Inc.  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

---

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

29 CFR 1910.1200(h) (3) (ii): Employee training did not include the physical and health hazards of the chemicals in the work area: (Construction Reference: 1926.59)

The employer does not ensure that employees are provided with training that includes the physical and health hazards of the chemicals in the work area. This violation occurred on or about August 19, 2012, at the Watco Mechanical Services interior blast building where employees were exposed to explosion and fire hazards when performing demolition activities without providing training on the hopper linings such as, but not limited to, Amercoat 428, Amercoat 320, Sigmaguard PC HSV, Devchem 253K and Plasite 7122.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that employees are provided with training that includes the physical and health hazards of the chemicals in the work area.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/25/2013
Proposed Penalty:	\$3080.00



**Citation and Notification of Penalty**

**Company Name:** Jordan General Contractors Inc.  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

---

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

29 CFR 1926.352(c): Welding, cutting, or heating was done where the application of flammable paints, or the presence of other flammable compounds, or heavy dust concentrations created a hazard:

The employer does not ensure that cutting is prohibited where heavy dust concentrations create a hazard. This violation occurred on or about August 19, 2012, at the Watco Mechanical Services interior blast building where employees were exposed to explosion and fire hazards when using a cutting torch for demolition activities where there was an accumulation of combustible dust throughout the interior blast building.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that cutting is prohibited where heavy dust concentrations create a hazard.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/25/2013
Proposed Penalty:	\$3080.00



**Citation and Notification of Penalty**

**Company Name:** Jordan General Contractors Inc.  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

---

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

29 CFR 1926.453(b) (2) (v): A body belt with lanyard attached to the boom or basket was not worn by employee(s) working from an aerial lift:

The employer does not ensure that a body belt with lanyard attached to the boom or basket is worn by employee(s) working from an aerial lift. This violation occurred on or about August 19, 2012, on the west side of the Watco Mechanical Service Track 9 interior blast building where employees were exposed to a fall hazard while removing a deflector from the ceiling from an aerial lift without a fall protection system.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that a body belt with lanyard attached to the boom or basket is worn by employee(s) working from an aerial lift.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/25/2013
Proposed Penalty:	\$2200.00



**Citation and Notification of Penalty**

**Company Name:** Jordan General Contractors Inc.  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

---

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

29 CFR 1926.453(b) (2) (vi): Boom and basket load limits specified by the manufacturer were exceeded:

The employer does not ensure that the basket load limit specified by the manufacturer is not exceeded. This violation occurred on or about August 19, 2012, on the west side of the Watco Mechanical Service Track 9 interior blast building where employees were exposed to a fall hazard by exceeding the Snorkel TB 42 manufacturer's load limit of 500 pounds while three employees were using an aerial lift to remove a deflector from the ceiling.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that the basket load limit specified by the manufacturer is not exceeded.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/25/2013
Proposed Penalty:	\$3080.00



**Citation and Notification of Penalty**

**Company Name:** Jordan General Contractors Inc.  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

---

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

29 CFR 1926.850(a): An engineering survey was not performed by a competent person to determine the conditions of the framing, floors and walls and the possibility of unplanned collapse of any portion of the structure prior to permitting employees to start demolition operations.

The employer does not ensure that an engineering survey is performed prior to demolition operations. This violation occurred on or about August 19, 2012, at the Watco Mechanical Service interior blast building where employees were exposed to struck-by hazards when performing demolition activities where an engineering survey was not performed prior to demolition operations.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that an engineering survey is performed prior to demolition operations.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	02/25/2013
Proposed Penalty:	\$3080.00



**Citation and Notification of Penalty**

**Company Name:** Jordan General Contractors Inc.  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447

---

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

29 CFR 1926.850(e): It had not been determined if any type of hazardous chemicals, gases, explosives, flammable materials or similar dangerous substances had been used in any pipes, tanks, or other equipment on the property. The presence of such substances were apparent and the hazard was not eliminated before demolition was started.

The employer does not ensure that dangerous substances are tested or eliminated before demolition is started. This violation occurred on or about August 19, 2012, at the Watco Mechanical Services interior blast building where employees were exposed to explosion and fire hazards when using a cutting torch for demolition activities where there was an accumulation of combustible dust throughout the interior blast building that was not eliminated prior to demolition activities.

Pursuant to 29 C.F. R. 1903.19, within ten (10) calendar days of the abatement date, the employer must submit documentation showing that it is in compliance with the standard, including describing the steps that it is taking to ensure that dangerous substances are tested or eliminated before demolition is started.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

02/25/2013  
\$3080.00

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

**David A. Doucet**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
507 N. Sam Houston Parkway E.  
Suite 400  
Houston, TX 77060  
Phone: 281-591-2438 Fax: 281-999-7457



## INVOICE / DEBT COLLECTION NOTICE

---

**Company Name:** Jordan General Contractors Inc.  
**Inspection Site:** 17000 Premium Dr., Hockley, TX 77447  
**Issuance Date:** 02/15/2013

<b>Summary of Penalties for Inspection Number</b>	<b>587409</b>
<b>Citation 1, Serious</b>	<b>\$20240.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$20240.00</b>

---

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than 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.



**David A. Doucet**  
Area Director

2/15/13  
Date