

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1000 South Pine Island Road  
Suite 100  
Fort Lauderdale, FL 33324  
Phone: 954-424-0242 Fax: 954-424-3073



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## Citation and Notification of Penalty

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**To:**  
Maxim Construction Group, Corp  
and its successors  
1835 E. Hallendale Beach Blvd  
#301  
Hallandale Beach, FL 33009

**Inspection Site:**  
1400 South Ocean Drive  
Hollywood, FL 33019

**Inspection Number:** 1016447  
**Inspection Date(s):** 01/06/2015 - 03/18/2015  
**Issuance Date:** 03/25/2015

*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.*

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

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

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

to the citation(s) and/or penalty(ies).

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

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

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

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

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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.

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## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 03/25/2015. The conference will be held by telephone or at the OSHA office located at 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324 on \_\_\_\_\_ at \_\_\_\_\_.

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1016447**

Company Name: Maxim Construction Group, Corp  
Inspection Site: 1400 South Ocean Drive, Hollywood, FL 33019  
Issuance Date: 03/25/2015

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, 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324**

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

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
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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:** Maxim Construction Group, Corp  
**Inspection Site:** 1400 South Ocean Drive, Hollywood, FL 33019

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

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

29 CFR 1910.134(c)(1): A written respiratory protection program that included the provisions in 29 CFR 1910.134(c)(1)(i) - (ix) with worksite specific procedures was not established and implemented for required respirator use (Construction Reference 1926.103):

On or about January 6, 2015, at the above addressed jobsite, the employer did not establish a written respiratory program with worksite specific procedures for employees performing concrete restoration tasks such as, but not limited to, chipping concrete balconies, while required to wear filtering facepiece respirators or dust masks.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/20/2015
Proposed Penalty:	\$7000.00

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:** 1016447  
**Inspection Date(s):** 01/06/2015 - 03/18/2015  
**Issuance Date:** 03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 1400 South Ocean Drive, Hollywood, FL 33019

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**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):

On or about January 6, 2015, at the above addressed jobsite, employees perform concrete restoration tasks such as, but not limited to, chipping concrete, and wear filtering facepiece respirators without having a medical evaluation to determine if they are medically able to perform these tasks while wearing a dust mask or filtering facepiece respirator.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

04/20/2015

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:** 1016447  
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**Issuance Date:** 03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 1400 South Ocean Drive, Hollywood, FL 33019

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

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

On or about January 6, 2015, at the above addressed jobsite, the employer did not conduct fit testing for employees required to wear tight-fitting (filtering facepiece) respirators, while performing concrete restoration tasks, such as, but not limited to, chipping concrete.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

04/20/2015

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:** 1016447  
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**Issuance Date:** 03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 1400 South Ocean Drive, Hollywood, FL 33019

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

29 CFR 1910.134(k)(1)(vii): The employer did not ensure that each user could demonstrate knowledge of the general requirements of the standard (Construction Reference 1926.103):

On or about January 6, 2015, at the above addressed jobsite, the employer did not ensure that employees who are required to wear a dust mask respirator during concrete restoration tasks such as chipping concrete, were able to properly inspect, check the seals of the respirator, know why proper fit is necessary, and how maintenance could compromise the protective effect of the respirator.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

04/20/2015

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

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**Issuance Date:** 03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 1400 South Ocean Drive, Hollywood, FL 33019

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

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

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met (Construction Reference: 1926.59):

On or about January 6, 2015, at the above addressed jobsite, the employer did not develop a hazard communication program for employees who use and generate hazardous materials such as, but not limited to, epoxy resin, Portland cement, and silica during concrete restoration tasks.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

<b>Date By Which Violation Must be Abated:</b>	<b>04/20/2015</b>
<b>Proposed Penalty:</b>	<b>\$7000.00</b>

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:** 1016447  
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**Issuance Date:** 03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 1400 South Ocean Drive, Hollywood, FL 33019

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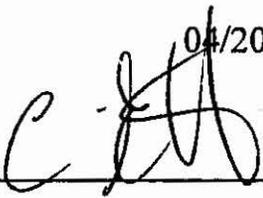
**Citation 1 Item 2 b Type of Violation: **Serious****

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):

On or about January 6, 2015, at the above addressed jobsite, the employer did not train employees on the hazards, such as, the carcinogenic properties of the product they use to apply stucco, skin sensitizer with epoxy resin product applied to rebar, and the silica dust generated from chipping concrete balconies during concrete restoration tasks.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

04/20/2015  
  
\_\_\_\_\_  
**Condell Eastmond**  
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  
1000 South Pine Island Road  
Suite 100  
Fort Lauderdale, FL 33324  
Phone: 954-424-0242 Fax: 954-424-3073



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 1400 South Ocean Drive, Hollywood, FL 33019  
**Issuance Date:** 03/25/2015

<b>Summary of Penalties for Inspection Number</b>	<b>1016447</b>
<b>Citation 1, Serious</b>	<b>\$14000.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$14000.00</b>

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

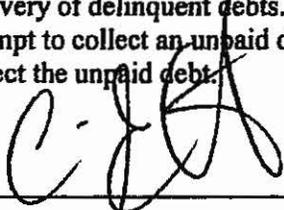
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



\_\_\_\_\_  
**Condell Eastmond**  
Area Director

3/25/2015  
\_\_\_\_\_  
Date

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1000 South Pine Island Road  
Suite 100  
Fort Lauderdale, FL 33324  
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## Citation and Notification of Penalty

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**To:**  
Maxim Construction Group, Corp  
and its successors  
1835 E. Hallendale Beach Blvd  
#301  
Hallandale Beach, FL 33009

**Inspection Site:**  
1400 S. Ocean Drive  
Hollywood, FL 33019

**Inspection Number:** 998175  
**Inspection Date(s):** 10/02/2014 - 10/03/2014  
**Issuance Date:** 03/25/2015

*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.*

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**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 998175**

Company Name: Maxim Construction Group, Corp  
Inspection Site: 1400 S. Ocean Drive, Hollywood, FL 33019  
Issuance Date: 03/25/2015

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, 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324**

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

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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:** Maxim Construction Group, Corp  
**Inspection Site:** 1400 S. Ocean Drive, Hollywood, FL 33019

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

29 CFR 1926.20(b)(2): The employer did not initiate and maintain programs which provided for frequent and regular inspections of the job site, materials and equipment to be made by a competent person(s):

On or about October 2, 2014, at the above addressed jobsite, employees were exposed to a fall hazard of approximately 160 feet from the 16th floor of a residential apartment complex under renovation while performing concrete chipping on a job site which did not have two (2) point suspension scaffolds frequently and regularly inspected prior to the commencement of a work shift.

PLEASE NOTE: DOCUMENTATION AND CERTIFICATION OF ABATEMENT IS REQUIRED FOR THIS VIOLATION.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/20/2015
Proposed Penalty:	\$7000.00

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



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 1400 S. Ocean Drive, Hollywood, FL 33019

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

29 CFR 1926.451(a)(6): Scaffolds were not constructed in accordance with the design by a qualified person:

a. On or about October 2, 2014, at the above addressed jobsite on suspension scaffold stage 2, employees were exposed to a fall hazard of approximately 160 feet from the 16th floor of a residential apartment complex under renovation while performing concrete chipping work from a two (2) point suspension scaffold, which measured approximately 16 feet in length and 28 inches in width, and did not have the correct amount of counterweights mounted at the inboard ends.

b. On or about October 2, 2014, at the above addressed jobsite on suspension scaffold stage 8, employees were exposed to a fall hazard of approximately 160 feet from the 16th floor of a residential apartment complex under renovation while performing concrete chipping work from a two (2) point suspension scaffold, which measured approximately 16 feet in length and 28 inches in width, and did not have the correct amount of counterweights mounted at the inboard ends.

PLEASE NOTE: DOCUMENTATION AND CERTIFICATION OF ABATEMENT IS REQUIRED FOR THIS VIOLATION.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/06/2015
Proposed Penalty:	\$7000.00

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



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 1400 S. Ocean Drive, Hollywood, FL 33019

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

29 CFR 1926.451(d)(3)(x): Tiebacks were not installed perpendicular to the face of the building or structure, nor were opposing angle tiebacks installed:

On or about October 2, 2014, at the above addressed jobsite, employees were exposed to a fall hazard of approximately 160 feet from the 16th floor of a residential apartment complex under renovation while performing concrete chipping work from a two (2) point suspension scaffold, which measured approximately 16 feet in length and 28 inches in width and single tiebacks were installed at an angle.

PLEASE NOTE: DOCUMENTATION AND CERTIFICATION OF ABATEMENT IS REQUIRED FOR THIS VIOLATION.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/06/2015
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 1400 S. Ocean Drive, Hollywood, FL 33019

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

29 CFR 1926.451(d)(12)(iv): Clips were not inspected and retightened to the manufacturer's recommendations at the start of each work shift thereafter:

- a. On or about October 2, 2014, at the above addressed jobsite on suspension scaffold stage 2, employees were exposed to a fall hazard of approximately 160 feet from the 16th floor of a residential apartment complex under renovation while performing concrete chipping work from a two (2) point suspension scaffold, which measured approximately 16 feet in length and 28 inches in width, and the three (3) wire clips were not inspected and tightened with a torque wrench.
- b. On or about October 2, 2014, at the above addressed jobsite on suspension scaffold stage 8, employees were exposed to a fall hazard of approximately 160 feet from the 16th floor of a residential apartment complex under renovation while performing concrete chipping work from a two (2) point suspension scaffold, which measured approximately 16 feet in length and 28 inches in width, and the three (3) wire clips were not inspected and tightened with a torque wrench.

PLEASE NOTE: DOCUMENTATION AND CERTIFICATION OF ABATEMENT IS REQUIRED FOR THIS VIOLATION.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/06/2015
Proposed Penalty:	\$7000.00

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



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 1400 S. Ocean Drive, Hollywood, FL 33019

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

29 CFR 1926.451(g)(3)(i): Vertical lifelines were not fastened to a fixed safe point of anchorage, independent of the scaffold, and protected from sharp edges and abrasion:

On or about October 2, 2014, at the above addressed jobsite, employees were exposed to a fall hazard of approximately 160 feet from the 16th floor of a residential apartment complex under renovation while performing concrete chipping work from a two (2) point suspension scaffold, which measured approximately 16 feet in length and 28 inches in width, and the lifelines were secured to a metal angular support that was attached to a cooling tower and unprotected from abrasion.

PLEASE NOTE: DOCUMENTATION AND CERTIFICATION IS REQUIRED FOR THIS VIOLATION.

Date By Which Violation Must be Abated:  
Proposed Penalty:

Corrected During Inspection  
\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 1400 S. Ocean Drive, Hollywood, FL 33019

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

29 CFR 1926.451(g)(3)(iv): Vertical lifelines, independent support lines, and suspension ropes shall not be attached to each other, nor shall they be attached to or use the same point of anchorage, nor shall they be attached to the same point on the scaffold or personal fall arrest system:

On or about October 2, 2014, at the above addressed jobsite, employees were exposed to a fall hazard of approximately 160 feet from the 16th floor of a residential apartment complex under renovation while performing concrete chipping work from a two (2) point suspension scaffold, which measured approximately 16 feet in length and 28 inches in width, and had lifelines connected to the same metal support beams of a heat and ventilation air conditioning unit.

PLEASE NOTE: DOCUMENTATION AND CERTIFICATION OF ABATEMENT IS REQUIRED FOR THIS VIOLATION.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/06/2015  
\$7000.00

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

**Condell Eastmond**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1000 South Pine Island Road  
Suite 100  
Fort Lauderdale, FL 33324  
Phone: 954-424-0242 Fax: 954-424-3073



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 1400 S. Ocean Drive, Hollywood, FL 33019  
**Issuance Date:** 03/25/2015

<b>Summary of Penalties for Inspection Number</b>	<b>998175</b>
<b>Citation 1, Serious</b>	<b>\$42000.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$42000.00</b>

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

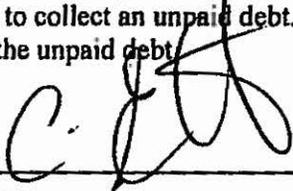
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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



Condell Eastmond

Area Director

3/25/2015  
Date

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1000 South Pine Island Road  
Suite 100  
Fort Lauderdale, FL 33324  
Phone: 954-424-0242 Fax: 954-424-3073



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## Citation and Notification of Penalty

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**To:**  
Maxim Construction Group, Corp  
and its successors  
1835 E. Hallendale Beach Blvd  
#301  
Hallendale Beach, FL 33009

**Inspection Number:** 998264  
**Inspection Date(s):** 10/02/2014 - 10/06/2014  
**Issuance Date:** 03/25/2015

**Inspection Site:**  
230 174th Street  
Sunny Isles Beach, FL 33160

*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.*

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

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

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

to the citation(s) and/or penalty(ies).

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

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

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

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

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

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$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](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 03/25/2015. The conference will be held by telephone or at the OSHA office located at 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324 on \_\_\_\_\_ at

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 998264**

Company Name: Maxim Construction Group, Corp  
Inspection Site: 230 174th Street, Sunny Isles Beach, FL 33160  
Issuance Date: 03/25/2015

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, 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324**

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:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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**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 exposed to fall hazards:

On or about October 2, 2014, at the above addressed jobsite, employees were exposed to a fall hazard of approximately 200 feet from the 20th floor of a residential apartment complex under renovation while performing concrete chipping work from a 2 point suspension scaffold which had a parapet clamp connected to wire rope without a shackle or thimble. The scaffold measured approximately 16 feet in length and 28 inches in width.

Among other methods, one feasible and acceptable means of abatement would be to use a thimble and shackle to connect the wire rope to the parapet clamp as instructed in Sunbelt's Scaffold Training Course manual, before allowing employees to use a suspended scaffold.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/13/2015
Proposed Penalty:	\$7000.00

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

**Inspection Number:** 998264  
**Inspection Date(s):** 10/02/2014 - 10/06/2014  
**Issuance Date:** 03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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

29 CFR 1926.20(b)(2): The employer did not initiate and maintain a safety program which provides for frequent and regular inspections of jobsites, materials, and equipment to be made by a competent person:

On or about October 2, 2014, at the above addressed jobsite, employees were exposed to a fall hazard of approximately 200 feet from the 20th floor of a residential apartment complex under renovation while chipping concrete in a job site which did not have suspended scaffolds frequently and regularly inspected prior to the commencement of a work shift.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/13/2015  
\$7000.00

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



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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

1926.451(d)(5)(iii): Tiebacks were not installed perpendicular to the face of the building or structure, nor were opposing angle tiebacks installed:

a. On or about October 2, 2014, at the above addressed jobsite, employees were exposed to a fall hazard of approximately 200 feet from the 20th floor of a residential apartment complex under renovation while performing concrete chipping work from a two (2) point suspension scaffold which measured approximately 16 feet in length and 28 inches in width and did not have a parapet clamp restrained from movement.

b. On or about October 2, 2014, at the above addressed jobsite, employees were exposed to a fall hazard of approximately 200 feet from the 20th floor of a residential apartment complex under renovation while performing concrete chipping work from a two (2) point suspension scaffold which measured approximately 16 feet in length and 28 inches in width and did not have tiebacks installed perpendicular at a right angle to the face of the building.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/13/2015  
\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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

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

29 CFR 1926.451(d)(12)(i): there were not a minimum of 3 wire clips installed with the clips a minimum of 6 rope diameters apart:

On or about October 2, 2014, at the above addressed jobsite, employees were exposed to a fall hazard of approximately 200 feet from the 20th floor of a residential apartment complex under renovation while performing concrete chipping work from a two (2) point suspension scaffold which measured approximately 16 feet in length and 28 inches in width and the wire rope for the tiebacks only had 2 wire clips.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

<b>Date By Which Violation Must be Abated:</b>	<b>04/13/2015</b>
<b>Proposed Penalty:</b>	<b>\$7000.00</b>



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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

29 CFR 1926.451(d)(12)(iv): Clips were not be inspected and retightened to the manufacturer's recommendations at the start of each workshift thereafter:

On or about October 2, 2014, at the above addressed jobsite, employees were exposed to a fall hazard of approximately 200 feet from the 20th floor of a residential apartment complex under renovation while performing concrete chipping work from a two (2) point suspension scaffold which measured approximately 16 feet in length and 28 inches in width and did not have two (2) wire clips inspected and tightened with a torque wrench for a period of at least one (1) week.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

04/13/2015



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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

29 CFR 1926.451(g)(3)(i): Vertical lifelines were not fastened to a fixed safe point of anchorage, independent of the scaffold, and protected from sharp edges and abrasion.

On or about October 2, 2014, at the above addressed jobsite, employees were exposed to a fall hazard of approximately 200 feet from the 20th floor of a residential apartment complex under renovation while performing concrete chipping work from a two (2) point suspension scaffold which measured approximately 16 feet in length and 28 inches in width, and the lifeline was not protected from the sharp edge of a concrete building.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/13/2015
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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

29 CFR 1926.451(g)(3)(iv): Vertical lifelines, independent support lines, and suspension ropes shall not be attached to each other, nor shall they be attached to or use the same point of anchorage, nor shall they be attached to the same point on the scaffold or personal fall arrest system:

On or about October 2, 2014, at the above addressed jobsite, employees were exposed to a fall hazard of approximately 200 feet from the 20th floor of a residential apartment complex under renovation while performing concrete chipping work from a two (2) point suspension scaffold which measured approximately 16 feet in length and 28 inches in width with 2 lifelines connected to the same stairway.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	04/13/2015
Proposed Penalty:	\$7000.00



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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

29 CFR 1926.454(b)(2): The employer did not have each employee involved in erecting, disassembling, moving, operating, repairing, maintaining, or inspecting a scaffold trained by a competent person to recognize any hazards associated with the work in question.

On or about October 2, 2014, at the above addressed jobsite, employees were not trained by a competent person to recognize hazards associated with a two point suspension scaffold, and were exposed to a fall hazard of approximately 200 feet from the 20th floor of a residential apartment complex under renovation while performing concrete chipping work from a two (2) point suspension scaffold which measured approximately 16 feet in length and 28 inches in width .

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/20/2015  
\$7000.00

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

**Condell Eastmond**  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1000 South Pine Island Road  
Suite 100  
Fort Lauderdale, FL 33324  
Phone: 954-424-0242 Fax: 954-424-3073



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160  
**Issuance Date:** 03/25/2015

<b>Summary of Penalties for Inspection Number</b>	<b>998264</b>
<b>Citation 1, Serious</b>	<b>\$49000.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$49000.00</b>

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

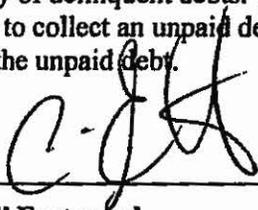
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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

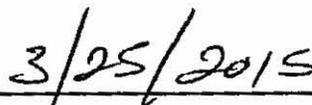
**Delinquent Charges:** A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%)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



Condell Eastmond

Area Director



Date

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1000 South Pine Island Road  
Suite 100  
Fort Lauderdale, FL 33324  
Phone: 954-424-0242 Fax: 954-424-3073



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## Citation and Notification of Penalty

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**To:**  
Maxim Construction Group, Corp  
and its successors  
1835 E. Hallendale Beach Blvd  
#301  
Hallandale Beach, FL 33009

**Inspection Number:** 1016478  
**Inspection Date(s):** 01/06/2015 - 03/18/2015  
**Issuance Date:** 03/25/2015

**Inspection Site:**  
230 174th Street  
Sunny Isles Beach, FL 33160

*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.*

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

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

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

to the citation(s) and/or penalty(ies).

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

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

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

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

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

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$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](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 03/25/2015. The conference will be held by telephone or at the OSHA office located at 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324 on \_\_\_\_\_ at

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1016478**

Company Name: Maxim Construction Group, Corp  
Inspection Site: 230 174th Street, Sunny Isles Beach, FL 33160  
Issuance Date: 03/25/2015

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, 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324**

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:** 1016478  
**Inspection Date(s):** 01/06/2015 - 03/18/2015  
**Issuance Date:** 03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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

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

29 CFR 1910.134(c)(1): A written respiratory protection program that included the provisions in 29 CFR 1910.134(c)(1)(i) - (ix) with worksite specific procedures was not established and implemented for required respirator use (Construction Reference 1926.103):

On or about January 6, 2015, at the above addressed jobsite, the employer did not establish a written respiratory program with procedures for employees wearing tight fitting half mask respirators and dust masks when exposed to silica during concrete restoration operations.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/20/2015  
\$7000.00

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:** 1016478  
**Inspection Date(s):** 01/06/2015 - 03/18/2015  
**Issuance Date:** 03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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**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):

On or about January 6, 2015, at the above addressed jobsite, employees performing sandblasting of rebar during concrete restoration process wear tight fitting half mask respirators without a medical evaluation.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

04/20/2015

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:** 1016478  
**Inspection Date(s):** 01/06/2015 - 03/18/2015  
**Issuance Date:** 03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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

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

On or about January 6, 2015, at the above addressed jobsite, the employer did not conduct fit testing for employees required to wear tight-fitting respirators, while performing concrete restoration tasks, such as, but not limited to, sandblasting rebar.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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

**04/20/2015**

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:** 1016478  
**Inspection Date(s):** 01/06/2015 - 03/18/2015  
**Issuance Date:** 03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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

29 CFR 1910.134(g)(1)(i)(A): Respirators with tight-fitting facepieces were worn by employees who had facial hair that came between the sealing surface of the facepiece and the face or that interfered with valve function (Construction Reference 1926.103):

On or about January 6, 2015, at the above addressed jobsite, the employer permitted employees with facial hair to wear tight-fitting respirators while performing concrete restoration tasks, such as, but not limited to, sandblasting.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

04/20/2015

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:** 1016478  
**Inspection Date(s):** 01/06/2015 - 03/18/2015  
**Issuance Date:** 03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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

29 CFR 1910.134(k)(1)(vii): The employer did not ensure that each user could demonstrate knowledge of the general requirements of the standard (Construction Reference 1926.103):

On or about January 6, 2015, at the above addressed jobsite, the employer did not ensure that employees who are required to wear a respirator were able to properly inspect, check the seals of the respirator, know why proper fit is necessary, and how maintenance could compromise the protective effect of the respirator.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

04/20/2015

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:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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

29 CFR 1926.55(a): Employee(s) were exposed to material(s) at concentrations above those specified in the Threshold Limit Values of Airborne Contaminants for 1970 of the American Conference of Governmental Industrial Hygienists:

On or about January 26, 2015, at the above addressed jobsite, two employees engaged in sandblasting rebar activity were overexposed to respirable silica dust at a concentration of 0.38 mg/m<sup>3</sup> (equivalent to 3.82 mppcf) and 0.97 mg/m<sup>3</sup> (equivalent to 9.74 mppcf) expressed as an 8-hour time weighted average of approximately 1.29 and 1.71 times the daily Permissible Exposure Limit (PEL) of 0.28 mg/m<sup>3</sup> (equivalent to 2.78 mppcf) and 0.54 mg/m<sup>3</sup> (equivalent to 5.42 mppcf) based on 332 and 348 minute sampling periods; exposure calculations included a zero-increment for the 148 and 132 minutes not sampled.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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

**04/20/2015**



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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

29 CFR 1926.55(b): Feasible administrative or engineering controls were not implemented to reduce employee exposure:

On or about January 26, 2015, at the above addressed jobsite, the employer did not implement engineering or administrative controls for two employees engaged in sandblasting rebar activity who were overexposed to respirable silica dust at a concentration of 0.38 mg/m<sup>3</sup> (equivalent to 3.82 mppcf) and 0.97 mg/m<sup>3</sup> (equivalent to 9.74 mppcf) expressed as an 8-hour time weighted average of approximately 1.29 and 1.71 times the daily Permissible Exposure Limit (PEL) of 0.28 mg/m<sup>3</sup> (equivalent to 2.78 mppcf) and 0.54 mg/m<sup>3</sup> (equivalent to 5.42 mppcf) based on 332 and 348 minute sampling periods; exposure calculations included a zero-increment for the 148 and 132 minutes not sampled.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

04/20/2015



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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

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

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met (Construction Reference: 1926.59):

On or about January 6, 2015, at the above addressed jobsite, the employer did not develop a hazard communication program for employees who are exposed to hazardous materials such as, but not limited to, Portland cement and silica dust, being used and generated during concrete restoration tasks.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/20/2015  
\$7000.00

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

**Inspection Number:** 1016478  
**Inspection Date(s):** 01/06/2015 - 03/18/2015  
**Issuance Date:** 03/25/2015



**Citation and Notification of Penalty**

**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160

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**Citation 1 Item 2 b 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):

On or about January 6, 2015, at the above addressed jobsite, the employer did not train employees on the hazards, such as, but not limited to, the carcinogenic properties of silica dust generated from sandblasting rebar with silica sand during concrete restoration operations.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

04/20/2015

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: Maxim Construction Group, Corp  
Inspection Site: 230 174th Street, Sunny Isles Beach, FL 33160

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**Citation 2 Item 1** Type of Violation: **Other-than-Serious**

29 CFR 1926.52(d)(1): In all cases where the sound levels exceeded the values shown in Table D-2 of 29 CFR 1926.52, a continuing, effective hearing conservation program was not administered:

On or about January 26, 2015, at the above addressed jobsite, the employer did not implement elements of a hearing conservation program, such as, but not limited to, employee exposure monitoring, work practice controls, and training for employees engaged in concrete restoration tasks, such as chipping concrete and sandblasting rebar, were exposed to continuous noise at 217.2%, 170.2%, and 150.2% of the permissible exposure limit of noise exposure (8-hour time weighted average of 90 dba) or the equivalent sound level of approximately 95.6, 93.8, and 92.9 dba, during 385, 345, and 307 minute sampling periods; exposure calculations included a zero (0) increment for the 95, 135, and 173 minutes not sampled, respectively.

Date By Which Violation Must be Abated:  
Proposed Penalty:

04/20/2015  
\$0.00

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

Condell Eastmond  
Area Director

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
1000 South Pine Island Road  
Suite 100  
Fort Lauderdale, FL 33324  
Phone: 954-424-0242 Fax: 954-424-3073



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Maxim Construction Group, Corp  
**Inspection Site:** 230 174th Street, Sunny Isles Beach, FL 33160  
**Issuance Date:** 03/25/2015

<b>Summary of Penalties for Inspection Number</b>	<b>1016478</b>
<b>Citation 1, Serious</b>	<b>\$14000.00</b>
<b>Citation 2, Other-than-Serious</b>	<b>\$0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$14000.00</b>

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

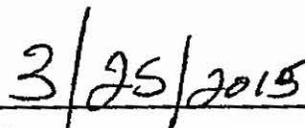
**Delinquent Charges:** A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%)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



Condell Eastmond

Area Director



Date