

U.S. Department of Labor
Occupational Safety and Health Administration
17625 El Camino Real
Suite 400
Houston, TX 77058
Phone: 281-286-0583 Fax: 281-286-6352



Citation and Notification of Penalty

To:

Oscar Renda Contracting
and its successors
608 Henrietta Creek Road
Roanoke, TX 76262

Inspection Number: 1124976

Inspection Date(s): 02/11/2016 - 02/11/2016

Issuance Date: 07/28/2016

Inspection Site:

Shepherd Street
Houston, TX 77018

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

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

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

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

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

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

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

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

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

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

Notification of Corrective Action – For each violation which you do not contest, you must provide ***abatement certification*** to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that ***abatement documentation*** is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

Employer Discrimination Unlawful – The law prohibits discrimination by an employer against an

employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities – The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. If you have any dispute with the accuracy of the information displayed, please contact this office.



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 07/28/2016. The conference will be held by telephone or at the OSHA office located at 17625

El Camino Real, Suite 400, Houston, TX 77058 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1124976

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018
Issuance Date: 07/28/2016

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, 17625 El Camino Real, Suite 400, Houston, TX 77058**

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: 1124976
Inspection Date(s): 02/11/2016 - 02/11/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

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 1926.251(a) (2) (i): The employer failed to ensure rigging equipment had permanently affixed and legible identification markings as prescribed by the manufacturer that indicate the recommended safe working load.

At the Haddon Street excavation on or about February 11, 2016, and times prior to; employees used alloy steel chain slings that did not have a legible identification markings, exposing employees to struck by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$3300.00

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: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

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

29 CFR 1926.251(a)(6): Each day before being used, and during use, where service conditions warrant, the sling and all fastenings and attachments were not inspected for damage or defects by a competent person, and damaged or defective slings were not immediately removed from service:

At the Haddon Street excavation on or about February 11, 2016, and times prior to; the employer did not inspect alloy steel chain slings, exposing employees to struck by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/16/2016

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

Inspection Number: 1124976
Inspection Date(s): 02/11/2016 - 02/11/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

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

29 CFR 1926.651(a): All surface encumbrances that were located so as to create a hazard to employees were not removed or supported, as necessary, to safeguard employees:

At the Haddon Street on or about February 11, 2016, and times prior to; the employer did not support the sidewalk to safe guard employees, exposing employees to struck by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$5500.00



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

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

29 CFR 1926.651(j)(2): Protection was not provided by placing and keeping excavated or other materials or equipment at least 2 feet (.61m) from the edge of excavations, or by the use of retaining devices that were sufficient to prevent materials or equipment from falling or rolling into excavations, or by a combination of both if necessary.

a) At the Haddon Street jobsite on or about February 11, 2016, and times prior to; the employer did not ensure that equipment such as a John Deere, Compact Excavator, 35G, E112, steel alloy sling were at least 2 feet from the edge of the excavation, exposing employees to struck by and engulfment hazards.

b) At the S. Shepherd Drive jobsite on or about February 11, 2016, and times prior to; the employer did not ensure that equipment such as tools and spoils were at least 2 feet from the edge of the excavation, exposing employees to struck by and engulfment hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$5500.00

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

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Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

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 1926.1051(a): Stairway(s) or ladder(s) were not provided at all personnel points of access where there was a break in elevation of 19 inches (48 cm) or more, or no ramp, runway, sloped embankment, or personnel hoist was provided:

At the Welch Street and S. Shepherd Drive on or about April 04, 2016; the employer did not provide a ladder to employees entering a storm drain at a depth of approximately 40 inches.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$3300.00

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: 1124976
Inspection Date(s): 02/11/2016 - 02/11/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

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

29 CFR 1926.1204(d) (7): Equipment, such as ladders, needed for safe ingress and egress by authorized entrants;

At the Welch Street and S. Shepherd Drive on or about April 04, 2016; the employer did not provide egress or ingress, exposing employees to inhalation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/16/2016

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: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

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 5 a Type of Violation: **Serious**

29 CFR 1926.1053(b) (15): Ladders were not inspected by a competent person for visible defects on a periodic basis and after an occurrence that could affect their safe use:

At the Haddon Street and S. Shepherd Drive on or about February 11, 2016 and times prior to; employees used 1/2 of a Werner extension ladder.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$3300.00



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

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

29 CFR 1926.1053(b) (16): Portable ladders with structural defects, such as, but not limited to, broken or missing rungs, cleats, or steps, broken or split rails, corroded components, or other faulty or defective components, were not either immediately marked in a manner that readily identifies them as defective, or tagged with "Do Not Use" or similar language, and were not withdrawn from service until repaired.

At the Haddon Street and S. Shepherd Drive on or about February 11, 2016, and times prior to; the employer did not inspect or remove a defective Werner extension ladder with missing components.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/16/2016

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

Inspection Number: 1124976
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Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

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

29 CFR 1926.1203(b) (1): Inform exposed employees by posting danger signs or by any other equally effective means, of the existence and location of, and the danger posed by, each permit space; and

At the Welch Street and S. Shepherd Drive or about April 04, 2016; the employer did not inform exposed employees of dangers of the permit confined space, exposing employees to inhalation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$3300.00

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: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

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 7 a Type of Violation: **Serious**

29 CFR 1926.1204(c) (7): Verifying that conditions in the permit space are acceptable for entry throughout the duration of an authorized entry, and ensuring that employees are not allowed to enter into, or remain in, a permit space with a hazardous atmosphere unless the employer can demonstrate that personal protective equipment (PPE) will provide effective protection for each employee in the permit space and provides the appropriate PPE to each employee:

At the Welch Street and S. Shepherd Drive on or about April 04, 2016; the employer did not verify that the space was safe for entry, exposing employees to inhalation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$5500.00

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

Inspection Number: 1124976
Inspection Date(s): 02/11/2016 - 02/11/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

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

29 CFR 1926.1204(e)(1)(ii): If entry is authorized, continuously monitor entry conditions in the areas where authorized entrants are working, except that employers may use periodic monitoring in accordance with paragraph (e)(2) of this section for monitoring an atmospheric hazard if they can demonstrate that equipment for continuously monitoring that hazard is not commercially available;

At the Welch Street and S. Shepherd Drive on or about April 04, 2016; the employer did not conduct continuous or periodic monitoring, exposing employees to inhalation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/16/2016

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: 1124976
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Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

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 8 a Type of Violation: **Serious**

29 CFR 1926.1204(d) (8): Rescue and emergency equipment needed to comply with paragraph (i) of this section, except to the extent that the equipment is provided by rescue services; and

At the Welch Street and S. Shepherd Drive on or about April 4, 2016; the employer did not ensure rescue and emergency equipment were available, exposing employees to inhalation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$5500.00

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: 1124976
Inspection Date(s): 02/11/2016 - 02/11/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

Citation 1 Item 8 b Type of Violation: **Serious**

29 CFR 1926.1210(d): Verifies that rescue services are available and that the means for summoning them are operable, and that the employer will be notified as soon as the services become unavailable;

At the Welch Street and S. Shepherd Drive on or about April 4, 2016; the employer did not verified that rescue services were available, exposing employees to inhalation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/16/2016

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: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

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 9 a Type of Violation: **Serious**

29 CFR 1926.1207(a): The employer did not provide training to each employee whose work is regulated by this standard, at no cost to the employee, and did not ensure that the employee possessed the understanding, knowledge, and skills necessary for the safe performance of duties assigned under this standard:

At the Welch Street and S. Shepherd Drive on or about April 04, 2016; untrained employees worked in a permit required confined space, exposing employees to inhalation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$7000.00

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

Inspection Number: 1124976
Inspection Date(s): 02/11/2016 - 02/11/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

Citation 1 Item 9 b Type of Violation: **Serious**

29 CFR 1926.1208(a): Are familiar with and understand the hazards that may be faced during entry, including information on the mode, signs or symptoms, and consequences of the exposure;

At the Welch Street and S. Shepherd Drive on or about April 4, 2016; the employees did not understand or were familiar with the hazards associated with confined spaced entry, exposing employees to inhalation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/16/2016

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: 1124976
Inspection Date(s): 02/11/2016 - 02/11/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

Citation 1 Item 9 c Type of Violation: **Serious**

29 CFR 1926.1209(a): Is familiar with and understands the hazards that may be faced during entry, including information on the mode, signs or symptoms, and consequences of the exposure;

At the Welch Street and S. Shepherd Drive on or about April 4, 2016; the employees did not understand the hazards associated with confined spaced entry, exposing employees to inhalation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/16/2016

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: 1124976
Inspection Date(s): 02/11/2016 - 02/11/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

Citation 1 Item 9 d Type of Violation: **Serious**

29 CFR 1926.1210(a): Is familiar with and understands the hazards that may be faced during entry, including information on the mode, signs or symptoms, and consequences of the exposure;

At the Welch Street and S. Shepherd Drive on or about April 4, 2016; the employees did not understand the hazards of the confined spaced entry, exposing employees to inhalation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

08/16/2016

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: 1124976
Inspection Date(s): 02/11/2016 - 02/11/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

Citation 1 Item 10 Type of Violation: **Serious**

29 CFR 1926.1208(b): Properly use equipment as required by 1926.1204(d);

At the Welch Street and S. Shepherd Drive on or about April 4, 2016; the employees did not properly operate a Multi Gas Clip MGC-IR serial number M4SE420420, exposing employees to inhalation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$4400.00

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: 1124976
Inspection Date(s): 02/11/2016 - 02/11/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

Citation 1 Item 11 Type of Violation: **Serious**

29 CFR 1926.1205(a): Before entry is authorized, each entry employer must document the completion of measures required by 1926.1204(c) by preparing an entry permit.

At the Welch Street and S. Shepherd Drive on or about April 4, 2016; the employer did not document and prepared an entry permit, exposing employees to inhalation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$5500.00

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: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

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

29 CFR 1926.652(a) (1): Each employee in an excavation was not protected from cave-ins by an adequate protective system designed in accordance with 29 CFR 1926.652(c):

a) This violation most recently occurred at Haddon Street, Houston, TX, on February 11, 2016, and at times prior thereto, employees were in an excavation that exceeded 5 feet without any protection system, exposing employees to engulfment and struck by hazards.

b) This violation most recently occurred at S. Shepherd Drive, Houston, TX, on February 11, 2016, and at times prior thereto, employees were in an excavation that exceeded 5 feet without any protection system, exposing employees to engulfment and struck by hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$70000.00

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

Inspection Number: 1124976
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Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

Citation 3 Item 1 Type of Violation: **Other-than-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:

At the intersection of Welch Street and S. Shepherd Drive on or about April 04, 2016; the employer requires employees to use 3M 8210, N95 respirators prior to fit testing, exposing employees to inhalation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	08/16/2016
Proposed Penalty:	\$1100.00

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: 1124976
Inspection Date(s): 02/11/2016 - 02/11/2016
Issuance Date: 07/28/2016



Citation and Notification of Penalty

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018

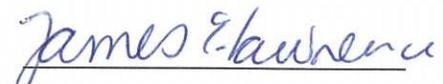
Citation 3 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1926.1203(d): If any employer decides that employees it directs will enter a permit space, that employer must have a written permit space program that complies with 1926.1204 implemented at the construction site. The written program must be made available prior to and during entry operations for inspection by employees and their authorized representatives.

At the Welch Street and S. Shepherd Drive on or about 4 April 2016; the employer did not have a written permit space program at the site, exposing employees to inhalation hazards.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 08/16/2016
Proposed Penalty: \$1100.00


Mark R. Briggs
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
17625 El Camino Real
Suite 400
Houston, TX 77058
Phone: 281-286-0583 Fax: 281-286-6352



INVOICE / DEBT COLLECTION NOTICE

Company Name: Oscar Renda Contracting
Inspection Site: Shepherd Street, Houston, TX 77018
Issuance Date: 07/28/2016

Summary of Penalties for Inspection Number	1124976
Citation 1, Serious	\$52100.00
Citation 2, Willful	\$70000.00
Citation 3, Other-than-Serious	\$2200.00
TOTAL PROPOSED PENALTIES	\$124300.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to: "DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance. You can also make your payment electronically on www.pay.gov. On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is <https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>. You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your

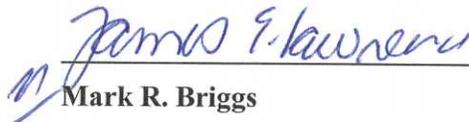
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

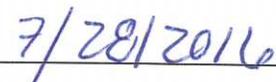
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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

Administrative Costs: Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.



Mark R. Briggs
Area Director



Date