

U.S. Department of Labor
Occupational Safety and Health Administration
49 North Progress Avenue,
Harrisburg, PA 17109
Phone: 717-782-3902 Fax: 717-782-3746



Citation and Notification of Penalty

To:
Panthera Painting, Inc.
and its successors
333 Morganza Road,
Canonsburg, PA 15317

Inspection Number: 683958
Inspection Date(s): 10/12/2012 - 01/25/2013
Issuance Date: 01/25/2013

Inspection Site:
Interstate 81, George Wade Bridge,
Harrisburg, PA 17110

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

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

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

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

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

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

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

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance.

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

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

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

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

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days

(excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. 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 01/25/2013. The conference will be held at the OSHA office located at 49 North Progress Avenue, Harrisburg, PA 17109 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 683958

Company Name: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Issuance Date: 01/25/2013

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: U.S. Department of Labor – Occupational Safety and Health Administration, 49 North Progress Avenue, Harrisburg, PA 17109

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

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The alleged violations below (1a, 1b, 1c and 1d) 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 1926.57(f)(5)(ii)(C): Abrasive-blasting respirators are not worn by all abrasive-blasting operators where concentrations of toxic dust dispersed by the abrasive blasting may exceed the limits set forth in 1926.55 or other pertinent sections of 29 CFR 1926.57 and the nozzle and blast are not physically separated from the operator in an exhaust ventilated enclosure:

- (a) George Wade Bridge, Harrisburg Pennsylvania - The employer does not ensure that abrasive-blasting respirators are worn by all abrasive blasting operators where concentrations of toxic dust dispersed by the operation may exceed the limits set forth in 1926.55 or pertinent sections of 1926.57. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 on the George Wade Bridge site in Harrisburg Pennsylvania, where an employee blasted shoes containing lead paint. The operator blasted while wearing a hard hat with a shield taped to it but no respirator for a 1/2 hour and later had a helmet lowered to him without an airline attached. Without the airline attached the employee nearly suffocated and had to take it off. To abate this violation, and at all future worksites, the employer must ensure that employees wear abrasive blasting respirators when they perform abrasive blasting operations.

- (b) George Wade Bridge, Harrisburg Pennsylvania - The employer does not ensure that abrasive-blasting respirators are worn by all abrasive blasting operators where concentrations of toxic dust dispersed by the operation may exceed the limits set forth in 1926.55 or pertinent sections of 1926.57. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 on the George Wade Bridge site in Harrisburg, Pennsylvania, where an employee blasted a concrete surface where new paint had spilled. The employee used a small 8 bag blasting "pot" tied to the bed of a stake truck. The operator was not wearing an abrasive blasting hood, he had a tee shirt over his face. To abate this violation, and at all future worksites, the employer must ensure that employees wear abrasive blasting respirators when they perform abrasive blasting operations.

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



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Company Name: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

- (c) George Wade Bridge, Harrisburg Pennsylvania - The employer does not ensure that abrasive-blasting respirators are worn by all abrasive blasting operators where concentrations of toxic dust dispersed by the operation may exceed the limits set forth in 1926.55 or pertinent sections of 1926.57. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 on the George Wade Bridge site in Harrisburg Pennsylvania, where an employee blasted plates and shoes without an abrasive blasting hood. To abate this violation, and at all future worksites, the employer must ensure that employees wear abrasive blasting respirators when they perform abrasive blasting operations.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/06/2013

Proposed Penalty:

\$5390.00



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

29 CFR 1926.62(f)(1): For employees who use respirators required by 29 CFR 1926.62, the employer does not provide each employee an appropriate respirator that complies with the requirements of 29 CFR 1926.62(f):

- (a) George Wade Bridge, Harrisburg Pennsylvania - The employer does not provide employees exposed to lead above the PEL with an appropriate respirator. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 on the George Wade Bridge site in Harrisburg Pennsylvania, where an employee without a respirator was exposed to the dust from abrasive blasting operations when he used glass bead media to blast shoes which contained lead paint with only a hard hat with a shield taped to it. To abate this violation, and at all future worksites, the employer must ensure that employees who are exposed to lead dust in excess of the PEL wear an appropriate respirator.
- (b) George Wade Bridge, Harrisburg Pennsylvania - The employer does not provide employees exposed to lead above the PEL with an appropriate respirator. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 on the George Wade Bridge site in Harrisburg Pennsylvania, where an employee was exposed to dust containing lead paint from grinding and blowing down while working from a snooper in a tooth dam. The employee could not find new respirator cartridges so he wore old ones and tied his shirt over his face. To abate this violation, and at all future worksites, the employer must ensure that employees who are exposed to lead dust in excess of the PEL wear an appropriate respirator.

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

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Citation and Notification of Penalty

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Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/06/2013

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

29 CFR 1926.57(f)(5)(v)(B): The employer does not supply to the operator and any other personnel working in the vicinity of abrasive-blasting operations, equipment for protection of the eyes and face when the respirator design does not provide such protection and/or the equipment does not conform to the requirements of 29 CFR 1926.102:

- (a) George Wade Bridge, Harrisburg Pennsylvania - The employer does not ensure that employees who are exposed to the dust from abrasive blasting operations wear equipment for protection of their eyes and face. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 on the George Wade Bridge site in Harrisburg Pennsylvania, where employees used brooms and shovels to sweep up the blast media in the vicinity of an employee who was performing abrasive blasting to clean off spilled paint from the bridge. To abate this violation, and at all future worksites, the employer must ensure that employees are provided with respirators designed to protect the eyes and face.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

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02/06/2013

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Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

29 CFR 1926.302(b)(10): Abrasive blast cleaning nozzles are not equipped with an operating valve which must be held open manually:

- (a) George Wade Bridge, Harrisburg Pennsylvania - The employer does not ensure that abrasive blasting nozzles are equipped with an operating "dead-man" valve which must be held open manually. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 on the George Wade Bridge site in Harrisburg Pennsylvania, where an employee blasted a concrete surface where new paint had spilled. The employee used a small 8 bag blasting pot tied to the bed of a stake truck. The vacuum switch for the abrasive blasting nozzle was pinched off so there was no "dead man" control, he communicated with the pot tender using hand signals when he wanted to start and stop blasting. To abate this violation, and at all future worksites, the employer must ensure that employees are provided with abrasive blasting nozzles with operating "dead-man" switches.
- (b) George Wade Bridge, Harrisburg Pennsylvania - The employer does not ensure that abrasive blasting nozzles are equipped with an operating "dead-man" valve which must be held open manually. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 on the George Wade Bridge site in Harrisburg Pennsylvania, where an employee without a respirator blasted shoes coated with lead paint using an abrasive blasting nozzle with no "dead-man" control, he communicated through another employee in the containment to the pot tender on top of the bridge when he wanted to start and stop blasting. To abate this violation, and at all future worksites, the employer must ensure that employees are provided with abrasive blasting nozzles with operating "dead-man" switches.
- (c) George Wade Bridge, Harrisburg Pennsylvania - The employer does not ensure that abrasive blasting nozzles are equipped with an operating "dead-man" valve which must be held open manually. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 on the George Wade Bridge site in Harrisburg Pennsylvania, where a foreman tended the pot while an employee blasted surfaces covered with lead paint using the 8 bag pot on the stake truck. The vacuum switch for the abrasive blasting nozzle was pinched off so there was no "dead man" control. The blaster communicated with the foreman/pot

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: Panthera Painting, Inc.
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tender from below the bridge in containment by hitting the steel structure of the bridge with a hammer when he wanted start or stop blasting. To abate this violation, and at all future worksites, the employer must ensure that employees are provided with abrasive blasting nozzles with operating "dead-man" switches.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/06/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

29 CFR 1910.134(i)(7): Where only high-temperature alarms are used, the air supply is not monitored at intervals sufficient to prevent carbon monoxide in the breathing air from exceeding 10 ppm.

- (a) George Wade Bridge (I-81) Section 12 Harrisburg Pennsylvania - The employer does not ensure that breathing air supplied to abrasive-blasting respirators meets the requirements for grade D breathing air in accordance with ANSI/Compressed Gas Association Commodity Specification for Air, G-7.1-1989. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 at a job site on Interstate Route 81 section 12 on the George Wade Bridge site in Harrisburg Pennsylvania, where employees used air for abrasive-blasting respirators that was not monitored to ensure it was free of harmful quantities of dusts, mists, or noxious gases. To abate this violation, and at all future worksites, the employer must ensure that employee breathing air is continuously monitored for Carbon Monoxide.

- (b) George Wade Bridge (I-81) Section 12 Harrisburg Pennsylvania - The employer does not ensure that breathing air supplied to abrasive-blasting respirators meets the requirements for grade D breathing air in accordance with ANSI/Compressed Gas Association Commodity Specification for Air, G-7.1-1989. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 at a job site on Interstate Route 81 section 12 on the George Wade Bridge site in Harrisburg Pennsylvania, where employees used air for abrasive-blasting respirators that was being monitored using an INVERTECH CAN 900 Carbon Monoxide (CO) Detector. During the inspection the device was in the alarm condition, the red alarm lamp was illuminated and an audio alarm was sounding. The employee assigned to monitor the equipment did not take action to investigate the condition of the CO monitor nor alert employees using the air of the alarm condition. To abate this violation, and at all future worksites, the employer must ensure that employees monitoring the employee breathing air are trained in the operation of the CAM 900 CO monitor.

- (c) George Wade Bridge (I 81) Section 38 Harrisburg Pennsylvania - The employer does not ensure that breathing air supplied to abrasive-blasting respirators meets the requirements for grade D breathing air in accordance with ANSI/Compressed Gas Association Commodity Specification for Air, G-7.1-1989. This violation was most recently noted during the period of July 25, 2012

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Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

to December 17, 2012 at a job site on Interstate Route 81 section 38 on the George Wade Bridge site in Harrisburg Pennsylvania, where employees used air for abrasive-blasting respirators that was not monitored to ensure it was free of harmful quantities of dusts, mists, or noxious gases. To abate this violation, and at all future worksites, the employer must ensure that employee breathing air is continuously monitored for Carbon Monoxide.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/06/2013
Proposed Penalty:	\$5390.00

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



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

29 CFR 1926.1053(b)(1): Portable ladders are used for access to an upper landing surface and the ladder side rails do not extend at least 3 feet (.9 m) above the upper landing surface to which the ladder is used to gain access:

- (a) George Wade Bridge (I-81) Span 12, Harrisburg Pennsylvania - The employer does not ensure that portable ladders used for access to upper landing surfaces are positioned so that their side rails extend at least 3 feet above the landing surface. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 on the George Wade Bridge Project in Harrisburg Pennsylvania, where employees used a portable ladder that did not extend at least three feet above the upper landing surface to access working areas below the bridge at or near span 12. To abate this violation, and at all future worksites, the employer must ensure that all portable ladders are positioned with the side rails extended at least three feet above the upper landing surface.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

02/06/2013
\$5390.00

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

29 CFR 1926.501(b)(1): Each employee on a walking/working surface with an unprotected side or edge which is 6 feet (1.8 m) or more above a lower level is not protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems.

- (a) Panthera Painting, Incorporated - The employer does not ensure that employees on a walking/working surface with an unprotected side or edge which is 6 feet (1.8m) or more above a lower level are protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 on the George Wade Bridge site in Harrisburg Pennsylvania, where the employer did not ensure that an employee working on top of the grit hopper of the ARS Aries Vac B2 serial number 182268T3815L26B48315, Was protected from falling on one side approximately 85 feet to the river below the bridge and on the other three sides from falling approximately 10 feet to the ground. To abate this violation, and at all future worksites, the employer must ensure that employees on walking/working surfaces with unprotected sides or edges which are 6 feet or more above a lower level are protected from falling by the use of guardrails systems, safety net systems or personal fall arrest systems.

PANTHERA PAINTING INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD, 1926.501(b)(1), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241662, CITATION NUMBER 1, ITEM NUMBER 4, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT INTERSTATE 81, GEORGE WADE BRIDGE, HARRISBURG, PENNSYLVANIA.

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



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Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/06/2013
Proposed Penalty:	\$53900.00

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: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

29 CFR 1910.134(i)(5)(iv): The employer does not ensure that the person authorized to perform the necessary sorbent bed and filter changes fill out a tag indicating by the signature and date that maintenance changes are performed:

- (a) George Wade Bridge (I-81) Section 12 Harrisburg Pennsylvania - The employer does not ensure that the person authorized to change filters in breathing air systems fills out a tag with his or her signature and date to indicate that the filter change has occurred. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 on the George Wade Bridge site in Harrisburg Pennsylvania, where no tags were posted on the Doosan HP915 air compressor serial number 4FVCCBGB8CU441558 that was being used to provide breathing air to employees performing abrasive blasting activities below the bridge inside the lead containment. To abate this violation, and at all future worksites, the employer must ensure that the authorized person signs and dates a tag indicated the date of filter changes for each breathing air system.
- (b) George Wade Bridge (I-81) Section 38 Harrisburg Pennsylvania - The employer does not ensure that the person authorized to change filters in breathing air systems fills out a tag with his or her signature and date to indicate that the filter change has occurred. This violation was most recently noted during the period of July 25, 2012 to December 17, 2012 on the George Wade Bridge site in Harrisburg Pennsylvania, where no tags were posted on the Ingersol Rand HP 1600 trailer mounted compressor that was being used to provide breathing air to employees performing abrasive blasting activities below the bridge inside the lead containment. To abate this violation, and at all future worksites, the employer must ensure that the authorized person signs and dates a tag indicated the date of filter changes for each breathing air system.

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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Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/06/2013

Proposed Penalty:

\$.00

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

Kevin Kilp
Area Director

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U.S. Department of Labor
Occupational Safety and Health Administration
49 North Progress Avenue,
Harrisburg, PA 17109
Phone: 717-782-3902 Fax: 717-782-3746



INVOICE / DEBT COLLECTION NOTICE

Company Name: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110
Issuance Date: 01/25/2013

Summary of Penalties for Inspection Number	683958
Citation 1, Serious	\$16170.00
Citation 2, Willful	\$53900.00
Citation 3, Other-than-Serious	\$.00
TOTAL PROPOSED PENALTIES	\$70070.00

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.

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

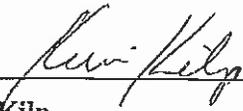
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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

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

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

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



Kevin Kilp
Area Director

1-25-2013
Date

U.S. Department of Labor
Occupational Safety and Health Administration
49 North Progress Avenue,
Harrisburg, PA 17109
Phone: 717-782-3902 Fax: 717-782-3746



Citation and Notification of Penalty

To:
Panthera Painting, Inc.
and its successors
333 Morganza Road,
Canonsburg, PA 15317

Inspection Number: 683298
Inspection Date(s): 10/12/2012 - 01/25/2013
Issuance Date: 01/25/2013

Inspection Site:
Interstate 81, George Wade Bridge,
Harrisburg, PA 17110

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

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

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

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

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

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

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

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance.

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

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

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

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

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days

(excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. 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 01/25/2013. The conference will be held at the OSHA office located at 49 North Progress Avenue, Harrisburg, PA 17109 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 683298

Company Name: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Issuance Date: 01/25/2013

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: U.S. Department of Labor – Occupational Safety and Health Administration, 49 North Progress Avenue, Harrisburg, PA 17109

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

The alleged violations below (1a and 1b) 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 1926.62(h)(4): Where vacuuming methods are selected, the vacuums are not equipped with HEPA filters and/or are not used and emptied in a manner which minimizes the reentry of lead into the workplace:

- (a) Panthera Painting, Inc. - The employer does not provide a HEPA vacuum for employees to use for decontamination. This violation was most recently noted during a period from approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide a HEPA vacuum for employees. To abate this violation, and at all future worksites, the employer must ensure that HEPA vacuums are provided.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/06/2013
Proposed Penalty:	\$3850.00

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

29 CFR 1926.1127(k)(4): HEPA-filtered vacuuming equipment or equally effective filtration methods are not used for vacuuming:

- (a) Panthera Painting, Inc. - The employer does not provide a HEPA vacuum for employees to use for decontamination. This violation was most recently noted during a period from approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide a HEPA vacuum for employees. To abate this violation, and at all future worksites, the employer must ensure that HEPA vacuums are provided.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/06/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

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

- (a) Panthera Painting, Inc. - The employer does not provide training on the hazards of the chemical(s) for each employee. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide training on the hazards of the "Zinc Clad" coating to a Blaster employee. To abate this violation, and at all future worksites, the employer must provide training on the hazards of the chemicals to each employee, including but not limited to employees using the "Zinc Clad".
- (b) Panthera Painting, Inc. - The employer does not provide training on the hazards of the chemical(s) for each employee. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide training on the hazards of the "Zinc Clad" coating and New Age Media to a Blaster employee. To abate this violation, and at all future worksites, the employer must provide training on the hazards of the chemicals to each employee, including but not limited to employees using the Zinc Clad and New Age Media.
- (c) Panthera Painting, Inc. - The employer does not provide training on the hazards of the chemical(s) for each employee. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide training on the hazards of the New Age Media to a Vacuum Grit employee. To abate this violation, and at all future worksites, the employer must provide training on the hazards of the chemicals to each employee, including but not limited to employees using the New Age Media.
- (d) Panthera Painting, Inc. - The employer does not provide training on the hazards of the chemical(s) for each employee. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide training on the hazards of the New Age Media to a Painter employee. To abate this violation, and at all future worksites, the employer must provide training on the hazards of the chemicals to each employee, including but not limited to employees using the New Age Media.

- (e) Panthera Painting, Inc. - The employer does not provide training on the hazards of the chemical(s) for each employee. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide training on the hazards of the New Age Media to a Painter employee. To abate this violation, and at all future worksites, the employer must provide training on the hazards of the chemicals to each employee, including but not limited to employees using the New Age Media.
- (f) Panthera Painting, Inc. - The employer does not provide training on the hazards of the chemical(s) for each employee. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide training on the hazards of the Zinc Clad to a Painter employee. To abate this violation, and at all future worksites, the employer must provide training on the hazards of the chemicals to each employee, including but not limited to employees using the Zinc Clad.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/06/2013
Proposed Penalty:	\$2310.00

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: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

The alleged violations below (1a and 1b) have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

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

29 CFR 1926.62(c)(1): The employer does not ensure that employees are not exposed to lead at concentrations greater than fifty micrograms per cubic meter of air (50 ug/m³) averaged over an eight-hour period:

- (a) Panthera Painting, Inc. - The employer does not ensure that a Blaster employee is not exposed to lead above the permissible exposure limit. This violation was most recently noted during a period from approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the Blaster employee was exposed to lead at an eight (8) hour time-weighted average (TWA) level of 0.25 mg/M³, approximately 5 times the permissible exposure limit of 0.05 mg/M³. The exposure level was derived from one sample collected over a 116 minute period. Zero exposure was assumed for the unsampled period of 364 minutes. To abate this violation, and at all future worksites, the employer must ensure that administrative and engineering controls are effective and utilized to reduce employee exposure.

- (b) Panthera Painting, Inc. - The employer does not ensure that a Blaster employee is not exposed to lead above the permissible exposure limit. This violation was most recently noted during a period from approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the Blaster employee was exposed to lead at an eight (8) hour time-weighted average (TWA) level of 0.06 mg/M³, approximately 1.2 times the permissible exposure limit of 0.05 mg/M³. The exposure level was derived from one sample collected over a 119 minute period. Zero exposure was assumed for the unsampled period of 361 minutes. To abate this violation, and at all future worksites, the employer must ensure that administrative and engineering controls are effective and utilized to reduce employee exposure.

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/06/2013
Proposed Penalty:	\$53900.00



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

29 CFR 1926.62(i)(3)(ii): The employer does not assure, where shower facilities are available, that employees shower at the end of the work shift and are provided with an adequate supply of cleansing agents and towels for use by the affected employees:

- (a) Panthera Painting, Inc. - The employer does not assure that employees who are exposed to lead above the permissible exposure limit shower at the end of the workshift. This violation was most recently noted during a period from approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not assure that employees who were exposed to lead above the permissible exposure limit showered at the end of the workshift. To abate this violation, and at all future worksites, the employer must ensure that employees who are exposed to lead above the permissible exposure limit shower at the end of the workday before leaving the work site.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/06/2013

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: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

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

29 CFR 1926.62(d)(1)(i): The employer does not initially determine if any employee is exposed to lead at or above the action level:

- (a) Panthera Painting, Inc. - The employer does not conduct initial monitoring for each employee to determine if they are exposed to lead at or above the action level for lead. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not conduct initial air monitoring for employees performing abrasive blasting enclosure movement on the bridge, including but not limited to moving containment. To abate this violation, and at all future worksites, the employer must conduct initial air monitoring for each employee, including but not limited to employees performing abrasive blasting enclosure movement, to determine if they are exposed to lead at or above the action level for lead.
- (b) Panthera Painting, Inc. - The employer does not conduct initial monitoring for each employee to determine if they are exposed to lead at or above the action level for lead. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not conduct initial air monitoring for employees performing power tool cleaning, including but not limited to, using needle guns, grinders and chisels to remove lead paint. To abate this violation, and at all future worksites, the employer must conduct initial air monitoring for each employee, including but not limited to employees performing power tool cleaning, to determine if they are exposed to lead at or above the action level for lead.
- (c) Panthera Painting, Inc. - The employer does not conduct initial monitoring for each employee to determine if they are exposed to lead at or above the action level for lead. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania,

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

where the employer did not conduct initial air monitoring for employees performing cleanup of dry expendable abrasives, including but not limited to "blowing down" inside the containment and shoveling the lead contaminated grit from the soil. To abate this violation, and at all future worksites, the employer must conduct initial air monitoring for each employee, including but not limited to employees performing cleanup of dry expendable abrasives, to determine if they are exposed to lead at or above the action level for lead.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/06/2013
Proposed Penalty:	\$53900.00

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

29 CFR 1926.62(d)(2)(v)(A): The employer does not provide appropriate respiratory protection in accordance with paragraph (f) of this section for employees performing tasks described in paragraphs (d)(2)(i), (d)(2)(ii), (d)(2)(iii) and (d)(2)(iv):

- (a) Panthera Painting, Inc. - The employer does not provide a respirator to employee(s) performing cleanup activities where dry expendable abrasives is used. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide respirators to employee(s) performing cleanup activities where dry expendable abrasives had been used, including but not limited to using a shovel to remove contaminated grit from soil and blowing down inside of the containment. To abate this violation, and at all future worksites, the employer must ensure respirators are provided to employee(s) performing cleanup activities where dry expendable abrasives are used.

- (b) Panthera Painting, Inc. - The employer does not provide a respirator to employee(s) performing abrasive blasting enclosure movement. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide respirators to employee(s) performing abrasive blasting enclosure movement. To abate this violation, and at all future worksites, the employer must ensure respirators are provided to employee(s) performing abrasive blasting enclosure movement.

- (c) Panthera Painting, Inc. - The employer does not provide a respirator to employee(s) performing power tool cleaning. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide respirators to employee(s) performing power tool cleaning, including but not limited to using a needlegun to remove lead paint. To abate this violation, and at all future worksites, the employer must ensure respirators are provided to employee(s) performing power tool cleaning.

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: 683298
Inspection Date(s): 10/12/2012 - 01/25/2013
Issuance Date: 01/25/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/06/2013

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

29 CFR 1926.62(d)(2)(v)(B): The employer does not provide appropriate personal protective clothing and equipment in accordance with paragraph (g) of this section for employees performing tasks described in paragraphs (d)(2)(i), (d)(2)(ii), (d)(2)(iii) and (d)(2)(iv):

- (a) Panthera Painting, Inc. - The employer does not provide protective clothing to employee(s) performing cleanup activities where dry expendable abrasives is used. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide protective clothing to employee(s) performing cleanup activities where dry expendable abrasives had been used, including but not limited to using a shovel to remove contaminated grit from soil and blowing down inside of the containment. To abate this violation, and at all future worksites, the employer must ensure protective clothing is provided to employee(s) performing cleanup activities where dry expendable abrasives are used.
- (b) Panthera Painting, Inc. - The employer does not provide protective clothing to employee(s) performing abrasive blasting enclosure movement. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide protective clothing to employee(s) performing abrasive blasting enclosure movement. To abate this violation, and at all future worksites, the employer must ensure protective clothing is provided to employee(s) performing abrasive blasting enclosure movement.
- (c) Panthera Painting, Inc. - The employer does not provide protective clothing to employee(s) performing power tool cleaning. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide protective clothing to employee(s) performing power tool cleaning, including but not limited to using a grinder, chisel and needle gun to remove lead paint. To abate this violation, and at all future worksites, the employer must ensure protective clothing is provided to employee(s) performing power tool cleaning.

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/06/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

29 CFR 1926.62(d)(2)(v)(E): The employer did not provide biological monitoring in accordance with paragraph (j)(1)(i) of this section, to consist of blood sampling and analysis for lead and zinc protoporphyrin levels for employees performing tasks described in paragraphs (d)(2)(i), (d)(2)(ii), (d)(2)(iii) and (d)(2)(iv):

- (a) Panthera Painting, Inc. - The employer does not provide biological monitoring to employee(s) performing abrasive blasting enclosure movement and the cleanup of dry expendable abrasives. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide biological monitoring to employee(s) performing abrasive blasting enclosure movement and cleanup activities where dry expendable abrasives had been used, including but not limited to using a shovel to remove contaminated grit from soil. To abate this violation, and at all future worksites, the employer must ensure biological monitoring is provided to employee(s) performing abrasive blasting enclosure movement and cleanup activities where dry expendable abrasives are used.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/06/2013

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: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

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

29 CFR 1926.62(d)(2)(v)(F): The employer does not provide training as required under paragraph (1)(1)(i) of this section regarding 29 CFR 1926.59, Hazard Communication; training as required under paragraph (1)(2)(iii) of this section, regarding use of respirators; and training in accordance with 29 CFR 1926.21, Safety training and education, for employees performing tasks described in paragraphs (d)(2)(i), (d)(2)(ii), (d)(2)(iii) and (d)(2)(iv):

- (a) Panthera Painting, Inc. - The employer does not provide lead training to employee(s) performing abrasive blasting enclosure movement. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide lead training to employee(s) performing abrasive blasting enclosure movement. To abate this violation, and at all future worksites, the employer must ensure lead training is provided to employee(s) performing abrasive blasting enclosure movement.
- (b) Panthera Painting, Inc. - The employer does not provide lead and respirator training to employee(s) performing power tool cleaning. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide lead and respirator training to employee(s) performing power tool cleaning, including but not limited to using a grinder and chisel to remove lead paint. To abate this violation, and at all future worksites, the employer must ensure lead and respirator training is provided to employee(s) performing power tool cleaning.
- (c) Panthera Painting, Inc. - The employer does not provide lead training to employee(s) performing the cleanup of expendable abrasives. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide lead training to employee(s) performing cleanup of expendable abrasives, including but not limited to using a shovel to remove contaminated grit. To abate this violation, and at all future worksites, the employer must ensure lead training is provided to employee(s) performing the cleanup of expendable abrasives.

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM.

Date By Which Violation Must be Abated:

02/06/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Citation 2 Item 3 Type of Violation: **Willful**

29 CFR 1926.62(j)(2)(iv)(A): Within five working days after the receipt of biological monitoring results, the employer shall notify each employee in writing of his or her blood lead level:

- (a) Panthera Painting, Inc. - The employer does not notify each employee in writing of his or her blood lead level within five working days. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not notify a Blaster employee in writing within five working days of his blood lead level. To abate this violation, and at all future worksites, the employer must notify each employee in writing of his or her blood lead level within five working days.
- (b) Panthera Painting, Inc. - The employer does not notify each employee in writing of his or her blood lead level within five working days. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 October 3, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not notify a Rigger employee in writing within five working days of his blood lead level. To abate this violation, and at all future worksites, the employer must notify each employee in writing of his or her blood lead level within five working days.
- (c) Panthera Painting, Inc. - The employer does not notify each employee in writing of his or her blood lead level within five working days. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not notify a Rigger employee in writing within five working days of his blood lead level. To abate this violation, and at all future worksites, the employer must notify each employee in writing of his or her blood lead level within five working days.
- (d) Panthera Painting, Inc. - The employer does not notify each employee in writing of his or her blood lead level within five working days. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not notify a

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: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Vacuum Grit employee in writing within five working days of his blood lead level. To abate this violation, and at all future worksites, the employer must notify each employee in writing of his or her blood lead level within five working days.

- (e) Panthera Painting, Inc. - The employer does not notify each employee in writing of his or her blood lead level within five working days. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not notify a Painter employee in writing within five working days of his blood lead level. To abate this violation, and at all future worksites, the employer must notify each employee in writing of his or her blood lead level within five working days.
- (f) Panthera Painting, Inc. - The employer does not notify each employee in writing of his or her blood lead level within five working days. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not notify a Project Manager employee in writing within five working days of his blood lead level. To abate this violation, and at all future worksites, the employer must notify each employee in writing of his or her blood lead level within five working days.
- (g) Panthera Painting, Inc. - The employer does not notify each employee in writing of his or her blood lead level within five working days. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not notify a Foreman employee in writing within five working days of his blood lead level. To abate this violation, and at all future worksites, the employer must notify each employee in writing of his or her blood lead level within five working days.

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

(h) Panthera Painting, Inc. - The employer does not notify each employee in writing of his or her blood lead level within five working days. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not notify a Rigger employee in writing within five working days of his blood lead level. To abate this violation, and at all future worksites, the employer must notify each employee in writing of his or her blood lead level within five working days.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/06/2013
Proposed Penalty:	\$42350.00



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

The alleged violations below (1a and 1b) have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 3 Item 1 a Type of Violation: **Repeat**

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

- (a) Panthera Painting, Inc. - The employer does not provide a medical evaluation to determine the employee's ability to use a respirator. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide a medical evaluation to a Painter employee before he wore his respirator at the worksite. To abate this violation, and at all future worksites, the employer must provide medical evaluations to each employee to determine their ability to use a respirator.
- (b) Panthera Painting, Inc. - The employer does not provide a medical evaluation to determine the employee's ability to use a respirator. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide a medical evaluation to a Blaster employee before he wore his respirator at the worksite. To abate this violation, and at all future worksites, the employer must provide medical evaluations to each employee to determine their ability to use a respirator.

PANTHERA PAINTING INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.134(E)(1), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241704, CITATION NUMBER 1, ITEM NUMBER 18, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT INTERSTATE 81, GEORGE WADE BRIDGE, HARRISBURG, PENNSYLVANIA.

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: 683298

Inspection Date(s): 10/12/2012 - 01/25/2013

Issuance Date: 01/25/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

02/06/2013
\$10780.00

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Citation 3 Item 1 b Type of Violation: **Repeat**

29 CFR 1910.134(f)(2): The employer does not ensure that an employee using a tight-fitting facepiece respirator is fit tested prior to initial use of the respirator, whenever a different respirator facepiece (size, style, model or make) is used, and at least annually thereafter:

- (a) Panthera Painting, Inc. - The employer does not ensure that each employee using a tight-fitting facepiece respirator is fit tested prior to the initial use of the respirator and whenever a different facepiece is used. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not ensure that a Painter employee was provided with initial fit testing for a fullface respirator before he was required to wear the respirator at the worksite. To abate this violation, and at all future worksites, the employer must provide fit testing prior to initial use of the respirator and whenever a different respirator facepiece is used.
- (b) Panthera Painting, Inc. - The employer does not ensure that each employee using a tight-fitting facepiece respirator is fit tested prior to the initial use of the respirator and whenever a different facepiece is used. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not ensure that a Blaster employee was provided with initial fit testing for a fullface respirator before he was required to wear the respirator at the worksite. To abate this violation, and at all future worksites, the employer must provide fit testing prior to initial use of the respirator and whenever a different respirator facepiece is used.
- (c) Panthera Painting, Inc. - The employer does not ensure that each employee using a tight-fitting facepiece respirator is fit tested prior to the initial use of the respirator and whenever a different facepiece is used. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not ensure that a Blaster employee was provided with initial fit testing for both a fullface and half mask respirator before he was required to wear the respirators at the worksite. To abate this violation, and at all future

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

worksites, the employer must provide fit testing prior to initial use of the respirator and whenever a different respirator facepiece is used.

PANTHERA PAINTING INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.134(F)(2), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241704, CITATION NUMBER 1, ITEM NUMBER 19, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT INTERSTATE 81, GEORGE WADE BRIDGE, HARRISBURG, PENNSYLVANIA.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 02/06/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Citation 3 Item 2 Type of Violation: **Repeat**

29 CFR 1926.62(d)(8)(i): The employer does not notify each affected employee of the results of monitoring performed under 29 CFR 1926.62, either individually in writing or by posting the results in an appropriate location that is accessible to employees, as soon as possible but no later than 5 working days after the receipt of these results:

- (a) Panthera Painting, Inc. - The employer does not notify each affected employee of the results from lead exposure monitoring within 5 working days after the receipt of these results. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not notify a Foreman employee of the results from his lead exposure monitoring conducted on July 25, 2012. To abate this violation, and at all future worksites, the employer must ensure that employees are notified of the lead exposure monitoring within 5 working days after the receipt of these results.
- (b) Panthera Painting, Inc. - The employer does not notify each affected employee of the results from lead exposure monitoring within 5 working days after the receipt of these results. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not notify a Vacuum Grit employee of the results from his lead exposure monitoring conducted on October 18, 2012. To abate this violation, and at all future worksites, the employer must ensure that employees are notified of the lead exposure monitoring within 5 working days after the receipt of these results.
- (c) Panthera Painting, Inc. - The employer does not notify each affected employee of the results from lead exposure monitoring within 5 working days after the receipt of these results. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not notify a Blaster employee of the results from his lead exposure monitoring conducted on October 18, 2012. To abate this violation, and at all future worksites, the employer must ensure that employees are notified of the lead exposure monitoring within 5 working days after the receipt of these results.

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: 683298

Inspection Date(s): 10/12/2012 - 01/25/2013

Issuance Date: 01/25/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

PANTHERA PAINTING INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1926.62(D)(8)(I), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241704, CITATION NUMBER 1, ITEM NUMBER 5, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT INTERSTATE 81, GEORGE WADE BRIDGE, HARRISBURG, PENNSYLVANIA.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/06/2013

Proposed Penalty:

\$10780.00

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: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

The alleged violations below (3a and 3b) have been grouped because they involve similar or related hazards that may increase the potential for injury or illness.

Citation 3 Item 3 a Type of Violation: **Repeat**

29 CFR 1926.62(j)(1)(i): The employer does not make available initial medical surveillance, consisting of biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels, to employees occupationally exposed on any day to lead at or above the action level:

- (a) Panthera Painting, Inc. - The employer does not make available initial medical surveillance, consisting of biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels, to employees occupationally exposed on any day to lead at or above the action level. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide the initial medical surveillance to a Blaster employee. To abate this violation, and at all future worksites, the employer must ensure that employees are provided with initial medical surveillance, consisting of biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels.

- (b) Panthera Painting, Inc. - The employer does not make available initial medical surveillance, consisting of biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels, to employees occupationally exposed on any day to lead at or above the action level. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide the initial medical surveillance to a Blaster employee. To abate this violation, and at all future worksites, the employer must ensure that employees are provided with initial medical surveillance, consisting of biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels.

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: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

- (c) Panthera Painting, Inc. - The employer does not make available initial medical surveillance, consisting of biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels, to employees occupationally exposed on any day to lead at or above the action level. This violation was most recently noted during the period of approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not provide the initial medical surveillance to a Vacuum Grit employee. To abate this violation, and at all future worksites, the employer must ensure that employees are provided with initial medical surveillance, consisting of biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels.

PANTHERA PAINTING INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1926.62(J)(1)(I), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241704, CITATION NUMBER 1, ITEM NUMBER 12, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT INTERSTATE 81, GEORGE WADE BRIDGE, HARRISBURG, PENNSYLVANIA.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/06/2013

Proposed Penalty:

\$6160.00

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: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Citation 3 Item 3 b Type of Violation: **Repeat**

29 CFR 1926.62(j)(2)(i)(A): The employer does not make available biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels to each employee covered under 29 CFR 1926.62(j)(1)(ii), at least every 2 months for the first 6 months and every 6 months thereafter:

- (a) Panthera Painting, Inc. - The employer does not ensure that biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels for each employee are performed at required intervals. This violation was most recently noted during a period from approximately July 25, 2012 through December 17, 2012 at a job site on Interstate Route 81 section 12 on the George Wade Bridge site in Harrisburg Pennsylvania, where the employer did not provide biological monitoring in the form of blood lead sampling and analysis every two months for the first 6 months for an employee working as a Painter. To abate this violation, and at all future worksites, the employer must ensure that biological monitoring in the form of blood sampling and analysis for lead and zinc protoporphyrin levels are performed for each employee covered under 29 CFR 1926.62(j)(1)(ii), at least every 2 months for the first 6 months and every 6 months thereafter.

PANTHERA PAINTING INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1926.62(J)(2)(I)(A), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241704, CITATION NUMBER 1, ITEM NUMBER 13, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT INTERSTATE 81, GEORGE WADE BRIDGE, HARRISBURG, PENNSYLVANIA.



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/06/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Citation 3 Item 4 Type of Violation: **Repeat**

29 CFR 1904.32(b)(3): A company executive does not certify that he or she has examined the OSHA 300 Log:

- (a) Panthera Painting, Inc. - The employer does not ensure that a company executive certifies the OSHA 300 log. This violation was most recently noted during a period from approximately July 25, 2012 through December 17, 2012 at a job site on Interstate Route 81 section 12 on the George Wade Bridge site in Harrisburg Pennsylvania, where a company executive did not certify the 2010 OSHA 300A annual summary to ensure that the entries were complete and accurate. To abate this violation, and at all future worksites, the company executive shall examine and certify the 300 logs by signing and dating the form.
- (b) Panthera Painting, Inc. - The employer does not ensure that a company executive certifies the OSHA 300 log. This violation was most recently noted during a period from approximately July 25, 2012 through December 17, 2012 at a job site on Interstate Route 81 section 12 on the George Wade Bridge site in Harrisburg Pennsylvania, where a company executive did not certify the 2011 OSHA 300A annual summary to ensure that the entries were complete and accurate. To abate this violation, and at all future worksites, the company executive shall examine and certify the 300 logs by signing and dating the form.

PANTHERA PAINTING INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1904.32(B)(3), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241704, CITATION NUMBER 3, ITEM NUMBER 4, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT INTERSTATE 81, GEORGE WADE BRIDGE, HARRISBURG, PENNSYLVANIA.

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: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	02/06/2013
Proposed Penalty:	\$1540.00



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

Citation 3 Item 5 Type of Violation: **Repeat**

29 CFR 1926.62(e)(2)(ii): The written compliance program does not include at least the following information contained in paragraphs 29 CFR 1926.62(e)(2)(ii)(A) through 1926(e)(2)(ii)(I):

- (a) Panthera Painting, Inc. - The employer does not ensure that the company's written lead compliance plan contains all of the required information. This violation was most recently noted during a period from approximately July 25, 2012 through December 17, 2012 at a jobsite on Route 81 on the George Wade Bridge Site in Harrisburg, Pennsylvania, where the employer did not ensure that the Lead Health and Safety Plan included air monitoring data which documented the source of the lead emissions. To abate this violation, and at all future worksites, the employer must ensure that the Lead Health and Safety plan includes air monitoring data that documents the source of the lead emissions.

PANTHERA PAINTING INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1926.62(E)(2)(II), WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241704, CITATION NUMBER 1, ITEM NUMBER 2B, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT INTERSTATE 81, GEORGE WADE BRIDGE, HARRISBURG, PENNSYLVANIA.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

ABATEMENT NOTE:

Written plans for the compliance program shall include at least the following:

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: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

1. A description of each activity in which lead is emitted; e.g. equipment used, material involved, controls in place, crew size, employee job responsibilities, operating procedures and maintenance practices.
2. A description of the specific means that will be employed to achieve compliance and, where engineering controls are required engineering plans and studies used to determine methods selected for controlling exposure to lead;
3. A report of the technology considered in meeting the PEL;
4. Air monitoring data which documents the source of lead emissions;
5. A detailed schedule for implementation of the program, including documentation such as copies of purchase orders for equipment, construction contracts, etc.;
6. A work practice program which includes items required under paragraphs (g) and (h) of section 29 CFR 1926.62, and incorporates other relevant work practices such as those specified in paragraph (e)(5) of this section;
7. An administrative control schedule required by paragraph(e)(4) of section 29 CFR 1926.62, if applicable;
8. A description of arrangements made among contractors on multi-contractor sites with respect to informing affected employees of potential exposure to lead and with respect to responsibility for compliance with section 29 CFR 1926.62, as set forth in 1926.16.

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: 683298

Inspection Date(s): 10/12/2012 - 01/25/2013

Issuance Date: 01/25/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.

Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110

9. Any other relevant information.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/06/2013

Proposed Penalty:

\$154.00

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

Kevin Kilp
Area Director

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

U.S. Department of Labor

Occupational Safety and Health Administration
49 North Progress Avenue,
Harrisburg, PA 17109
Phone: 717-782-3902 Fax: 717-782-3746



**INVOICE /
DEBT COLLECTION NOTICE**

Company Name: Panthera Painting, Inc.
Inspection Site: Interstate 81, George Wade Bridge, Harrisburg, PA 17110
Issuance Date: 01/25/2013

Summary of Penalties for Inspection Number	683298
Citation 1, Serious	\$6160.00
Citation 2, Willful	\$150150.00
Citation 3, Repeat	\$29414.00
TOTAL PROPOSED PENALTIES	\$185724.00

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.

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

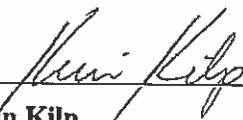
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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

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

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

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



Kevin Kilp
Area Director

1-25-2013
Date

U.S. Department of Labor
Occupational Safety and Health Administration
3477 Corporate Parkway,
Suite 120
Center Valley, PA 18034
Phone: 267-429-7542 Fax: 267-429-7567



Citation and Notification of Penalty

To:
Panthera Painting, Inc.
333 MORGANZA ROAD,
Canonsburg, PA 15317

Inspection Number: 549982
Inspection Date(s): 07/25/2012 - 01/25/2013
Issuance Date: 01/25/2013

Inspection Site:
Route 4020 Friedens Road Bridge,
Over Route I-476
Slatington, PA 18080

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

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

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

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

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

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

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

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance.

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

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

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

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

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days

(excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. 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 01/25/2013. The conference will be held at the OSHA office located at 3477 Corporate Parkway, Suite 120, Center Valley, PA 18034 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 549982

Company Name: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

Issuance Date: 01/25/2013

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: U.S. Department of Labor – Occupational Safety and Health Administration, 3477 Corporate Parkway, Suite 120, Center Valley, PA 18034

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: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

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

29 CFR 1926.62(i)(1):

The employer does not ensure that food or beverage is not present or consumed, tobacco products are not present or used, and/or cosmetics are not applied in areas where employees are exposed to lead above the Permissible Exposure Level without regard to the use of respirators:

a) Panthera Painting - Employees, abrasive blasters, are exposed to lead above the permissible exposure limits (PEL). This violation was most recently noted during the period of time from approximately July 25, 2012 through October 31, 2012 at the Friedens Road bridge over I-476 worksite where employees were permitted to smoke cigarettes in and around the containment area during breaks. To abate this violation and at all future worksites the employer must ensure that employees exposed above the PEL for lead do not smoke in and around the containment.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/04/2013

Proposed Penalty:

\$5390.00

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



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

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

29 CFR 1926.403(i)(2)(i):

Live parts of electric equipment operating at 50 volts or more are not guarded against accidental contact by cabinets or other forms of enclosures, nor by any of the means listed in subparagraphs (A) through (D) of this paragraph.

a) Panthera Painting - Employees who enter the decon trailer are exposed to live electrical wiring from damaged exposed live 110 volt wiring. This violation was most recently noted in the decon trailer at the jobsite located at the Rt. 4020 Friedens Rd. bridge over I-476 in Slatington, PA during the period of time from approximately July 25, 2012 through October 31, 2012. To abate this violation and at all future worksites the employer must ensure that employees are not exposed to live electrical wiring.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states that employees and their representatives were informed of this abatement.

Date By Which Violation Must be Abated:
Proposed Penalty:

02/04/2013
\$3080.00

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: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

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

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

29 CFR 1926.62(g)(2)(i):

The employer does not provide the protective clothing required in 29 CFR 1926.62(g)(1) in a clean and dry condition at least daily for employees whose exposure levels, without regard to respirator use, are over 200 micrograms per cubic meter of lead as an 8-hour time weighted average (TWA):

a) Panthera Painting - Employees, Abrasive Blasters, are exposed to lead above 200 micrograms per cubic meter and the employer does not provide clean protective clothing daily. This violation was most recently noted during the period of time from approximately July 25, 2012 through October 31, 2012 at the jobsite for the Rt. 4020 Friedens Rd. bridge over I-476 in Slatington, PA. To abate this violation and at all future worksites the employer must ensure that employees exposed to lead above 200 micrograms per cubic meter are being provided clean protective clothing on a daily basis.

PANTHERA PAINTING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1926.62(g)(1) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241704, CITATION NUMBER 1, ITEM NUMBER 6a, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT A JOBISTE AT RT. 81 ON THE GEORGE WADE BRIDGE IN HARRISBURG, PA.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

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: 549982
Inspection Date(s): 07/25/2012 - 01/25/2013
Issuance Date: 01/25/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/04/2013

Proposed Penalty:

\$53900.00

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: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

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

29 CFR 1926.62(g)(2)(iv):

The employer does not ensure that all protective clothing is removed at the completion of a work shift only in change areas provided for that purpose as prescribed in 29 CFR 1926.62(i)(2):

- a) Panthera Painting - The employer does not assure that all protective clothing is removed at the completion of a work shift in the designated dirty change area of the employer provided decontamination trailer, exposing employees to lead contamination. This violation was most recently noted during the period of time from approximately July 25, 2012 through October 31, 2012, for the Rt. 4020 Friedens Rd. bridge over I-476 jobsite in Slatington, PA, when employees removed their coveralls adjacent to the V-deck trucks and then stored them inside the cab of the truck. To abate this violation and at all future worksites the employer must ensure that employees remove all protective clothing at the completion of a work shift in the designated dirty change area of the employer provided decontamination trailer.
- b) Panthera Painting - The employer does not assure that all protective clothing is removed at the completion of a work shift in the designated dirty change area of the employer provided decontamination trailer, exposing employees to lead contamination. This violation was most recently noted during the period of time from approximately July 25, 2012 through October 31, 2012, at the jobsite for the Rt. 4020 Friedens Rd. bridge over I-476 in Slatington, PA, when employees removed their coveralls outside the decon trailer and placed them in a plastic bag. To abate this violation and at all future worksites the employer must ensure that employees remove all protective clothing at the completion of a work shift in the designated dirty change area of the employer provided decontamination trailer.

PANTHERA PAINTING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1926.62(g)(2)(iv) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241704, CITATION NUMBER 1, ITEM NUMBER 7, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT A JOBISTE AT RT. 81 ON THE GEORGE WADE BRIDGE IN HARRISBURG, PA.

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: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/04/2013

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: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

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

29 CFR 1926.62(g)(2)(v):

The employer does not ensure that contaminated protective clothing which is to be cleaned, laundered, or disposed of after blasting, is placed in a closed container in the change area that prevents dispersion of lead outside the container:

a) Panthera Painting - Dirty coveralls used as protective clothing, which are to be cleaned, laundered, or disposed of after blasting, are not placed in a closed container in the dirty change room, exposing employees to lead contamination. This violation was most recently note during the period of time from approximately July 25, 2012 through October 31, 2012 at the jobsite for the Rt. 4020 Friedens Rd. bridge over I-476 in Slatington, PA. To abate this violation and at all future worksites the employer must ensure that dirty coveralls used as protective clothing, which are to be cleaned, laundered, or disposed of after blasting, are placed in a closed container in the dirty change room.

b) Panthera Painting - Dirty coveralls used as protective clothing, which are to be cleaned, laundered or disposed of after blasting, are not placed in a closed container exposing employees to lead contamination. This violation was most recently noted during the period of time from approximately July 25, 2012 through October 31, 2012 at the jobsite for the Rt. 4020 Friedens Rd. bridge over I-476 in Slatington, PA. To abate this violation and at all future worksites the employer must ensure that dirty coveralls used as protective clothing, which are to be cleaned, laundered, or disposed of after blasting, are placed in a closed container in the dirty change room.

PANTHERA PAINTING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1926.62(g)(2)(v) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241704, CITATION NUMBER 1, ITEM NUMBER 8, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT A JOBISTE AT RT. 81 ON THE GEORGE WADE BRIDGE IN HARRISBURG, PA.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were

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: 549982
Inspection Date(s): 07/25/2012 - 01/25/2013
Issuance Date: 01/25/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/04/2013

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: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

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

29 CFR 1926.451(g)(1):

Employees on scaffolds more than 10 feet (3.1 m) above a lower level are not protected from falling to that lower level by fall protection established in paragraphs (g)(1)(i)-(vii) of this section:

a) Panthera Painting - Employees working on a truck mounted elevated work platform with unprotected edges, no less than 14 foot above grade, are not protected from falling by guardrails, safety nets, or through the use of a personal fall arrest system. This violation was recently noted during the period of time from approximately July 25, 2012 through October 31, 2012, when employees were setting up containment on V-deck trucks at a jobsite on Rt. 4020 Friedens Rd Bridge over I-476 in Slatington, PA. To abate this violation and at all future worksites the employer must ensure that employees on scaffolds more than 10 feet (3.1 m) above a lower level are protected from falling to that lower level by fall protection established in paragraphs (g)(1)(i)-(vii) of this section.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/04/2013

Proposed Penalty:

\$53900.00

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: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

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

Citation 3 Item 1 a Type of Violation: **Repeat**

29 CFR 1926.62(c)(1):

The employer does not ensure that employees are not exposed to lead at concentrations greater than fifty micrograms per cubic meter of air (50 ug/m³) averaged over an 8-hour period:

a) Panthera Painting - The employer does not ensure that employees conducting blasting operations are not exposed to lead above the permissible exposure limit (PEL) without the proper controls in place. This violation was most recently noted during the period of time from approximately July 25, 2012 through October 31, 2012 at a jobsite on Rt. 4020 Friedens Rd Bridge over I-476 in Slatington, PA, where Blaster employees were exposed to lead above the PEL. To abate this violation and at all future worksites, the employer must ensure that administrative and engineering controls are effective and utilized to reduce employee exposure.

b) Panthera Painting - The employer does not ensure that the Blaster employee is not exposed to lead above the permissible exposure limit (PEL) without the proper controls in place. This violation was most recently noted during the period of time from approximately July 25, 2012 through October 31, 2012 at a jobsite on Rt. 4020 Friedens Rd Bridge over I-476 in Slatington, PA, where Blaster employees were exposed to lead above the PEL. To abate this violation and at all future worksites, the employer must ensure that administrative and engineering controls are effective and utilized to reduce employee exposure.

PANTHERA PAINTING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1926.62(c)(1) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241704, CITATION 1, ITEM 1, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT A JOBSITE AT RT. 81 ON THE GEORGE WADE BRIDGE IN HARRISBURG, PA.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation,

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: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

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

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/04/2013

Proposed Penalty:

\$10780.00

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: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

Citation 3 Item 1 b Type of Violation: **Repeat**

29 CFR 1926.62(i)(3)(ii):

Where shower facilities are available, the employer does not ensure that employees shower at the end of the work shift:

a) Panthera Painting - The employer does not ensure that employees who conduct blasting and are exposed over the Permissible Exposure Limit (PEL) for lead, are showering in the employer provided decon shower trailer at the end of the work shift. This violation was during the period of time from approximately July 25, 2012 through October 31, 2012 at a jobsite for the Rt. 4020 Friedens Road bridge over I-476 in Slatington, Pa. To abate this violation and at all future worksites the employer must ensure that that employees exposed over the PEL for lead are showering in the employer provided decon shower trailer at the end of the work shift.

b) Panthera Painting - The employer does not ensure that employees who conduct blasting and are exposed over the PEL for lead, are showering in the employer provided decon shower trailer at the end of the work shift. This violation was most recently noted during the period of time from approximately July 25, 2012 through October 31, 2012 at a jobsite for the Rt. 4020 Friedens Rd. bridge over I-476 in Slatington, PA. To abate this violation and at all future worksites the employer must ensure that employees exposed over the PEL for lead are showering in the employer provided decon shower trailer at the end of the work shift.

PANTHERA PAINTING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1926.62(i)(3)(ii) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241704, CITATION 1, ITEM 10, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT A JOBSITE AT RT. 81 ON THE GEORGE WADE BRIDGE IN HARRISBURG, PA.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that

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: 549982
Inspection Date(s): 07/25/2012 - 01/25/2013
Issuance Date: 01/25/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/04/2013

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: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

Citation 3 Item 2 Type of Violation: **Repeat**

29 CFR 1926.62(m)(2)(i):

The employer does not post the following warning sign in the blasting area where employee's exposure to lead is above the accepted PEL: "WARNING LEAD WORK AREA POISON - NO SMOKING OR EATING":

a) Panthera Painting - The employer does not post warning signs in the blasting area where employees are exposed to lead above the PEL. This violation was not recently noted during the period of time from approximately July 25, 2012 through October 31, 2012 when the employer did not post warning signs that state "WARNING LEAD WORK AREA POISON - NO SMOKING OR EATING" in the blasting area under the Rt. 4020 Friedens Rd. bridge over I-476 in Slatington, PA where employees are exposed to lead over the PEL. To abate this violation and at all future worksites the employer must ensure that warning signs are posted in the blasting area over the PEL which state, "WARNING LEAD WORK AREA POISON - NO SMOKING OR EATING".

PANTHERA PAINTING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1926.62(m)(2)(i) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241704, CITATION NUMBER 1, ITEM NUMBER 22, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT A JOBISTE AT RT. 81 ON THE GEORGE WADE BRIDGE IN HARRIBURG, PA.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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: 549982
Inspection Date(s): 07/25/2012 - 01/25/2013
Issuance Date: 01/25/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

Date By Which Violation Must be Abated:

02/04/2013

Proposed Penalty:

\$7700.00

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: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

Citation 3 Item 3 Type of Violation: **Repeat**

29 CFR 1910.134(e)(1):

The employer does not provide a medical evaluation to determine the employees ability to use a respirator, before employees are fit tested or required to use the respirator in the workplace:
(Construction Reference 1926.103):

a) Panthera Painting - Employees, Painter/Blasters, do not receive medical evaluations before being required to wear a respirator in the workplace. This violation was most recently noted when employees wore Bullard Blasting helmets and half mask elastomeric respirators while working at 4020 Friedens Road Bridge over I-476 in Slatington, PA, during the period of time from approximately July 25, 2012 through October 31, 2012. To abate this violation and at all future worksites the employer must ensure that employees wearing tight fitting elastomeric respirators or any other type of required respirator receive a medical evaluation prior to wearing a respirator in the workplace.

PANTHERA PAINTING, INC. WAS PREVIOUSLY CITED FOR A VIOLATION OF THIS OCCUPATIONAL SAFETY AND HEALTH STANDARD OR ITS EQUIVALENT STANDARD 29 CFR 1910.134(e)(1) WHICH WAS CONTAINED IN OSHA INSPECTION NUMBER 314241704, CITATION NUMBER 1, ITEM 18, AND WAS AFFIRMED AS A FINAL ORDER ON DECEMBER 10, 2011, WITH RESPECT TO A WORKPLACE LOCATED AT A JOBSITE AT RT. 81 ON THE GEORGE WADE BRIDGE IN HARRISBURG, PA.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photograph or video evidence of abatement or other written records.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

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: 549982
Inspection Date(s): 07/25/2012 - 01/25/2013
Issuance Date: 01/25/2013



Citation and Notification of Penalty

Company Name: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

Date By Which Violation Must be Abated:

02/04/2013

Proposed Penalty:

\$4620.00

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: Panthera Painting, Inc.

Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080

Citation 4 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1926.62(j)(2)(iv):

Employer does not notify employees in writing, within five (5) days of receipt, of the results of biological monitoring:

a) Panthera Painting - Employees, painters/blasters, are exposed to lead above the permissible exposure level while conducting abrasive blasting operations and the employer is not notifying employees within 5 days of the results of their biological monitoring for blood lead levels. This violation was most recently noted at the Friedens Road bridge over Route I-476, during the period of time from approximately July 25, 2012 through October 31, 2012, when employees received blood tests and the employer did not notify employees of their results within 5 days after having received these results from the health care provider. To abate this violation and at all future worksites the employer must ensure that employees who are receiving monitoring for blood lead levels are notified within 5 days of their results.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states that employees and their representatives were informed of this abatement.

Date By Which Violation Must be Abated:

02/04/2013

Proposed Penalty:

\$.00


Jean G. Kulp
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
3477 Corporate Parkway,
Suite 120
Center Valley, PA 18034
Phone: 267-429-7542 Fax: 267-429-7567



INVOICE / DEBT COLLECTION NOTICE

Company Name: Panthera Painting Inc.
Inspection Site: Route 4020 Friedens Road Bridge, Over Route I-476, Slatington, PA 18080
Issuance Date: 01/25/2013

Summary of Penalties for Inspection Number	549982
Citation 1, Serious	\$8470.00
Citation 2, Willful	\$107800.00
Citation 3, Repeat	\$23100.00
Citation 4, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$139370.00

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.

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

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

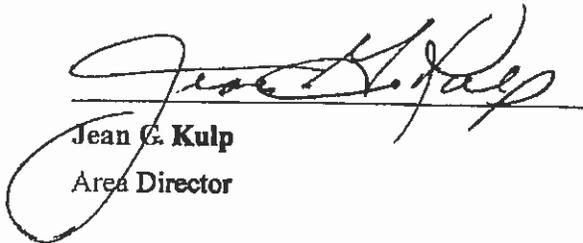
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest,

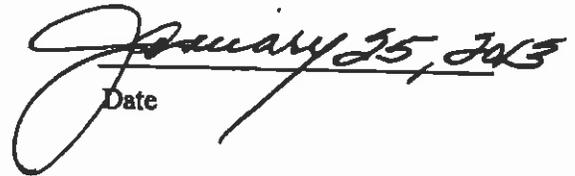
delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

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

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

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


Jean G. Kulp
Area Director


Date

U.S. Department of Labor
Occupational Safety and Health Administration
3477 Corporate Parkway,
Suite 120
Center Valley, PA 18034
Phone: 267-429-7542 Fax: 267-429-7567



Citation and Notification of Penalty

To:
Panthera Painting Inc.
333 MORGANZA ROAD,
Canonsburg, PA 15317

Inspection Number: 646238
Inspection Date(s): 08/21/2012 - 01/25/2013
Issuance Date: 01/25/2013

Inspection Site:
Route I-476 and 873,
Slatedale, PA 18079

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

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

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

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

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

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

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

Penalty Payment – Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to “DOL-OSHA”. Please indicate the Inspection Number on the remittance.

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

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

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

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

Notice to Employees – The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days

(excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.

Inspection Activity Data – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at www.osha.gov. 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 01/25/2013. The conference will be held at the OSHA office located at 3477 Corporate

Parkway, Suite 120, Center Valley, PA 18034 on _____ at _____.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 646238

Company Name: Panthera Painting Inc.
Inspection Site: Route I-476 and 873, Slatedale, PA 18079
Issuance Date: 01/25/2013

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: U.S. Department of Labor – Occupational Safety and Health Administration, 3477 Corporate Parkway, Suite 120, Center Valley, PA 18034

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: Panthera Painting Inc.
Inspection Site: Route I-476 and 873, Slatedale, PA 18079

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

29 CFR 1926.451(g)(1):

Employees on scaffolds more than 10 feet (3.1 m) above a lower level are not protected from falling to that lower level by any of the means of fall protection set forth in paragraphs (g)(1)(i)-(vii) of this section:

a) Pennsylvania Turnpike at the Route 873 Bridge, Worksite - employees working on a truck mounted elevated work platform, which is a scaffold as defined by 29 CFR 1926.450(b) as it provides a working surface for the employees and materials, and which is more than 10 feet above a lower level, are not protected from falling by guardrails, safety nets, or through the use of a personal fall arrest system, most recently observed during the period of July 25 to October 31, 2012. To abate this violation and at all future worksites the employer must ensure that employees working on scaffolding and which is more than 10 feet above a lower level are protected from falling.

Pursuant to 29 CFR 1903.19, the employer must submit abatement certification and documentation, required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is complete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

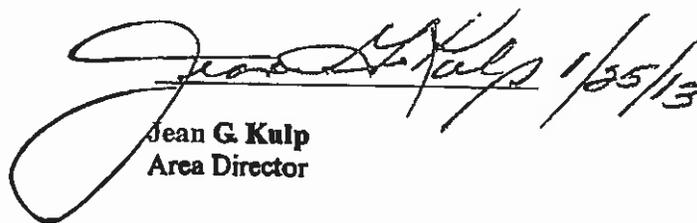
ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

02/04/2013

Proposed Penalty:

\$53900.00


Jean G. Kulp
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
3477 Corporate Parkway,
Suite 120
Center Valley, PA 18034
Phone: 267-429-7542 Fax: 267-429-7567



INVOICE / DEBT COLLECTION NOTICE

Company Name: Panthera Painting Inc.
Inspection Site: Route I-476 and 873, Slatedale, PA 18079
Issuance Date: 01/25/2013

Summary of Penalties for Inspection Number	646238
Citation 1, Willful	\$53900.00
TOTAL PROPOSED PENALTIES	\$53900.00

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.

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

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

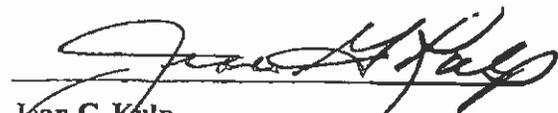
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts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

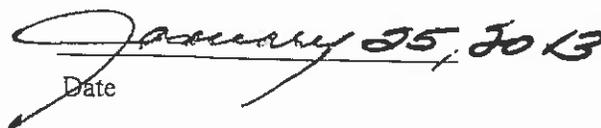
Interest: Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount

becomes due and payable (penalty due date). The current interest rate is one percent (1%). Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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

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


Jean G. Kulp
Area Director


Date