

U.S. Department of Labor
Occupational Safety and Health Administration
The Stegmaier Building, Suite 410
7 North Wilkes-Barre Boulevard
Wilkes-Barre, PA 18702-5241
Phone: (570)826-6538 FAX: (570)821-4170



Citation and Notification of Penalty

To:
QUALITY STONE VENEER INC
and its successors
50 Refton Road
Refton, PA 17538

Inspection Number: 315798587
Inspection Date(s): 11/08/2011-11/09/2011
Issuance Date: 05/03/2012

Inspection Site:
4 Farm Lane
Hegins, PA 17983

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 page 5 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 are required by 29 CFR 1903.19 to submit an Abatement Certification to the Area Director of the OSHA office issuing the citation and identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations states that abatement documentation is required, documents such as those described above are required to be submitted along with the abatement certificate. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item.

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on the front page); 3) the citation and citation item number(s) to which the submission relates; 4) a statement that the information is accurate; 5) the signature of the employer or employer's authorized representative; 6) the date the hazard was corrected; 7) a brief statement of how the hazard was corrected; and 8) a statement that affected employees and their representatives have been informed of the abatement.

The law also requires a copy of all abatement verification documents, required by 29 CFR 1903.19 to be sent to OSHA, also be posted at the location where the violation appeared and the corrective action took place.

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.

ABATEMENT CERTIFICATION

Mark L. Stelmack, Area Director
U.S. Department of Labor - OSHA
The Stegmaier Building, Suite 410
7 North Wilkes-Barre Boulevard
Wilkes-Barre, PA 18702-5241
Phone: (570)826-6538

QUALITY STONE VENEER INC
50 Refton Road
Refton, PA 17538

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by _____

I attest that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement activities described in this certification.

Signature

Typed or Printed Name



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 05/03/2012. The conference will be held at the OSHA office located at The Stegmaier Building, Suite 410, 7 North Wilkes-Barre Boulevard, Wilkes-Barre, PA, 18702-5241 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.



Citation and Notification of Penalty

Company Name: QUALITY STONE VENEER INC
Inspection Site: 4 Farm Lane, Hegins, PA 17983

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

29 CFR 1926.451(b)(4): Each end of a platform, unless cleated or otherwise restrained by hooks or equivalent means, does not extend over the centerline of its support at least 6 inches (15 cm).

a) The employer does not ensure that each scaffold platform properly extended over the centerline of its supports at least 6 inches or was properly secured. This violation was most recently observed at 4 Farm Lane, Hegins, PA, where employees were observed working from a scaffold platform 10' 4" off the ground which extended approximately 2 inches over the centerline of its support. To abate this violation the employer must ensure that each end of a platform, unless cleated or otherwise restrained by hooks or equivalent means, extends over the centerline of its support at least 6 inches (15cm).

Abatement of the violation must be accomplished by 06/08/2012. In addition, pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from scaffold hazards.

Date By Which Violation Must be Abated:	06/08/2012
Proposed Penalty:	\$ 5940.00



Citation and Notification of Penalty

Company Name: QUALITY STONE VENEER INC
Inspection Site: 4 Farm Lane, Hegins, PA 17983

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

29 CFR 1926.452(c)(2): Frames and panels are not braced by cross, horizontal, or diagonal braces, or combination thereof, which secure vertical members together laterally.

a) The employer does not ensure that scaffold frames are braced by cross, horizontal, or diagonal braces, or a combination thereof. This violation was most recently observed at 4 Farm Lane, Hegins, PA, where employees were observed working from a fabricated frame scaffold at a height of 16'-10" off the ground without cross bracing being installed on the inside (building side) of the frame. To abate this violation the employer must ensure that frames and panels of scaffolds are braced by cross, horizontal, or diagonal braces, or combination thereof, which secure vertical members together laterally.

Abatement of the cited instance must be completed no later than 06/08/2012. In addition, pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from scaffold hazards.

Date By Which Violation Must be Abated:	06/08/2012
Proposed Penalty:	\$ 4950.00



Citation and Notification of Penalty

Company Name: QUALITY STONE VENEER INC
Inspection Site: 4 Farm Lane, Hegins, PA 17983

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

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

29 CFR 1926.454(a): The employer does not have each employee who performs work while on a scaffold trained by a person qualified in the subject matter to recognize the hazards associated with the type of scaffold being used and to understand the procedures to control or minimize those hazards.

a) The employer does not ensure that each employee who performs work from a scaffold is trained to recognize hazards associated with the type of scaffold being used and procedures to control those hazards. This violation was most recently observed at 4 Farm Lane, Hegins, PA, where two employees, observed working from a fabricated frame scaffold, were not provide proper training in scaffold hazard recognition. To abate this violation, the employer must ensure that each employee on a scaffold is trained, by a person qualified in the subject matter, to recognize the hazards associated with the type of scaffold being used and to understand the procedures to control or minimize those hazards.

Abatement of the cited instances must be completed no later than 06/08/2012. In addition, pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from scaffold hazards.

Date By Which Violation Must be Abated: 06/08/2012
Proposed Penalty: \$ 4950.00



Citation and Notification of Penalty

Company Name: QUALITY STONE VENEER INC
Inspection Site: 4 Farm Lane, Hegins, PA 17983

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

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

- a) The employer does not ensure that each employee involved in scaffold erection is trained to recognize any hazard associated with the work in question. This violation was most recently observed at 4 Farm Lane, Hegins, PA, where two employees were observed working from a fabricated frame scaffold erected by employees on site who were not properly trained. To abate this violation, the employer must ensure that each employee who is involved in erecting, disassembling, moving, operating, repairing, maintaining or inspecting a scaffold is trained by a competent person to recognize any hazards associated with the work in question.

Abatement of the cited instances must be completed no later than 06/08/2012. In addition, pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from scaffold hazards.

Date By Which Violation Must be Abated:

06/08/2012



Citation and Notification of Penalty

Company Name: QUALITY STONE VENEER INC
Inspection Site: 4 Farm Lane, Hegins, PA 17983

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

29 CFR 1926.451(g)(1)(vii): Each employee on a scaffold, not otherwise specified in paragraphs (g)(1)(i) through (g)(1)(vi) more than 10 feet (3.1 m) above a lower level is not protected by the use of a personal fall arrest system or guardrail system.

a) The employer does not ensure that each employee on a scaffold more than 10 feet (3.1m) above a lower level is protected from falling by the use of a personal fall arrest system or guardrail system. This violation was most recently observed at 4 Farm Lane, Hegins, PA, where two employees were observed working from a fabricated frame scaffold while installing stone on the front face of a residence at a height of 16'-10" above the lower level. To abate this violation, the employer must ensure that each employee on a scaffold, not otherwise specified in paragraphs (g)(1)(i) through (g)(1)(vi), more than 10 feet (3.1 m) above a lower level is protected from falling by the use of a personal fall arrest system or guardrail system.

b) The employer does not ensure that each employee on a scaffold more than 10 feet (3.1m) above a lower level is protected from falling by the use of a personal fall arrest system or guardrail system. This violation was most recently observed at 4 Farm Lane, Hegins, PA, where two employees were observed working from a fabricated frame scaffold while installing stone on the front face of a residence at a height of 10'-04" above the lower level. To abate this violation, the employer must ensure that each employee on a scaffold, not otherwise specified in paragraphs (g)(1)(i) through (g)(1)(vi), more than 10 feet (3.1 m) above a lower level is protected from falling by the use of a personal fall arrest system or guardrail system.

Abatement of the cited instances must be completed no later than 06/08/2012. In addition, pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from fall hazards.

Date By Which Violation Must be Abated: 06/08/2012
Proposed Penalty: \$ 69300.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: QUALITY STONE VENEER INC
Inspection Site: 4 Farm Lane, Hegins, PA 17983

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

29 CFR Citation # 1926.451(b)(1): Each platform on all working levels of scaffold is not fully planked or decked between the front uprights and the guardrail supports.

a) The employer does not ensure that each platform on all working levels is fully planked or decked between the front uprights and the guardrail supports. This violation was most recently observed at 4 Farm Lane, Hegins, PA, where two employees were observed working from a fabricated frame scaffold having a work platform consisting of a single 9 inch wide plank while at a height of 16'-10" above the lower level. To abate this violation, the employer must ensure that each employee on a scaffold is provided a work platform on all working levels that is fully planked or decked between the front uprights and the guardrail supports.

Quality Stone Veneer Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.451(b)(1), which was contained in OSHA inspection number 313376261, citation number 2, item number 1, and was affirmed as a final order on 02/08/2011, with respect to a workplace located at Lot 149 Council Court, Falling Waters, WV 25419.

Abatement of the cited instances must be completed no later than 06/08/2012. In addition, pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from scaffold hazards.

Date By Which Violation Must be Abated: 06/08/2012
Proposed Penalty: \$ 34650.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: QUALITY STONE VENEER INC
Inspection Site: 4 Farm Lane, Hegins, PA 17983

Citation 3 Item 2 Type of Violation: Repeat

29 CFR 1926.451(e)(1): When scaffold platforms are more than 2 feet (0.6 m) above or below a point of access, portable ladders, hook-on ladders, attachable ladders, stair towers (scaffold stairways/towers), stairway-type ladders (such as ladder stands), ramps, walkways, integral prefabricated scaffold access, or direct access from another scaffold, structure, personnel hoist, or similar surface are not used. Cross braces are used as a means of access.

a) The employer does not ensure that when scaffold platforms are more than 2 feet (0.6m) above or below a point of access safe access is provided. This violation was most recently observed at 4 Farm Lane, Hegins, PA, where two employees were observed working from a fabricated frame scaffold where access to the Biljax scaffolding was accomplished by climbing both the cross bracing and scaffold frames where planking, extending over the frames, created an impediment to safe access. To abate this violation, the employer must ensure that each employee on a scaffold more than 2 feet (0.6 m) above or below a point of access, is provided portable ladders, hook-on ladders, attachable ladders, stair towers (scaffold stairways/towers), stairway-type ladders (such as ladder stands), ramps, walkways, integral prefabricated scaffold access, or direct access from another scaffold, structure, personnel hoist, or similar surface. The employer is also obliged to ensure that cross braces are not used as a means of access.

Quality Stone Veneer Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.451(e)(1), which was contained in OSHA inspection number 313376261, citation number 1, item number 4a, and was affirmed as a final order on 02/08/2011, with respect to a workplace located at Lot 149 Council Court, Falling Waters, WV 25419.

Abatement of the cited instances must be completed no later than 06/08/2012. In addition, pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from scaffold hazards.

Date By Which Violation Must be Abated: 06/08/2012
Proposed Penalty: \$ 9900.00

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: QUALITY STONE VENEER INC
Inspection Site: 4 Farm Lane, Hegins, PA 17983

Citation 3 Item 3 Type of Violation: Repeat


29 CFR 1926.451(f)(7): Scaffolds are not erected, moved, dismantled, or altered only under the supervision and direction of a competent person qualified in scaffold erection, moving, dismantling or alteration. Such activities are not performed only by experienced and trained employees selected for such work by the competent person.

a) The employer does not ensure that scaffolds are erected under the supervision and direction of a competent person qualified in scaffold erection. This violation was most recently observed at 4 Farm Lane, Hegins, PA, where two employees were observed working from a fabricated frame scaffold where the employer failed to provide for a competent person to supervise the erection of the scaffold. To abate this violation, the employer must ensure that each employee on a scaffold is protected by having scaffolds erected, moved, dismantled, or altered only under the supervision and direction of a competent person qualified in scaffold erection, moving, dismantling or alteration. Such activities are to be performed only by experienced and trained employees selected for such work by the competent person.

Quality Stone Veneer Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.451(f)(7), which was contained in OSHA inspection number 313376261, citation number 2, item number 1, and was affirmed as a final order on 02/08/2011, with respect to a workplace located at Lot 149 Council Court, Falling Waters, WV 25419.

Abatement of the cited instances must be completed no later than 06/08/2012. In addition, pursuant to 29 C.F.R. 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including a description of how these steps protect its employees from scaffold hazards.

Date By Which Violation Must be Abated: 06/08/2012
Proposed Penalty: \$ 24750.00



Mark L. Stelmack
Area Director

See pages 1 through 5 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
The Stegmaier Building, Suite 410
7 North Wilkes-Barre Boulevard
Wilkes-Barre, PA 18702-5241
Phone: (570)826-6538 FAX: (570)821-4170



INVOICE/ DEBT COLLECTION NOTICE

Company Name: QUALITY STONE VENEER INC
Inspection Site: 4 Farm Lane, Hegins, PA 17983
Issuance Date: 05/03/2012

Summary of Penalties for Inspection Number 315798587

Citation 1, Serious	= \$	15840.00
Citation 2, Willful	= \$	69300.00
Citation 3, Repeat	= \$	69300.00
TOTAL PROPOSED PENALTIES	= \$	154440.00

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 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.

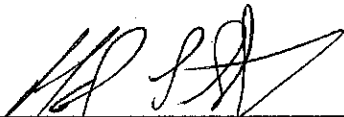
Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts 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 five percent (5%). 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),

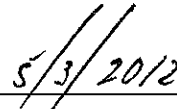
unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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 second and subsequent demand letters sent in an attempt to collect the unpaid debt. Costs will not be assessed for first demand letters and payment default letters.



Mark L. Stelmack
Area Director



Date

ABATEMENT CERTIFICATION/DOCUMENTATION

U.S. DEPARTMENT OF LABOR - OSHA
THE STEGMAIER BUILDING - SUITE 410
7 N. WILKES-BARRE BOULEVARD
WILKES-BARRE, PA 18702-5241
(570) 826-6538

FOR VIOLATIONS YOU DO NOT CONTEST, YOU MUST CERTIFY AND/OR DOCUMENT THAT YOU
HAVE TAKEN CORRECTIVE ACTION ON THE CITED ITEMS WITHIN THE TIME FRAMES INDICATED
IN THE CITATION. THIS FORM IS PROVIDED FOR YOUR CONVENIENCE IN FULFILLING THIS
OBLIGATION. IF ADDITIONAL SPACE IS NEEDED, YOU MAY EITHER ATTACH A CONTINUATION
SHEET OR SUBMIT A MORE DETAILED LETTER.

Inspection Number _____
Company Name _____
Company Address _____

CORRECTIVE ACTION HAS BEEN TAKEN TO ABATE THE ITEM(S) ON THE CITATION AS FOLLOWS:

<u>CITATION #</u>	<u>ITEM #</u>	<u>METHOD OF ABATEMENT *</u>	<u>DATE COMPLETED</u>

I CERTIFY THE ABOVE INFORMATION IS ACCURATE AND THAT EMPLOYEES AND THEIR REPRESENTATIVES HAVE BEEN INFORMED OF THE ABOVE ABATEMENT.

SIGNATURE _____ DATE _____

* For those items requiring only Certification a brief description of the method of abatement should be written. For those items requiring Certification and Documentation additional evidence of abatement (records of equipment repair or purchase, photos, videos or other written records) must be submitted.