

U.S. Department of Labor

Occupational Safety and Health Administration
7 North Wilkes-Barre Blvd.
Suite 410, The Stegmaier Building
Wilkes Barre, PA 18702
Phone: 570-826-6538 Fax: 570-821-4170



Citation and Notification of Penalty

To:

V&T Painting LLC
and its successors
29585 Gramercy Court
Farmington Hills, MI 48336

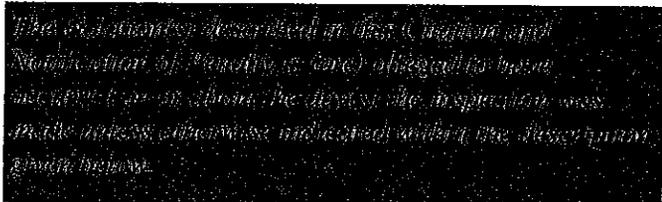
Inspection Number: 1100042

Inspection Date(s): 10/20/2015 - 01/29/2016

Issuance Date: 04/01/2016

Inspection Site:

Danville Borough Municipal Authority Storage Site
Reservoir Street
Danville, PA 17821



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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 04/01/2016. The conference will be held by telephone or at the OSHA office located at 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1100042

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

Issuance Date: 04/01/2016

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702**

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

NOTE: 29 USC 666(g) whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

POSTING: A copy of completed Corrective Action Worksheet should be posted for employee review

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1910.134(i)(5)(i): Compressors used to supply breathing air to respirators were not so constructed and situated so as to prevent entry of contaminated air into the air-supply system:

a) Danville Borough Municipal Authority Storage Site, the compressor used to provide breathing air was located approximately 15 feet from the tank manhole where the dust exited the tank, on or about October 27, 2015

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

05/06/2016
\$2200.00

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.451(f)(3): Scaffolds and scaffold components were not inspected for visible defects by a competent person before each work shift, and after any occurrence which could affect a scaffold's structural integrity:

a) Danville Borough Municipal Authority Storage Site, the manual emergency decent devices to both ZMAC air hoists used on an interior scaffold had broken actuation stirrups, on or about October 27, 2015

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

05/06/2016
\$2200.00

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.403(b)(1)(ii): Safety of equipment was not determined on the basis of mechanical strength and durability, including, for parts designed to enclose and protect other equipment, the adequacy of the protection thus provided:

a) Danville Borough Municipal Authority Storage Site, employees, blasters, were exposed to electric shock hazards in that the 120 VAC light bulbs, mounted on the ends of the blasting nozzles, were not equipped with safety cage or rated enclosure to protect against bulb or housing breakage, on or about October 27, 2015

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

05/06/2016
\$2640.00

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.501(b)(4)(ii): Each employee on a walking/working surface was not protected from tripping in or stepping into or through holes by covers:

a) Danville Borough Municipal Authority Storage Site, employees, blasters, were exposed to tripping and lower leg hazards in that the top opening of the 16.5 inch I.D. tank drain, mounted flush with the floor, was not covered or protected via railing, on or about October 27, 2015

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

05/06/2016
\$1760.00

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: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

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

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

- a) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to particulates not otherwise regulated (Total Dust) at an 8 hour time weighted average of 447.6 milligrams per cubic meter of air (mg/M3) while removing coatings. The exposure was 29.8 times the Permissible Exposure Limit of 15 mg/M3. The exposure was established over 262 minutes of personal sampling conducted on Oct 27, 2015. Zero exposure was assumed for the unsampled period of time.
- b) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to particulates not otherwise regulated (Total Dust) at an 8 hour time weighted average of 657.5 milligrams per cubic meter of air (mg/M3) while removing coatings. The exposure was 43.8 times the Permissible Exposure Limit of 15 mg/M3. The exposure was established over 263 minutes of personal sampling conducted on Oct 27, 2015. Zero exposure was assumed for the unsampled period of time.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

06/05/2016
\$1760.00



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

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

a) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to particulates not otherwise regulated (Total Dust) at an 8 hour time weighted average of 447.6 milligrams per cubic meter of air (mg/M3) while removing coatings. Feasible administrative or engineering controls were not implemented to reduce the employee's exposure, on or about October 27, 2015.

b) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to particulates not otherwise regulated (Total Dust) at an 8 hour time weighted average of 657.5 milligrams per cubic meter of air (mg/M3) while removing coatings. Feasible administrative or engineering controls were not implemented to reduce the employee's exposure, on or about October 27, 2015.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

General methods of control would include, but are not limited to the following:

1. Use mechanical exhaust ventilation within the tank.

Abatement Schedule

Step 1 A written detailed plan of abatement shall be submitted to the Area Director outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to hazardous substances as referenced in this citation. This plan shall include, at a minimum, target dates for the following actions, which must be consistent with the abatement dates required by this citation:

- (1) Evaluation of engineering/administrative control options;
- (2) Selection of optimum control methods and completion of design;

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: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

- (3) Procurement, installation and operation of selected control measures;
- (4) Testing and acceptance or modification/redesign of controls.

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person.

Step 2 Abatement shall have been completed by the implementation of feasible engineering and /or administrative controls upon verification of their effectiveness in achieving compliance.

Date By Which Violation Must be Abated:

06/05/2016

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

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

29 CFR 1926.1204(b) The employer did not identify and evaluate the hazards of permit spaces before employees enter them:

a) Danville Borough Municipal Authority Storage Site, employees performed work inside a water tank which was a permit required confined space, and the employer did not identify and evaluate the hazards, thus exposing employees to spraying of flammable paints and re-entry of water, on or about November 15, 2015

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

05/06/2016
\$2200.00

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.1204(c): The entry employer did not develop and implement the means, procedures, and practices necessary for safe permit space entry operations including, but not limited to, the items in (c)(1) through (c)(8):

a) Danville Borough Municipal Authority Storage Site, employees performed work inside a water tank which was a permit required confined space, and the employer did not perform initial and continuous air monitoring, and isolation of water valves, on or about November 15, 2015.

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

05/06/2016

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.1204(d)(1): The entrant employer did not provide the following equipment (specified in paragraphs (d)(1) through (9) of this section) at no cost to each employee, maintain that equipment properly, and ensure that each employee uses that equipment properly:

a) Danville Borough Municipal Authority Storage Site, employees performed work inside a water tank which was a permit required confined space, and the employer did not provide and utilize gas and atmospheric testing monitoring equipment, on or about November 15, 2015

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

05/06/2016

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.1203(a) Before it began work at a worksite, the employer did not ensure that a competent person identified all confined spaces in which one or more of the employees it directed may have worked, and/or did not identify each space that was a permit space, through consideration and evaluation of the elements of that space, including testing as necessary:

a) Danville Borough Municipal Authority Storage Site, employees performed work inside a water tank which was a permit required confined space, and no competent person evaluated the permit space's elements and performed testing, on or about November 15, 2015

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:

05/06/2016

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.1207(a): The employer did not provide training to each employee and ensure that the employee possessed the understanding, knowledge, and skills necessary for the safe performance of the duties assigned under this standard:

- a) Danville Borough Municipal Authority Storage Site, employees, who performed work inside a water tank which was a permit required confined space, were not trained and knowledgeable of the potential hazards of dust generated by the abrasive blasting of interior tank coatings, on or about November 15, 2015
- b) Danville Borough Municipal Authority Storage Site, employees, who performed work inside a water tank which was a permit required confined space, were not trained and knowledgeable on the use of the 4 gas meter, on or about November 15, 2015

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

05/06/2016
\$2200.00

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.1211(a)(1): The employer who designated rescue and emergency services, pursuant to paragraph 1926.1204(i) of this standard did not evaluate a prospective rescuer's ability to respond to a rescue summons in a timely manner, considering the hazard(s) identified:

a) Danville Borough Municipal Authority Storage Site, employees performed work inside a water tank which was a permit required confined space, and the employer would use 911 emergency services for rescue, but did not evaluate and document that the responding crew would have the means and equipment to effectively perform rescue in the tank, on or about November 15, 2015

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

05/06/2016
\$2200.00

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

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

29 CFR 1926.62(e)(2)(i): The employer did not establish and implement a written compliance program to achieve compliance with 29 CFR 1926.62(c) prior to commencement of the job:

a) Danville Borough Municipal Authority Storage Site, a written lead compliance program was not developed for this site, on or about, October 27, 2015.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

06/05/2016
\$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: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.62(d)(4)(i): The employer did not conduct monitoring which was representative of the exposure for each employee in the workplace who was exposed to lead, when a determination conducted under 29 CFR 1926.62(d)(1), (2), and (3) showed the possibility of any employee exposure at or above the action level:

a) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to lead at an 8 hour time weighted average of 81.9 micrograms per cubic meter of air (ug/M3) while removing coatings. The exposure was 1.64 times the Permissible Exposure Limit of 50 ug/M3. The contract documents indicated that lead was present within the scope of construction work, including coating removal, and the employer did not conduct monitoring, on or about October 27, 2015.

b) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to lead at an 8 hour time weighted average of 71.2 micrograms per cubic meter of air (ug/M3) while removing coatings. The exposure was 1.42 times the Permissible Exposure Limit of 50 ug/M3. The contract documents indicated that lead was present within the scope of construction work, including coating removal, and the employer did not conduct monitoring, on or about October 27, 2015.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:

05/06/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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(c)(1): The employer did not ensure that employees were 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) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to lead at an 8 hour time weighted average of 81.9 micrograms per cubic meter of air (ug/M3) while removing coatings. The exposure was 1.64 times the Permissible Exposure Limit of 50 ug/M3. The exposure was established over 262 minutes of personal sampling conducted on Oct 27, 2015. Zero exposure was assumed for the unsampled period of time.
- b) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to lead at an 8 hour time weighted average of 71.2 micrograms per cubic meter of air (ug/M3) while removing coatings. The exposure was 1.42 times the Permissible Exposure Limit of 50 ug/M3. The exposure was established over 262 minutes of personal sampling conducted on Oct 27, 2015. Zero exposure was assumed for the unsampled period of time.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:

06/05/2016

Proposed Penalty:

\$46200.00



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.62(e)(1): The employer did not implement all feasible engineering and work practice controls, including administrative controls, to reduce and maintain employee exposure to lead to or below the permissible exposure limit:

a) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to lead at an 8 hour time weighted average of 81.9 micrograms per cubic meter of air (ug/M3) while removing coatings. Feasible administrative or engineering controls were not implemented to reduce the employee's exposure, on or about October 27, 2015.

b) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to lead at an 8 hour time weighted average of 71.2 micrograms per cubic meter of air (ug/M3) while removing coatings. Feasible administrative or engineering controls were not implemented to reduce the employee's exposure, on or about October 27, 2015.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

General methods of control would include, but are not limited to the following:

1. Use mechanical exhaust ventilation within the tank.

Abatement Schedule

Step 1 A written detailed plan of abatement shall be submitted to the Area Director outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to hazardous substances as referenced in this citation. This plan shall include, at a minimum, target dates for the following actions, which must be consistent with the abatement dates required by this citation:

- (1) Evaluation of engineering/administrative control options;
- (2) Selection of optimum control methods and completion of design;

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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Inspection Number: 1100042
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Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

(3) Procurement, installation and operation of selected control measures;

(4) Testing and acceptance or modification/redesign of controls.

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person.

Step 2 Abatement shall have been completed by the implementation of feasible engineering and /or administrative controls upon verification of their effectiveness in achieving compliance.

Date By Which Violation Must be Abated:

06/05/2016

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



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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 2 a Type of Violation: **Willful**

29 CFR 1926.62(i)(3)(i): The employer did not provide shower facilities, where feasible, for use by employees whose airborne exposure to lead was above the permissible exposure limit:

a) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to lead at an 8 hour time weighted average of 81.9 micrograms per cubic meter of air (ug/M3) while removing coatings. The exposure was 1.64 times the Permissible Exposure Limit of 50 ug/M3 and the employer did not provide a functional, working shower, on or about October 27, 2015.

b) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to lead at an 8 hour time weighted average of 71.2 micrograms per cubic meter of air (ug/M3) while removing coatings. The exposure was 1.42 times the Permissible Exposure Limit of 50 ug/M3 and the employer did not provide a functional, working shower, on or about October 27, 2015.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

05/06/2016
\$46200.00

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.62(i)(2)(ii): The employer did not ensure that change areas were equipped with separate storage facilities for protective work clothing and equipment and for street clothes, that would prevent cross-contamination:

a) Danville Borough Municipal Authority Storage Site, employees, blasters, used the decontamination trailer and outside areas for removal of protective clothing. Dirty work clothing and clean street clothes were stored together inside the clean side of the decontamination trailer, on or about October 27, 2015.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:

05/06/2016

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.62(i)(5)(i): The employer did not provide adequate handwashing facilities in accordance with 29 CFR 1926.51(f), for use by employees exposed to lead:

a) Danville Borough Municipal Authority Storage Site, employees, blasters, were exposed to lead and used a garden hose, suspended on the chainlink fence, and bar soap, placed on a dish on the ground to wash their hands and face. The contaminated discharge water muddied the ground where employees stood, and was not collected or otherwise discharged so that employees would not become re-contaminated, on or about October 27, 2015.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:

05/06/2016

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.62(g)(2)(viii): The employer did not prohibit the removal of lead from protective clothing or equipment by blowing, shaking, or any other means that dispersed lead into the air:

a) Danville Borough Municipal Authority Storage Site, employees, blasters, were observed hitting their supplied air helmets and shrouds with their hands after removing them to remove settled dust on the equipment after they left the interior blasting area, on or about, October 27, 2015.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:

06/05/2016

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

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

a) Danville Borough Municipal Authority Storage Site, an employee was exposed to methylene bisphenyl isocyanate and xylene while wearing a half mask, negative pressure cartridge respirator. The employee had a heavy beard which came between the sealing surface of the respirator and his face, on or about November 15, 2015

ABATEMENT CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

05/06/2016
\$0.00

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.1126(d)(1): The employer with a workplace or work operation covered by this standard did not determine the 8-hour time-weighted average exposure for each employee exposed to chromium (VI):

a) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to hexavalent chromium at an 8 hour time weighted average 0.001 milligrams per cubic meter (mg/M3), and an exposure determination was not made, on or about October 27, 2015.

ABATEMENT OBSERVED DURING INSPECTION - NO CERTIFICATION RÈQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

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

29 CFR 1926.1126(j)(2)(i)(A): The employer did not provide appropriate information and training for all employees exposed to chromium (VI), in that employees could not demonstrate knowledge of the contents of the Chromium (VI) standard, 29 CFR 1926.1126:

a) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to hexavalent chromium and was not trained in the content of the standard, on or about October 27, 2015

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

05/06/2016
\$0.00

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: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

Citation 3 Item 4 Type of Violation: **Other-than-Serious**

29 CFR 1926.1127(d)(1)(i): The employer did not establish the applicability of this standard by determining whether cadmium was present in the work place and whether there was the possibility that employee exposure will be at or above the action level prior to performance of any construction work:

a) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to cadmium at an 8 hour time weighted average concentration of 0.001 milligrams per cubic meter (mg/M3) and an exposure determination was not made, on or about October 27, 2015

b) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to cadmium at an 8 hour time weighted average of 0.001 milligrams per cubic meter (mg/M3) and an exposure determination was not made, on or about October 27, 2015

ABATEMENT OBSERVED DURING INSPECTION - NO CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

Citation 3 Item 5 Type of Violation: **Other-than-Serious**

29 CFR 1926.1127(m)(4)(iii)(A): The employer did not ensure that the training program contained the health hazards associated with cadmium exposure, with special attention to the information incorporated in Appendix A:

a) Danville Borough Municipal Authority Storage Site, employees, blasters, were exposed to cadmium and were not trained in the content of the Appendix A of the standard, on or about October 27, 2015

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:

05/06/2016

Proposed Penalty:

\$0.00

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

Citation 3 Item 6 Type of Violation: **Other-than-Serious**

29 CFR 1910.1018(e)(2): Initial monitoring was not performed for each workplace, or work operation covered by 29 CFR 1910.1018 to accurately determine the airborne concentration of inorganic arsenic to which employees may be exposed: (Construction Reference: 1926.1118)

a) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to arsenic at an 8 hour time weighted average of 0.004 milligrams per cubic meter (mg/M3) and an exposure determination was not made, on or about October 27, 2015

ABATEMENT OBSERVED DURING INSPECTION - NO CERTIFICATION REQUIRED

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$0.00

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

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

Inspection Number: 1100042
Inspection Date(s): 10/20/2015 - 01/29/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC

Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821

Citation 3 Item 7 Type of Violation: **Other-than-Serious**

29 CFR 1910.1018(o)(1)(ii)(A): The training did not include the information in appendix A:
(Construction Reference: 1926.1118)

a) Danville Borough Municipal Authority Storage Site, an employee, blaster, was exposed to arsenic and was not trained in the content of the appendices of the standard, on or about October 27, 2015

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED

Date By Which Violation Must be Abated:

05/06/2016

Proposed Penalty:

\$0.00

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

Mark Stelmack
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
7 North Wilkes-Barre Blvd.
Suite 410, The Stegmaier Building
Wilkes Barre, PA 18702
Phone: 570-826-6538 Fax: 570-821-4170



INVOICE / DEBT COLLECTION NOTICE

Company Name: V&T Painting LLC
Inspection Site: Danville Borough Municipal Authority Storage Site, Reservoir Street, Danville, PA 17821
Issuance Date: 04/01/2016

Summary of Penalties for Inspection Number	1100042
Citation 1, Serious	\$20240.00
Citation 2, Willful	\$92400.00
Citation 3, Other-than-Serious	\$0.00
TOTAL PROPOSED PENALTIES	\$112640.00

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

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

If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on

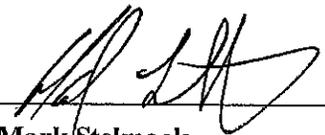
your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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

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

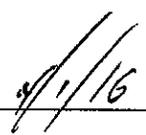
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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

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



Mark Stelmack

Area Director



Date

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



Citation and Notification of Penalty

To:
V&T Painting LLC
and its successors
29585 Gramercy Court
Farmington Hills, MI 48336

Inspection Number: 1096418
Inspection Date(s): 10/06/2015 - 02/01/2016
Issuance Date: 04/01/2016

Inspection Site:
Reservoir St.
Danville, PA 17821

The violations 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 within the description given below.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 04/01/2016. The conference will be held by telephone or at the OSHA office located at 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1096418

Company Name: V&T Painting LLC
Inspection Site: Reservoir St., Danville, PA 17821
Issuance Date: 04/01/2016

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702**

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: V&T Painting LLC
Inspection Site: Reservoir St., Danville, PA 17821

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

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

29 CFR 1926.152(e)(5): Dispensing devices and nozzles for flammable liquids were not of an approved type:

a) Water storage tanks, Danville, PA: Employees were gravity dispensing diesel fuel from an elevated storage tank to a compressor through a rubber hose, as observed on or about November 4, 2015.

Abatement Certification Required.

Date By Which Violation Must be Abated:
Proposed Penalty:

05/18/2016
\$1760.00



Citation and Notification of Penalty

Company Name: V&T Painting LLC
Inspection Site: Reservoir St., Danville, PA 17821

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

29 CFR 1926.152(e)(2): The transfer of flammable liquids from one container to another was done when the containers were not electrically interconnected (bonded):

a) Water storage tanks, Danville, PA: Employees were gravity dispensing diesel fuel from an elevated storage tank to a compressor through a rubber hose without the containers being electrically interconnected (bonded), as observed on or about November 4, 2015.

Abatement Certification Required.

Date By Which Violation Must be Abated:

05/18/2016

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

Inspection Number: 1096418
Inspection Date(s): 10/06/2015 - 02/01/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC
Inspection Site: Reservoir St., Danville, PA 17821

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

29 CFR 1926.152(i)(6): In locations where flammable vapors could have been present, precautions were not taken to prevent ignition by eliminating or controlling sources of ignition:

a) Water Storage Tanks, Danville, PA: Employees were dispensing diesel fuel from an elevated storage tank to a compressor with a rubber hose without the diesel tank being grounded to protect from static, electrical and mechanical sparks, observed on or about November 4, 2015.

Abatement Certification Required

Date By Which Violation Must be Abated:

05/18/2016

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



Citation and Notification of Penalty

Company Name: V&T Painting LLC
Inspection Site: Reservoir St., Danville, PA 17821

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

29 CFR 1926.403(b)(2): Listed, labeled, or certified equipment was not installed and used in accordance with instructions included in the listing, labeling, or certification:

a) Water storage tanks, Danville, PA: A relocatable power tap was being used to supply power to portable electrical equipment including, but not limited to, a battery charger, blasting compressor pot and various flexible cords, as observed on or about November 4, 2015.

Abatement Observed During Inspection.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$1320.00

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

Inspection Number: 1096418
Inspection Date(s): 10/06/2015 - 02/01/2016
Issuance Date: 04/01/2016



Citation and Notification of Penalty

Company Name: V&T Painting LLC
Inspection Site: Reservoir St., Danville, PA 17821

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

29 CFR 1926.451(d)(5)(iii): Supporting devices were not secured against movement by tiebacks installed at right angles to the face of the building or structure, or opposing angle tiebacks were not installed and secured to a structurally sound point of anchorage on the building or structure:

a) Water storage tanks, Danville, PA: Supporting devices (Crosby shackles and pins), used for supporting suspended scaffolding inside of the water tanks, were not secured against movement by tiebacks, as observed on or about November 9, 2015.

Abatement Certification and Documentation Required.

Date By Which Violation Must be Abated:
Proposed Penalty:

04/27/2016
\$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: V&T Painting LLC
Inspection Site: Reservoir St., Danville, PA 17821

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

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

a) Water storage tank, Danville, PA: An employee was observed working on the roof of the water tank at a height of 40 feet above the ground surface without the use of fall protection, as observed on or about November 9, 2015.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$3080.00

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

Mark Stelmack
Area Director

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



INVOICE / DEBT COLLECTION NOTICE

Company Name: V&T Painting LLC
Inspection Site: Reservoir St., Danville, PA 17821
Issuance Date: 04/01/2016

Summary of Penalties for Inspection Number	1096418
Citation 1, Serious	\$9240.00
TOTAL PROPOSED PENALTIES	\$9240.00

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

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

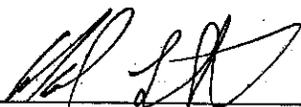
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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

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

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

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

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



Mark Stelmack
Area Director



Date