

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



Citation and Notification of Penalty

To:
CONTENDER BOATS INC
and its successors
1820 SE 38 AVE.
Homestead, FL 33035

Inspection Site:
1820 SE 38 AVE.
Homestead, FL 33035

Inspection Number: 1014277
Inspection Date(s): 12/16/2014 - 06/02/2015
Issuance Date: 06/08/2015

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

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 06/08/2015. The conference will be held by telephone or at the OSHA office located at 1000

South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1014277

Company Name: CONTENDER BOATS INC

Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

Issuance Date: 06/08/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: U.S. Department of Labor – Occupational Safety and Health Administration, 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324

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

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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



Citation and Notification of Penalty

Company Name: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.23(d)(1)(iii): Stairway(s) less than 44 inches wide having both sides open, did not have one stair railing on each side:

- a. On or about December 16, 2014, at the Building #2 - Laminating department, an employee was exposed to a fall hazard while accessing a boat with a stairway that lacked a railing on one of its open sides.

Date By Which Violation Must be Abated:

06/12/2015

Proposed Penalty:

\$3000.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.36(g)(2): Exit access(es) were not at least 28 inches (71.1 cm) wide at all points:

a. On or about January 13, 2015, at the Building #1 - Electrical department, a passageway to exit a storage area was 21" wide, exposing employees to the risk of being trapped in the event of a fire.

Date By Which Violation Must be Abated:

06/15/2015

Proposed Penalty:

\$3000.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.179(n)(3)(vi): The employer did not require that the operator of crane(s) avoid carrying loads over people:

- a. On or about January 13, 2015, at the Building #2 - Laminating department, employees were exposed to struck and caught by hazards while working under a boat liner, which was suspended from an overhead crane.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/18/2015

Proposed Penalty:

\$7000.00

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



Citation and Notification of Penalty

Company Name: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.215(a)(4): Grinding machinery was not used with work rest(s) to support offhand grinding work:

a. On or about January 13, 2015, at the Building #1 - Electrical department, an employee was exposed to a struck by hazard while working with a bench grinder (Serial No. 0277944) that lacked a work rest on its right side.

Date By Which Violation Must be Abated:

06/18/2015

Proposed Penalty:

\$4000.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.303(b)(1)(ii): Electrical equipment was not free from recognized hazards, based on the mechanical strength and durability, including, for parts designed to enclose and protect other equipment, the adequacy of the protection thus provided:

- a. On or about January 13, 2015, at the Building #2 - Storage area for the upholstery department, an employee was exposed to an electrical hazard while in near proximity of a fluorescent light fixture that had its protective cover broken exposing live parts operating at 120 volts.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$4000.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.304(g)(5): The path to ground from circuits, equipment, and enclosures was not permanent, continuous, and effective:

- a. On or about January 13, 2015, at the outdoor cutting area of the laminating department, a fan lacked a ground prong on its attachment plug, exposing employees to an electrical hazard.
- b. On or about January 13, 2015, at the Building #1 - Upholstery department, a microwave oven lacked a continuous path to ground, exposing employees to an electrical hazard.
- c. On or about January 13, 2015, at the Building #2 - Woodworking department, a fan lacked a ground prong on its attachment plug, exposing employees to an electrical hazard.
- d. On or about January 13, 2015, at the Building #2 - Laminating department, a refrigerator lacked a continuous path to ground, exposing employees to an electrical hazard.

Date By Which Violation Must be Abated:

06/15/2015

Proposed Penalty:

\$4000.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.178(p)(1): Powered industrial truck(s) found to be in need of repair, defective, or in any way unsafe had not been taken out of service until restored to safe operating condition(s):

a. On or about February 24, 2015, at the Building #1 - Final preparation department, a powered industrial truck (i.e. Komatsu FG40ZT-S) had its seat broken.

Contender Boats Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection number 31426506, citation number 1, item number 7, and was affirmed as a final order on December 16, 2010, with respect to a workplace located at 1820 SE 38 Avenue, Homestead, FL 33035.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 06/18/2015
Proposed Penalty: \$200.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.179(g)(1)(v): Pendant control box(es) were not clearly marked for identification of functions:

- a. On or about December 16, 2014, at the Building #2 - Laminating department, a pendant control box for the east side overhead crane did not have push buttons marked, exposing employees to struck and caught by hazards.
- b. On or about January 13, 2015, at the Building #2 - Laminating department, a pendant control box for the west side overhead crane did not have push buttons marked, exposing employees to struck and caught by hazards.

Contender Boats Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection number 31426506, citation number 2, item number 5 and was affirmed as a final order on December 16, 2010, with respect to a workplace located at 1820 SE 38 Avenue, Homestead, FL 33035.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/15/2015

Proposed Penalty:

\$200.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.179(j)(2): The following items were not be inspected for defects at intervals as defined in paragraph (j)(1)(ii) of this section or as specifically indicated, including observation during operation for any defects which might appear between regular inspections:

a. On or about January 13, 2015, at the Building #2 - Laminating department, frequent inspections of overhead cranes were not conducted for identifying defects, including but not limited to; missing latches and/or potential deformations of hooks, and/or excessive wear of operating components.

Contender Boats Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.179(j)(3), which was contained in OSHA inspection number 31426506, citation number 2, item number 6 and was affirmed as a final order on December 16, 2010, with respect to a workplace located at 1820 SE 38 Avenue, Homestead, FL 33035.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|--|------------|
| Date By Which Violation Must be Abated: | 06/18/2015 |
| Proposed Penalty: | \$10000.00 |

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

Citation 2 Item 4 Type of Violation: **Repeat**

29 CFR 1910.212(a)(1): One or more methods of machine guarding was not provided to protect the operator and other employees in the machine area from hazards such as those created by point of operation, ingoing nip points, rotating parts, flying chips and sparks:

- a. On or about February 10, 2015, at the Building #1 - Metal fabrication department, an employee was exposed to a caught by hazard while working with a drill press (i.e. Delta, Serial # 08G70503) without point of operation guarding.
- b. On or about January 13, 2015, at the Building #2 - Woodworking department, an employee was exposed to a caught by hazard while working with a table saw (i.e. Delta Rockwell, no serial number available) without point of operation guarding.
- c. On or about January 13, 2015, at the Building #2 - Woodworking department, an employee was exposed to a caught by hazard while working with a drill press (i.e. Delta, Serial Number 027106W5083) without point of operation guarding.
- d. On or about January 13, 2015, at the Building #1 - Metal fabrication department, an employee was exposed to a caught by hazard while working with a sander (i.e. Enco, Model number 163-6089, Serial number 409009) that lacked a guard on in-going nip points between the sanding belt and cylinders.
- e. On or about January 13, 2015, at the Building #1 - Metal fabrication department of above addressed jobsite, an employee was exposed to a caught by hazard while working with a band saw (i.e. Delta, Serial Number 06F14176) that lacked a guard on the unused portion of the blade.

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

Contender Boats Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.212(a)(3)(ii), which was contained in OSHA inspection number 31426506, citation number 1, item number 11 and was affirmed as a final order on December 16, 2010, with respect to a workplace located at 1820 SE 38 Avenue, Homestead, FL 33035.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 06/22/2015
Proposed Penalty: \$14000.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

Citation 2 Item 5 Type of Violation: **Repeat**

29 CFR 1910.212(b): Machine(s) designed for fixed location(s) were not securely anchored to prevent walking or moving:

- a. On or about February 10, 2015, at the Building #1 - Metal fabrication department, an employee was exposed to a struck by hazard while working with a drill press (i.e. Delta, Serial # 08G70503) that was not anchored.
- b. On or about January 13, 2015, at the Building #2 - Woodworking department, an employee was exposed to a caught by hazard while working with a drill press (i.e. Delta, Serial Number 027106W5083) that was not anchored.

Contender Boats Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.212(a)(3)(ii), which was contained in OSHA inspection number 31426506, citation number 2, item number 7 and was affirmed as a final order on December 16, 2010, with respect to a workplace located at 1820 SE 38 Avenue, Homestead, FL 33035.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 06/15/2015
Proposed Penalty: \$6000.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

Citation 2 Item 6 Type of Violation: **Repeat**

29 CFR 1910.242(b): Compressed air used for cleaning purposes was not reduced to less than 30 p.s.i.:

a. On or about January 13, 2015, at the outdoor cutting area of the laminating department, an employee was exposed to a struck by hazard while using compressed air for cleaning purposes at 80 psi.

Contender Boats Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection number 31426506, citation number 1, item number 20 and was affirmed as a final order on December 16, 2010, with respect to a workplace located at 1820 SE 38 Avenue, Homestead, FL 33035.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/15/2015

Proposed Penalty:

\$8000.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

Citation 2 Item 7 Type of Violation: **Repeat**

29 CFR 1910.303(f)(2): Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, was not legibly marked to indicate its purpose, nor located and arranged so the purpose was evident:

a. On or about February 24, 2015, at the Building #2 - Woodworking department, a panel board lacked markings on its circuit breakers, exposing employees to an electrical hazard.

Contender Boats Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.303(f), which was contained in OSHA inspection number 31426506, citation number 1, item number 22 and was affirmed as a final order on December 16, 2010, with respect to a workplace located at 1820 SE 38 Avenue, Homestead, FL 33035.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|--|------------|
| Date By Which Violation Must be Abated: | 06/15/2015 |
| Proposed Penalty: | \$200.00 |

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

Citation 2 Item 8 Type of Violation: **Repeat**

29 CFR 1910.305(g)(2)(iii): Flexible cords and cables were not connected to devices and fittings so that strain relief was provided that would prevent pull from being directly transmitted to joints or terminal screws:

- a. On or about January 13, 2015, at the Building #1 - Upholstery department, a bench grinder (i.e. Clarke, Model BT 1005A) lacked strain relief where its cord entered into the attachment plug, exposing employees to an electrical hazard.

Contender Boats Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard, which was contained in OSHA inspection number 31426506, citation number 1, item number 23 and was affirmed as a final order on December 16, 2010, with respect to a workplace located at 1820 SE 38 Avenue, Homestead, FL 33035.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/15/2015

Proposed Penalty:

\$200.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

Citation 2 Item 9 Type of Violation: Repeat

29 CFR 1910.334(a)(2)(i): Portable cord and plug connected equipment and flexible cord sets (extension cords) were not visually inspected before use on any shift for external defects (such as loose parts, deformed and missing pins, or damage to outer jacket or insulation) and for evidence of possible internal damage (such as pinched or crushed outer jacket):

- a. On or about January 13, 2015, at the Building #1 - Final preparation department, a vacuum cleaner had a frayed cord, exposing an employee to an electrical hazard.
- b. On or about May 14, 2015, at the Building #1 - Upholstery department, a bench grinder (i.e. Clarke, Model BT 1005A) had interior current carrying conductors exposed due to lack of strain relief and the ground pin was missing from the attachment plug.

Contender Boats Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.334(a)(2)(ii), which was contained in OSHA inspection number 31426506, citation number 1, item number 24 and was affirmed as a final order on December 16, 2010, with respect to a workplace located at 1820 SE 38 Avenue, Homestead, FL 33035.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

06/15/2015

Proposed Penalty:

\$10000.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.22(d)(1): On every building or other structure, or part thereof, used for mercantile, business, industrial or storage purposes, the loads approved by the building official were not marked on plates of approved design and securely affixed in a conspicuous place in each space to which they relate:

- a. On or about January 13, 2015, at the Building #2 - Laminating department, materials and equipment were stored over an office area without having load limits posted, exposing employees to a struck by hazard.

Date By Which Violation Must be Abated:

06/15/2015

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.



Citation and Notification of Penalty

Company Name: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and/or cables were used as a substitute for the fixed wiring of a structure:

- a. On or about January 13, 2015, at the Building #2 - Laminating department, a refrigerator (i.e. Igloo) was energized with an extension cord due to the lack of permanent wiring, exposing employees to an electrical fire hazard.

Date By Which Violation Must be Abated:

06/12/2015

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.



Citation and Notification of Penalty

Company Name: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.334(a)(1): Flexible electric cords were fastened with staples or otherwise hung in such a fashion as could damage the outer jacket or insulation:

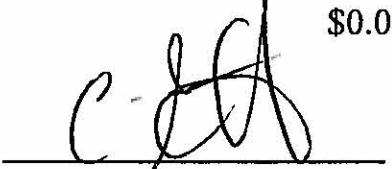
- a. On or about January 13, 2015, at the Building #2 - Laminating department, an extension cord was fastened to the walls of a building using staples, exposing employees to an electrical fire hazard.

Date By Which Violation Must be Abated:

06/12/2015

Proposed Penalty:

\$0.00


Condell Eastmond
Area Director

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

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



INVOICE / DEBT COLLECTION NOTICE

Company Name: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035
Issuance Date: 06/08/2015

| | |
|---|-------------------|
| Summary of Penalties for Inspection Number | 1014277 |
| Citation 1, Serious | \$25000.00 |
| Citation 2, Repeat | \$48800.00 |
| Citation 3, Other-than-Serious | \$0.00 |
| TOTAL PROPOSED PENALTIES | \$73800.00 |

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

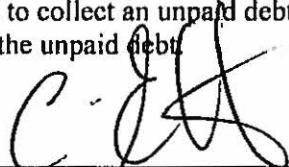
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.

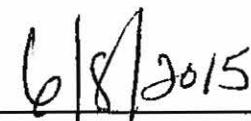
Delinquent Charges: A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per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



Condell Eastmond

Area Director



Date

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



Citation and Notification of Penalty

To:
CONTENDER BOATS INC
and its successors
1820 SE 38 AVE.
Homestead, FL 33035

Inspection Number: 1018073
Inspection Date(s): 01/13/2015 - 05/18/2015
Issuance Date: 06/08/2015

Inspection Site:
1820 SE 38 AVE.
Homestead, FL 33035

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 06/08/2015. The conference will be held by telephone or at the OSHA office located at 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1018073

Company Name: CONTENDER BOATS INC

Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

Issuance Date: 06/08/2015

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: U.S. Department of Labor – Occupational Safety and Health Administration, 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324

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

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

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

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

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

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

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

Signature _____

Date _____

Typed or Printed Name _____

Title _____

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

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



Citation and Notification of Penalty

Company Name: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.95(c)(1): The employer did not administer a continuing, effective hearing conservation program as described in 29 CFR 1910.9(c) through (o) whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level of 85 decibels measured on the A scale, or equivalently a dose of fifty percent:

- (a) On or about March 5, 2015, the employer did not implement a hearing conservation program for an employee cutting and grinding fiberglass with hand tools in the Cut and Trim area of the Pre-Rig Department, was exposed to continuous noise at 122.7% of the action level noise exposure (8-hour time weighted average sound level of 85 decibels) or the equivalent sound level of approximately 91.4 decibels during 423 minute sampling period; exposure calculations included a zero (0) increment for the 57 minutes not sampled.
- (b) On or about January 13, 2015, the employer did not implement a hearing conservation program for an employee cutting and grinding fiberglass with hand tools in the Cut and Trim area of the Pre-Rig Department, was exposed to continuous noise at 100.8% of the action level noise exposure (8-hour time weighted average sound level of 85 decibels) or the equivalent sound level of approximately 90.0 decibels, during 425 minute sampling periods; exposure calculations included a zero (0) increment for the 55 minutes not sampled.
- (c) On or about January 13, 2015, the employer did not implement a hearing conservation program for an employee cutting and grinding fiberglass with hand tools in the Cut and Trim area of the Pre-Rig Department, was exposed to continuous noise at 133.9% of the action level noise exposure (8-hour time weighted average sound level of 85 decibels) or the equivalent sound level of approximately 92.1 decibels, during 412 minute sampling period; exposure calculations included a zero (0) increment for the 68 minutes not sampled.

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

(d) On or about January 13, 2015, the employer did not implement a hearing conservation program for an employee installing boat consoles under the overhang north of Building 1, was exposed to continuous noise at 100.8% of the action level noise exposure (8-hour time weighted average sound level of 85 decibels) or the equivalent sound level of approximately 90.0 decibels, during 344 minute sampling periods; exposure calculations included a zero (0) increment for the 136 minutes not sampled.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/02/2015

Proposed Penalty:

\$7000.00

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



Citation and Notification of Penalty

Company Name: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.107(g)(5): The employer did not use a cleaning solvent with a lower flashpoint than the solvents used for spray painting operations:

On or about January 13, 2015, in Building 2 in Lamination area, the employer provided employees with acetone to clean brushes, tools, and their hands during spray operations, using chemicals with a higher flashpoint such as, styrene, methyl ethyl ketone, and methyl methacrylate.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

| | |
|--|------------|
| Date By Which Violation Must be Abated: | 07/02/2015 |
| Proposed Penalty: | \$7000.00 |

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



Citation and Notification of Penalty

Company Name: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.138(a): The employer did not select and require employees to use appropriate hand protection when employees hands were exposed to hazardous condition(s):

- a. On or about December 16, 2015 at Building # 2 - Lamination department, an employee was not wearing gloves while applying resin to a boat.
- b. On or about January 13, 2015 at Building #2 - Pre rigging department, an employee was not wearing gloves when handling adhesives to bind boat parts during boat building operation.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/02/2015

Proposed Penalty:

\$7000.00

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



Citation and Notification of Penalty

Company Name: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.252(b)(2)(iii): Workers and other persons adjacent to the welding area were not protected from the rays by noncombustible or flameproof screens or shields:

On or about January 13, 2015, in Building 1 welding area, employees perform welding activity without using and positioning noncombustible or flameproof screens to protect other workers from flash burns in the welding area when exposed to active rays.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/02/2015

Proposed Penalty:

\$4000.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

On or about January 13, 2015, Building#2, the employer did not develop a hazard communication program for employees who use and handle hazardous products such as, but not limited to, methyl ethyl ketone peroxide, styrene, methyl methacrylate, and isocyanates, during boat building operations.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/02/2015

Proposed Penalty:

\$6000.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

Citation 1 Item 5 b Type of Violation: Serious

29 CFR 1910.1200(h)(1): The employer did not provide employees with effective information and training on hazardous chemicals in their work area at the time of their initial assignment, and whenever a new physical or health hazard the employees had not previously been trained about was introduced into their work area:

On or about January 13, 2015, Building #2, the employer did not train employees who use and handle chemicals with hazardous ingredients such as, but no limited to, styrene, methyl ethyl ketone peroxide, and isocyanates, on the requirements of this section and the physical and health hazards of the chemicals in their work area.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/02/2015

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



Citation and Notification of Penalty

Company Name: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

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

On or about January 13, 2015, in Building#2, employees wear tight fitting respirators, without being provided with a fit test, when applying hazardous products such as, but not limited to, styrene and methyl ethyl ketone peroxide, to boat surfaces during the boat building process.

The Contender Boats, Inc. was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA inspection number 314265067, citation 01, item number 4 and was affirmed as a final order on December 9, 2010, with respect to a workplace located at 1820 SE 38 Avenue, Homestead, FL 33035.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 07/02/2015
Proposed Penalty: \$200.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

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

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

On or about January 13, 2015, in Building 2, the employer did not establish a written respiratory program with worksite specific procedures for employees performing boat building tasks such as, but not limited to, grinding and cutting fiberglass, spraying hazardous products containing styrene, methyl ethyl ketone peroxide, and MDI during boat building operations, while required to wear tight fitting respirators.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated: 07/02/2015
Proposed Penalty: \$1000.00

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: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

29 CFR 1910.134(d)(1)(i): Selection of appropriate respirators was not based on the respiratory hazard(s) to which the worker was exposed and user factors that affect respirator performance and reliability:

On or about January 13, 2015, at building 2, employees wear filtering facepiece particulate respirators while performing boat building operations where they are exposed to organic vapors such as, but not limited to, styrene, methyl methacrylate, and acetone.

Date By Which Violation Must be Abated:

07/02/2015

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



Citation and Notification of Penalty

Company Name: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

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

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

On or about January 13, 2015, in Building 2, employees wear tight fitting respirators, without being provided with a medical evaluation, when applying hazardous products such as, but not limited to, styrene and methyl ethyl ketone peroxide, to boat surfaces during the boat building process.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:

07/02/2015

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



Citation and Notification of Penalty

Company Name: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035

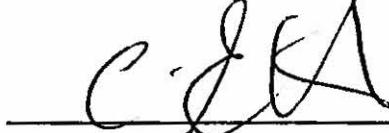
Citation 3 Item 1 d Type of Violation: Other-than-Serious

29 CFR 1910.134(k)(1)(i): The employer did not ensure that each employee could demonstrate knowledge of why the respirator was necessary and how improper fit, usage, or maintenance could compromise the protective effect of the respirator:

On or about January 13, 2015, in building 2, employer did not ensure that employees who are required to wear a respirator were able to wear the respirator properly, know why proper fit is necessary, and how maintenance could compromise the protective effect of the respirator.

Date By Which Violation Must be Abated:

07/02/2015



Condell Eastmond
Area Director

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

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



INVOICE / DEBT COLLECTION NOTICE

Company Name: CONTENDER BOATS INC
Inspection Site: 1820 SE 38 AVE., Homestead, FL 33035
Issuance Date: 06/08/2015

| | |
|---|-------------------|
| Summary of Penalties for Inspection Number | 1018073 |
| Citation 1, Serious | \$31000.00 |
| Citation 2, Repeat | \$200.00 |
| Citation 3, Other-than-Serious | \$1000.00 |
| TOTAL PROPOSED PENALTIES | \$32200.00 |

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

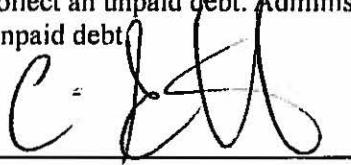
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.



Condell Eastmond

Area Director



Date