

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
The Wanamaker Building  
100 Penn Square East, 12th Floor  
Philadelphia, PA 19107  
Phone: 215-597-4955 Fax: 215-597-1956



## Citation and Notification of Penalty

**To:**  
Hua Da Construction, Inc.  
905 Arch St  
Philadelphia, PA 19107

**Inspection Number:** 1271630  
**Inspection Date(s):** 10/19/2017 - 11/03/2017  
**Issuance Date:** 04/17/2018

**Inspection Site:**  
931 Arch Street  
Philadelphia, PA 19107

*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](http://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](http://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 04/17/2018. The conference will be held by telephone or at the OSHA office located at The Wanamaker Building, 100 Penn Square East, 12th Floor, Philadelphia, PA 19107 on

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

## CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1271630

Company Name: Hua Da Construction, Inc.  
Inspection Site: 931 Arch Street, Philadelphia, PA 19107  
Issuance Date: 04/17/2018

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, The Wanamaker Building, 100 Penn Square East, 12th Floor, Philadelphia, PA 19107**

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.25(a): During the course of construction, alteration, or repairs, form and scrap lumber with protruding nails, and all other debris, shall be kept cleared from work areas, passageways, and stairs, in and around buildings or other structures.

a) Jobsite: The employer did not ensure that scrap lumber, protruding nails and other debris was kept clear in passageways throughout the jobsite; thus exposing the employees to impalement, trip and fall hazards.

Condition was observed on or about 19 OCT 2017.

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

Date By Which Violation Must be Abated:

04/27/2018

Proposed Penalty:

\$3658.00

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.34(c): "Maintenance and workmanship." Means of egress shall be continually maintained free of all obstructions or impediments to full instant use in the case of fire or other emergency:

a) Jobsite -1st Floor: The egress route was obstructed by various building materials such as, but not limited to three 2x10 boards, stack of lumber, etc. preventing safe egress/access in the event of an emergency and exposing employees to fire hazards.

Condition was observed on or about 19 OCT 2017 and 3 NOV 2017.

Abatement certification required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

Date By Which Violation Must be Abated:

04/27/2018

Proposed Penalty:

\$3049.00

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.350(a)(11): Cylinders were not stored in definitely assigned storage places where the cylinders would not be knocked over or damaged by passing or falling objects, or subject to tampering by unauthorized persons:

a) Jobsite: Top floor & 1st floor: The employer did not ensure that compressed gas cylinders (Oxygen and Acetylene) were stored in assigned locations to protect them from being knocked over, struck or damaged by passing or falling objects such as, but not limited to building materials handled during construction activities at the worksite.

Condition was observed on or about 19 OCT 2017 and 3 NOV 2017.

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

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

04/27/2018

**Proposed Penalty:**

\$4269.00

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.350(f)(4): Hose which has been subject to flashback, or which shows evidence of severe wear or damage, shall be tested to twice the normal pressure to which it is subject, but in no case less than 300 p.s.i. Defective hose, or hose in doubtful condition, shall not be used:

a) Jobsite: Employees conducting iron cutting work used a frayed hose attached to acetylene cylinder during cutting activities.

Condition was observed on or about 19 OCT 2017 and 3 NOV 2017.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:** 04/27/2018  
**Proposed Penalty:** \$4269.00

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.350(h): Regulators and gauges. Oxygen and fuel gas pressure regulators, including their related gauges, shall be in proper working order while in use:

a) Jobsite: The employer did not ensure that the gas pressure gauges installed on compressed gas cylinders (Oxygen and Acetylene) were in proper working order.

Condition was observed on or about 19 OCT 2017 and 3 NOV 2017.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

04/27/2018

Proposed Penalty:

\$4269.00

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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 1926.405(g)(2)(iii): Splices. Flexible cords shall be used only in continuous lengths without splice or tap. Hard service flexible cords No. 12 or larger may be repaired if spliced so that the splice retains the insulation, outer sheath properties, and usage characteristics of the cord being spliced:

a) Jobsite: Employer did not ensure that flexible power cables were used free from splices or frays; thus exposing employees to electrical shock hazards. Employees were using frayed cables to power a circular saw on the top floor of the building.

Condition was observed on or about 19 OCT 2017 and 3 NOV 2017.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

04/27/2018

**Proposed Penalty:**

\$3049.00

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.404(f)(6): Grounding path. The path to ground from circuits, equipment, and enclosures shall be permanent and continuous:

a) Jobsite: The employer did not ensure that the grounding wire on a flexible power cord was not separated from the flexible power cord; thus exposing employees to electrical shock hazards.

Condition was observed on or about 19 OCT and 3 NOV 2017.

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

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

04/27/2018

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:** Hua Da Construction, Inc.

**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.1052(c)(1): Stairways having four or more risers or rising more than 30 inches (76 cm), whichever is less, were not equipped with at least one handrail and one stair rail system along each unprotected side or edge:

a) Jobsite: Employees were using stairways with unprotected sides exposing them to fall hazards of approx. 20 feet.

Condition was observed on or about 19 OCT 2017.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

04/27/2018

**Proposed Penalty:**

\$4269.00

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:** Hua Da Construction, Inc.

**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.1053(b)(1): When portable ladders are used for access to an upper landing surface, the ladder side rails shall extend at least 3 feet (.9 m) above the upper landing surface to which the ladder is used to gain access:

a) Jobsite: The employer did not ensure that the self-supporting ladder (Werner) was set with the side rails at least three feet above the landing surface exposing employees to fall hazards of approximately 9 feet.

Condition was observed on or about 19 OCT 2017 and 3 NOV 2017.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

04/27/2018

**Proposed Penalty:**

\$3049.00

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:** Hua Da Construction, Inc.

**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.1053(b)(4): Ladders shall be used only for the purpose for which they were designed:

a) Jobsite: The employer failed to ensure that a self-supporting ladder (Husky) was in the open and locked position before employees utilized it to gain access to upper levels.

Condition was observed on or about 19 OCT 2017.

Abatement certification required within 10 days after abatement date. The certification shall include a statement that abatement is complete, date and method of abatement, and states employees and their representatives were informed of this abatement.

Date By Which Violation Must be Abated:

04/27/2018

Proposed Penalty:

\$3658.00

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.1053(b)(6): Ladders shall be used only on stable and level surfaces unless secured to prevent accidental displacement:

a) Jobsite: The employer did not ensure that a self-supporting ladder used by employees to gain access to upper levels was set on a stable and level surface. The ladder was utilized on a sheet of corrugated aluminum decking.

Condition was observed on or about 19 OCT 2017.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

04/27/2018

**Proposed Penalty:**

\$4269.00

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:** Hua Da Construction, Inc.

**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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 1926.350(b)(3): Fuel gas cylinders shall be placed with valve end up whenever they are in use:

- a) Jobsite: The employer did not ensure that the acetylene compressed gas cylinder used during iron cutting activities were placed in the upright position.
- b) Jobsite: The employer did not ensure that the oxygen compressed gas cylinder used during iron cutting activities were placed in the upright position.

Condition was observed on or about 19 OCT 2017 and 3 NOV 2017.

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

### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

04/27/2018

**Proposed Penalty:**

\$28454.00

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.350(a)(7): A suitable cylinder truck, chain, or other steadyng device shall be used to keep cylinders from being knocked over while in use:

a) Jobsite: The employer did not ensure that gas cylinder tanks were secured to prevent displacement while in use. Employees conducting cutting operations using oxygen and acetylene gas cylinder tanks did not have each cylinder secured.

Condition was observed on or about 19 OCT 2017 and 3 NOV 2017.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

04/27/2018

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.501(b)(1): "Unprotected sides and edges." Each employee on a walking/working surface (horizontal and vertical surface) with an unprotected side or edge which is 6 feet (1.8 m) or more above a lower level shall be protected from falling by the use of guardrail systems, safety net systems, or personal fall arrest systems:

- a) Jobsite: An employee walking along a wooden plank was exposed to falls greater than 50 feet without the use of a fall protection system.
- b) Jobsite: Employees walking around the top of the stairway was exposed to falls of approximately 20 feet.

Condition was observed on or about 19 OCT 2017.

Hua Da Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.501(b)(1) which was contained in OSHA inspection number 1121458, citation number 1, item number 1 and was affirmed as a final order on 28 MAR 2017, with respect to a workplace located at 934 Arch Street, Philadelphia, PA. 19107.

Hua Da Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.501(b)(1) which was contained in OSHA inspection number 1134203, citation number 1, item number 1 and was affirmed as a final order on 27 MAY 2017, with respect to a workplace located at 934 Arch Street, Philadelphia, PA. 19107.

Hua Da Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.501(b)(1) which was contained in OSHA inspection number 1135025, citation number 1, item number 1 and was affirmed as a final order on 27 MAR 2017, with respect to a workplace located at 934 Arch Street, Philadelphia, PA. 19107.

Hua Da Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.501(b)(1) which was contained in OSHA inspection number 1154460, citation number 2, item number 1 and was affirmed as a final order on 06 JAN 2017, with respect to a workplace located at 934 Arch Street, Philadelphia, PA. 19107.

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

04/27/2018

**Proposed Penalty:**

\$28454.00

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:** Hua Da Construction, Inc.

**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.501(b)(4): Each employee on walking/working surfaces was not protected from falling through holes (including skylights), more than six feet (1.8 m) above lower levels, by personal fall arrest systems, covers, or guardrail systems erected around such holes:

- a) Jobsite: 7th floor to 2nd floor East Side: Floor holes exposed employees to fall hazards of approx. 50 feet. The employer did not properly cover the holes or provide a fall protection system to protect employees.
- b) Jobsite: 7th floor to 2nd floor West Side: Floor holes exposed employees to fall hazards of approx. 50 feet. The employer did not properly cover the holes or provide a fall protection system to protect employees.
- c) Jobsite: 7th floor stair tower: Floor hole exposed employees to fall hazards of approx. 20 feet. The employer did not properly cover the hole or provide a fall protection system to protect employees.

Condition was observed on or about 19 OCT 2017 and 3 NOV 2017.

Hua Da Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.501(b)(4)(i) which was contained in OSHA inspection number 1121458, citation number 1, item number 2 and was affirmed as a final order on 28 MAR 2017, with respect to a workplace located at 934 Arch Street, Philadelphia, PA. 19107.

Hua Da Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.501(b)(4)(i) which was contained in OSHA inspection number 1143244, citation number 1, item number 3 and was affirmed as a final order on 09 NOV 2016, with respect to a workplace located at 934 Arch Street, Philadelphia, PA. 19107.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement,

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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and state that employees and their representatives were informed of this abatement. Abatement documentation shall include documents demonstrating that abatement is compete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:** 04/27/2018  
**Proposed Penalty:** \$28454.00

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

#### **Citation 2 Item 4** Type of Violation: **Willful**

29 CFR 1926.502(i)(3): All covers were not secured when installed so as to prevent accidental displacement by the wind, equipment, or employees:

- a) Jobsite: 7th floor to 2nd floor East Side: Floor holes exposed employees to fall hazards of approx. 50 feet. The employer did not properly cover the holes or provide a fall protection system to protect employees.
- b) Jobsite: 7th floor to 2nd floor West Side: Floor holes exposed employees to fall hazards of approx. 50 feet. The employer did not properly cover the holes or provide a fall protection system to protect employees.
- c) Jobsite: 7th floor stair tower: Floor hole exposed employees to fall hazards of approx. 20 feet. The employer did not properly cover the hole or provide a fall protection system to protect employees.

Condition was observed on or about 19 OCT 2017 and 3 NOV 2017.

Hua Da Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.501(b)(4)(i) which was contained in OSHA inspection number 1121458, citation number 1, item number 2 and was affirmed as a final order on 28 MAR 2017, with respect to a workplace located at 934 Arch Street, Philadelphia, PA. 19107.

Hua Da Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.501(b)(4)(i) which was contained in OSHA inspection number 1143244, citation number 1, item number 3 and was affirmed as a final order on 09 NOV 2016, with respect to a workplace located at 934 Arch Street, Philadelphia, PA. 19107.

Abatement certification and documentation required within 10 days after abatement date. The certification shall include a statement that abatement is complete, the date and method of abatement, and state that employees and their representatives were informed of this abatement. Abatement

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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documentation shall include documents demonstrating that abatement is compete, such as evidence of the purchase or repair of equipment, photographic or video evidence of abatement or other written records.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:** 04/27/2018  
**Proposed Penalty:** \$28454.00

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

#### **Citation 2 Item 5** Type of Violation: **Willful**

29 CFR 1926.760(a)(1): Except as provided by paragraph (a)(3) of this section, each employee engaged in a steel erection activity who is on a walking/working surface with an unprotected side or edge more than 15 feet (4.6 m) above a lower level shall be protected from fall hazards by guardrail systems, safety net systems, personal fall arrest systems, positioning device systems or fall restraint systems:

a) Jobsite: Employees working on top of an I-beam during decking activities were not provided fall protection; thus exposing employees to approximately 80 foot fall hazards.

Condition was noted on or about 3 NOV 2017.

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

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

**04/27/2018**  
**\$28454.00**

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

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

29 CFR 1926.350(a)(1): Valve protection caps shall be in place and secured:

a) Jobsite: The employer did not ensure that the valve cap was secured to a compressed gas cylinder containing oxygen when not in use; thus exposing employees to struck by hazards.

Condition was observed on 19 OCT and 3 NOV 2017.

Hua Da Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.350(a)(1) which was contained in OSHA inspection number 1143244, citation number 1, item number 1-a and was affirmed as a final order on 09 MAY 2016, with respect to a workplace located at 934 Arch Street, Philadelphia.

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

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

04/27/2018

**Proposed Penalty:**

\$8537.00

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.350(a)(10): Oxygen cylinders in storage shall be separated from fuel-gas cylinders or combustible materials (especially oil or grease), a minimum distance of 20 feet (6.1 m) or by a noncombustible barrier at least 5 feet (1.5 m) high having a fire-resistance rating of at least one-half hour:

a) Jobsite: The employer did not ensure that stored oxygen and acetylene cylinders were separated by distance or a suitable barrier exposing employee to explosion hazards. The compressed gas cylinders were touching when being stored.

Condition was observed on or about 19 OCT 2017 and 3 NOV 2017.

Hua Da Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.350(a)(10) which was contained in OSHA inspection number 1143244, citation number 1, item number 1-c and was affirmed as a final order on 09 MAY 2016, with respect to a workplace located at 934 Arch Street, Philadelphia.

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

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

04/27/2018

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.350(a)(9): Compressed gas cylinders shall be secured in an upright position at all times except, if necessary, for short periods of time while cylinders are actually being hoisted or carried:

a) Jobsite: The employer did not ensure that compressed gas cylinders containing oxygen and acetylene were in a secure and upright position at all times.

Condition was observed on or about 19 OCT 2017 and 3 NOV 2017.

Hua Da Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.350(a)(9) which was contained in OSHA inspection number 1121458, citation number 1, item number 9 and was affirmed as a final order on 28 MAR 2017, with respect to a workplace located at 934 Arch Street, Philadelphia, PA. 19107.

Hua Da Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.350(a)(9) which was contained in OSHA inspection number 1143244, citation number 1, item number 1-a and was affirmed as a final order on 09 NOV 2016, with respect to a workplace located at 934 Arch Street, Philadelphia, PA. 19107.

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

### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

**04/27/2018**

**Proposed Penalty:**

**\$21341.00**

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

29 CFR 1926.451(b)(1): Each platform on all working levels of scaffolds shall be fully planked or decked between the front uprights and the guardrail supports as follows:

a) Jobsite: Employees were working on the top level of a scaffold that was not fully planked: thus exposing the employees to fall hazards of approximately 5 feet and/or 80 feet.

Condition was observed on or about 19 OCT 2017.

Hua Da Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.451(b)(1) which was contained in OSHA inspection number 1121458, citation number 1, item number 3 and was affirmed as a final order on 28 MAR 2017, with respect to a workplace located at 934 Arch Street, Philadelphia.

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

#### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**  
**Proposed Penalty:**

04/27/2018  
\$6098.00

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:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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

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

a) Jobsite: The employer did not have a safe means to access the scaffold for his employees. Employees had to access the scaffold by climbing on the outside cross bracing of the scaffold; thus exposing them to fall hazards.

Condition was observed on or about 19 OCT 2017.

Hua Da Construction, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 1926.451(e)(1) which was contained in OSHA inspection number 1121458, citation number 1, item number 3 and was affirmed as a final order on 28 MAR 2017, with respect to a workplace located at 934 Arch Street, Philadelphia.

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

### **ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

**Date By Which Violation Must be Abated:**

04/27/2018

**Proposed Penalty:**

\$6098.00

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

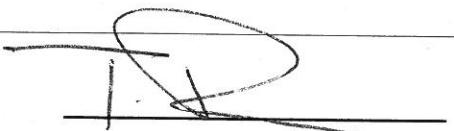
**Inspection Number:** 1271630  
**Inspection Date(s):** 10/19/2017 - 11/03/2017  
**Issuance Date:** 04/17/2018



**Citation and Notification of Penalty**

**Company Name:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107

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A handwritten signature in black ink, appearing to read "Theresa Downs".

**Theresa Downs**  
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  
The Wanamaker Building  
100 Penn Square East, 12th Floor  
Philadelphia, PA 19107  
Phone: 215-597-4955 Fax: 215-597-1956



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Hua Da Construction, Inc.  
**Inspection Site:** 931 Arch Street, Philadelphia, PA 19107  
**Issuance Date:** 04/17/2018

<b>Summary of Penalties for Inspection Number</b>	<b>1271630</b>
<b>Citation 1, Serious</b>	<b>\$37808.00</b>
<b>Citation 2, Willful</b>	<b>\$142270.00</b>
<b>Citation 3, Repeat</b>	<b>\$42074.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$222152.00</b>

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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](http://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

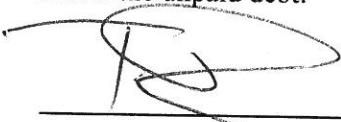
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.



Theresa Downs  
Area Director

4/17/18

Date