

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
53 Pleasant Street, Room 3901  
J.C. Cleveland Federal Bldg.  
Concord, NH 03301  
Phone: 603-225-1629 Fax: 603-225-1580



## Citation and Notification of Penalty

**To:**  
Ken Stanley , dba A+ Roofing  
and its successors  
P.O. Box 983  
51 Charles St.  
Milton, NH 03851

**Inspection Number:** 1165893  
**Inspection Date(s):** 07/07/2016 - 07/07/2016  
**Issuance Date:** 12/20/2016

**Inspection Site:**  
33 and 38 Longfellow Drive  
Bethlehem, NH 03574

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

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

Also, the law requires a copy of all abatement verification documents which are required by 29 CFR 1903.19 be posted at the location where the violation appeared and the corrective action took place.

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

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

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

**Inspection Activity Data** – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at [www.osha.gov](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 12/20/2016. The conference will be held by telephone or at the OSHA office located at 53 Pleasant Street, Room 3901, J.C. Cleveland Federal Bldg., Concord, NH 03301 on

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1165893**

Company Name: Ken Stanley , dba A+ Roofing  
Inspection Site: 33 and 38 Longfellow Drive, Bethlehem, NH 03574  
Issuance Date: 12/20/2016

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 53 Pleasant Street, Room 3901, J.C. Cleveland Federal Bldg., Concord, NH 03301**

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:** Ken Stanley , dba A+ Roofing  
**Inspection Site:** 33 and 38 Longfellow Drive, Bethlehem, NH 03574

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

29 CFR 1926.1053(b)(4): Ladder(s) were used for purposes other than the purpose for which they were designed:

a. Site- An employee working from an aluminum extension ladder is exposed to a fall hazard where the employee is only using the fly section of the extension ladder which is not intended to be supported from the ground.

The employer routinely fails to assure effective protection against falls as required by the standard, as demonstrated on July 7, 2016, when employees were working from an aluminum extension ladder where the employee was only using the fly section of the extension ladder, which is not intended to be supported from the ground at 38 Longfellow Drive, Bethlehem, NH 03574.

*To abate this violation, the employer must ensure that all ladders are used for the purposes for which they were designed.*

*Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including and explanation of how these steps protect employees from fall hazards.*

Date By Which Violation Must be Abated: 12/27/2016  
Proposed Penalty: \$3920.00



**Citation and Notification of Penalty**

**Company Name:** Ken Stanley , dba A+ Roofing  
**Inspection Site:** 33 and 38 Longfellow Drive, Bethlehem, NH 03574

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

29 CFR 1926.100(a): Employees working in areas where there was a possible danger of head injury from impact, or falling or flying objects, or from electrical shock and burns, were not protected by protective helmets:

a. Site- Employees working from the ground, underneath roof eaves and scaffolding, are not protected from overhead struck by hazards where head protection is not worn at the site.

The employer routinely fails to assure effective protection against head injury as required by the standard, as demonstrated on July 7, 2016, when employees were working from the ground, underneath roof eaves and scaffolding, were not protected from overhead struck by hazards where head protection was not worn at the site at 33 and 38 Longfellow Drive, Bethlehem, NH.

*Ken Stanley DBA A+ previously committed a willful violation of this standard on June 12, 2014, with respect to a workplace located at 481 High Street, Somersworth, NH which was contained in OSHA inspection number 980629.*

*Ken Stanley DBA A+ previously committed a serious violation of this standard on January 6, 2004, with respect to a workplace located at 338 Route 4, Northwood, NH, 03261 which was contained in OSHA inspection number 306944810.*

*To abate this violation, the employer must ensure employees are protected from head injury with adequate head protection.*

*Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including and explanation of how these steps protect employees from head injury.*

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 12/27/2016  
Proposed Penalty: \$47032.00

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:** Ken Stanley , dba A+ Roofing  
**Inspection Site:** 33 and 38 Longfellow Drive, Bethlehem, NH 03574

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

29 CFR 1926.102(a)(1): Eye and face protective equipment were not used when machines or operations presented potential eye or face injury from physical, chemical, or radiation agents:

a. Site- Employees operating pneumatic nail guns are not protected from eye injuries where eye protection is not worn.

The employer routinely fails to assure effective protection against eye injuries as required by the standard, as demonstrated on July 7, 2016, when employees were operating pneumatic nail guns where eye protection was not worn at the site at 38 Longfellow Drive, Bethlehem, NH.

*Ken Stanley DBA A+ previously committed a serious violation of this standard on June 12, 2014, with respect to a workplace located at 481 High Street, Somersworth, NH which was contained in OSHA inspection number 980629.*

*Ken Stanley and Gwen Lancey DBA G.L. A Plus Exteriors previously committed a serious violation of this standard on December 19, 2014, with respect to a workplace located at N. Lowell Road, Windham, NH 03087 which was contained in OSHA inspection number 1014888.*

*To abate this violation, the employer must ensure employees are protected from eye injury with adequate eye protection.*

*Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including and explanation of how these steps protect employees from eye injuries.*

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 12/27/2016  
Proposed Penalty: \$47032.00

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:** Ken Stanley , dba A+ Roofing  
**Inspection Site:** 33 and 38 Longfellow Drive, Bethlehem, NH 03574

**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 3a** Type of Violation: **Willful**

29 CFR 1926.451(g)(1)(i): Each employee on a boatswains' chair, catenary scaffold, float scaffold, needle beam scaffold, or ladder jack scaffold was not protected by a personal fall arrest system:

- a. Site- Employees working from a ladder jack scaffold are exposed to a fall of approximately 18 feet where personal fall arrest equipment is not utilized.

The employer routinely fails to assure effective protection against falls as required by the standard, as demonstrated on July 7, 2016, when employees working from a ladder jack scaffold were exposed to a fall of approximately 18 feet where personal fall arrest equipment was not utilized at 38 Longfellow Drive, Bethlehem, NH.

*Ken Stanley DBA A+ previously committed a serious violation of this standard on August 6, 2013, with respect to a workplace located at 121 Winchester Street, Keene, NH 03431 which was contained in OSHA inspection number 928024.*

*To abate this violation, the employer must ensure that all employees are adequately protected from falls while working on ladder jack scaffolds.*

*Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including and explanation of how these steps protect employees from fall hazards.*

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	12/27/2016
Proposed Penalty:	\$54872.00



**Citation and Notification of Penalty**

**Company Name:** Ken Stanley , dba A+ Roofing  
**Inspection Site:** 33 and 38 Longfellow Drive, Bethlehem, NH 03574

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

29 CFR 1926.501(b)(13): Each employee(s) engaged in residential construction activities 6 feet (1.8 m) or more above lower levels were not protected by guardrail systems, safety net system, or personal fall arrest system, nor were employee(s) provided with an alternative fall protection measure under another provision of paragraph 1926.501 (b):

a. Site- Employees working from the roof are exposed to a fall of approximately 18 feet where fall protection is not utilized.

The employer routinely fails to assure effective protection against falls as required by the standard, as demonstrated on July 7, 2016, when employees working from a roof were exposed to a fall of approximately 18 feet where personal fall arrest equipment was not utilized at 33 and 28 Longfellow Drive, Bethlehem, NH.

*Ken Stanley and Gwen Lancey DBA G.L. A Plus Exteriors previously committed a willful violation of this standard on October 10, 2014, with respect to a workplace located at 14 Tri City Road, Somersworth, NH 03878 which was contained in OSHA inspection number 1000071.*

*Ken Stanley DBA A+ Roofing previously committed a willful violation of a similar standard on June 12, 2014, with respect to a workplace located at 481 High Street, Somersworth, NH 03878 which was contained in OSHA inspection number 980629.*

*Ken Stanley DBA A+ Roofing previously committed a repeat violation of a similar standard on August 6, 2013, with respect to a workplace located at 121 Winchester Street, Keene, NH 03431 which was contained in OSHA inspection number 928024.*

*Ken Stanley DBA A+ Roofing previously committed a repeat violation of a similar standard on April 18, 2012, with respect to a workplace located at White Mountain Hwy. North Conway, NH 03860 which was contained in OSHA inspection number 399082.*

*(continued on next page)*



**Citation and Notification of Penalty**

**Company Name:** Ken Stanley , dba A+ Roofing  
**Inspection Site:** 33 and 38 Longfellow Drive, Bethlehem, NH 03574

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*Ken Stanley DBA A+ Roofing previously committed a serious violation of a similar standard on August 23, 2011, with respect to a workplace located at Main Street and Winter Street, Haverhill, MA 01830 which was contained in OSHA inspection number 315790758.*

*Ken Stanley DBA A+ previously committed a serious violation of a similar standard on February 25, 2004, with respect to a workplace located at 1 Bousch Street, Kittery, ME 03904 which was contained in OSHA inspection number 113797872.*

*Ken Stanley DBA A+ Roofing previously committed a serious violation of a similar standard on January 6, 2004, with respect to a workplace located at 338 Route 4, Northwood, NH 03261 which was contained in OSHA inspection number 306944810.*

*To abate this violation, the employer must ensure that all employees are adequately protected from falls while working on roofs.*

*Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including and explanation of how these steps protect employees from fall hazards.*

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

12/27/2016



**Citation and Notification of Penalty**

**Company Name:** Ken Stanley , dba A+ Roofing  
**Inspection Site:** 33 and 38 Longfellow Drive, Bethlehem, NH 03574

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

29 CFR 1926.451(e)(1): When scaffold platforms were 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 other scaffold, structure, personnel hoist, or similar surface was not used:

a. Site- Employees accessing a ladder jack scaffold from an aluminum extension ladder supporting the ladder jack scaffold was exposed to a fall hazard where a separate access ladder is not utilized.

The employer routinely fails to assure effective protection against falls as required by the standard, as demonstrated on July 7, 2016, when employees accessing a ladder jack scaffold from an aluminum extension ladder supporting the ladder jack scaffold was exposed to a fall hazard where a separate access ladder was not utilized at 38 Longfellow Drive, Bethlehem, NH.

***Ken Stanley DBA A+ Roofing previously committed a serious violation of a similar standard on August 6, 2013, with respect to a workplace located at 121 Winchester Street, Keene, NH 03431 which was contained in OSHA inspection number 928024.***

*To abate this violation, the employer must ensure that all employees are adequately protected from falls while accessing ladder jack scaffolds.*

*Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including and explanation of how these steps protect employees from fall hazards.*

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated: 12/27/2016  
Proposed Penalty: \$10974.00



**Citation and Notification of Penalty**

**Company Name:** Ken Stanley , dba A+ Roofing  
**Inspection Site:** 33 and 38 Longfellow Drive, Bethlehem, NH 03574

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

29 CFR 1926.503(a)(1): The employer did not provide a training program for each employee potentially exposed to fall hazards to enable each employee to recognize the hazards of falling and the procedures to be followed in order to minimize these hazards:

a. Site- Employees exposed to a fall hazard are not provided with fall protection training from the employer.

The employer routinely fails to assure effective protection against falls as required by the standard, as demonstrated on July 7, 2016, when employees exposed to a fall hazard are not provided with fall protection training from the employer at 33 and 28 Longfellow Drive, Bethlehem, NH.

*Ken Stanley and Gwen Lancey DBA GL. A Plus Exteriors previously committed a serious violation of this standard on October 10, 2014, with respect to a workplace located at 14 Tri City Road, Somersworth, NH 03878 which was contained in OSHA inspection number 1000071.*

*Ken Stanley DBA A+ Roofing previously committed a serious violation of a similar standard on June 12, 2014, with respect to a workplace located at 481 High Street, Somersworth, NH 03878 which was contained in OSHA inspection number 980629.*

*Ken Stanley DBA A+ Roofing previously committed a serious violation of this standard on January 6, 2004, with respect to a workplace located at 338 Route 4, Northwood, NH 03261 which was contained in OSHA inspection number 306944810.*

*To abate this violation, the employer must ensure that all employees are adequately trained in regards to fall hazards.*

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

**Inspection Number:** 1165893  
**Inspection Date(s):** 07/07/2016 - 07/07/2016  
**Issuance Date:** 12/20/2016



**Citation and Notification of Penalty**

**Company Name:** Ken Stanley , dba A+ Roofing  
**Inspection Site:** 33 and 38 Longfellow Drive, Bethlehem, NH 03574

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*Pursuant to 29 CFR 1903.19, the employer must submit documents describing the steps it is taking to ensure compliance, including and explanation of how these steps protect employees from fall hazards.*

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	01/10/2017
Proposed Penalty:	\$10974.00

A handwritten signature in blue ink that reads "Rosemarie O. Cole". The signature is written in a cursive style and is positioned above a horizontal line.

**Rosemarie O. Cole**  
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  
53 Pleasant Street  
Room 3901, J.C. Cleveland Federal Bldg.  
Concord, NH 03301  
Phone: 603-225-1629 Fax: 603-225-1580



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Ken Stanley , dba A+ Roofing  
**Inspection Site:** 33 and 38 Longfellow Drive, Bethlehem, NH 03574  
**Issuance Date:** 12/20/2016

<b>Summary of Penalties for Inspection Number</b>	<b>1165893</b>
<b>Citation 1, Serious</b>	<b>\$3920.00</b>
<b>Citation 2, Willful</b>	<b>\$148936.00</b>
<b>Citation 3, Repeat</b>	<b>\$21948.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$174804.00</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

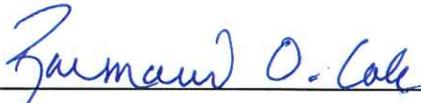
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.

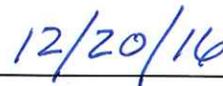
**Delinquent Charges:** A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%)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



Rosemarie O. Cole

Area Director



Date