

U.S. Department of Labor

Occupational Safety and Health Administration
405 Capitol Street
Suite 407
Charleston, WV 25301



Citation and Notification of Penalty

To:

Roofing Solutions, LLC
42 Wildberry Drive
Charleston, WV 25312

Inspection Number: 1392545

Inspection Date(s): 04/10/2019 - 04/10/2019

Issuance Date: 09/27/2019

Inspection Site:

1619 Pennsylvania Ave
Charleston, WV 25317

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 by calling 304-347-5937. 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 09/27/2019. The conference will be held by telephone or at the OSHA office located at 405 Capitol Street, Suite 407, Charleston, WV 25301 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1392545

Company Name: Roofing Solutions, LLC
Inspection Site: 1619 Pennsylvania Ave, Charleston, WV 25317
Issuance Date: 09/27/2019

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, 405 Capitol Street, Suite 407, Charleston, WV 25301**

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

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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

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

Inspection Number: 1392545
Inspection Date(s): 04/10/2019 - 04/10/2019
Issuance Date: 09/27/2019



Citation and Notification of Penalty

Company Name: Roofing Solutions, LLC
Inspection Site: 1619 Pennsylvania Ave, Charleston, WV 25317

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

29 CFR 1926.102(a)(1): The employer did not ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation:

(a) 1619 Pennsylvania Ave, Charleston- On or about 4/10/19, Employees were not provided with and required to use eye protection while operating and working near combustion nail guns, exposing employee to eye hazards.

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.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	10/03/2019
Proposed Penalty:	\$6630.00

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: 1392545
Inspection Date(s): 04/10/2019 - 04/10/2019
Issuance Date: 09/27/2019



Citation and Notification of Penalty

Company Name: Roofing Solutions, LLC
Inspection Site: 1619 Pennsylvania Ave, Charleston, WV 25317

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 1926.501(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) 1619 Pennsylvania Ave - On or about 4/10/19, employees performing roofing work were not provided with fall protection, exposing employees to falls of 10 - 15 feet.

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:	10/07/2019
Proposed Penalty:	\$66299.00

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: 1392545
Inspection Date(s): 04/10/2019 - 04/10/2019
Issuance Date: 09/27/2019



Citation and Notification of Penalty

Company Name: Roofing Solutions, LLC
Inspection Site: 1619 Pennsylvania Ave, Charleston, WV 25317

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

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.

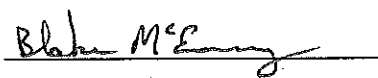
(a) 1619 Pennsylvania Ave - On or about 4/10/19, the employer did not train the employees on the hazards of working from heights and the procedures to follow to protect themselves when working at heights of up to 15ft. above grade.

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:

10/17/2019


for **Prentice Cline**
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
405 Capitol Street
Suite 407
Charleston, WV 25301



INVOICE / DEBT COLLECTION NOTICE

Company Name: Roofing Solutions, LLC
Inspection Site: 1619 Pennsylvania Ave, Charleston, WV 25317
Issuance Date: 09/27/2019

Summary of Penalties for Inspection Number	1392545
Citation 1, Serious	\$6630.00
Citation 2, Willful	\$66299.00
TOTAL PROPOSED PENALTIES	\$72929.00

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

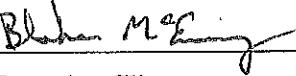
account, the bank will attempt to make the transfer up to 2 times.

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.


for **Prentice Cline**
Area Director

9-27-2019
Date

U.S. Department of Labor

Occupational Safety and Health Administration
405 Capitol Street
Suite 407
Charleston, WV 25301



Citation and Notification of Penalty

To:

Roofing Solutions, LLC
42 Wildberry Drive
Charleston, WV 25312

Inspection Number: 1396007

Inspection Date(s): 04/22/2019 - 04/22/2019

Issuance Date: 09/27/2019

Inspection Site:

2144 21st Street
Nitro, WV 25143

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.

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1396007

Company Name: Roofing Solutions, LLC
Inspection Site: 2144 21st Street, Nitro, WV 25143
Issuance Date: 09/27/2019

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, 405 Capitol Street, Suite 407, Charleston, WV 25301**

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

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By (Method of Abatement): _____

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

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

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

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

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

Signature

Date

Typed or Printed Name

Title

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

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

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

Inspection Number: 1396007
Inspection Date(s): 04/22/2019 - 04/22/2019
Issuance Date: 09/27/2019



Citation and Notification of Penalty

Company Name: Roofing Solutions, LLC
Inspection Site: 2144 21st Street, Nitro, WV 25143

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

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

(a) 2144 21st Street, Nitro - On or about 4/22/19, employees exposed to falling debris were not provided with and required to use protective helmets, exposing employees to struck-by hazards.

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:
Proposed Penalty:

10/03/2019
\$5683.00

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: 1396007
Inspection Date(s): 04/22/2019 - 04/22/2019
Issuance Date: 09/27/2019



Citation and Notification of Penalty

Company Name: Roofing Solutions, LLC
Inspection Site: 2144 21st Street, Nitro, WV 25143

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 1926.501(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) 2144 21st Street, Nitro - On or about 4/22/19, employees performing roofing work were not provided with fall protection, exposing employees to falls of 19 - 29 feet.

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:

10/07/2019
\$66299.00

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: 1396007
Inspection Date(s): 04/22/2019 - 04/22/2019
Issuance Date: 09/27/2019



Citation and Notification of Penalty

Company Name: Roofing Solutions, LLC
Inspection Site: 2144 21st Street, Nitro, WV 25143

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

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) 2144 21st Street, Nitro - On or about 4/22/19, the employer did not train the employees on the hazards of working from heights and the procedures to follow to protect themselves when working at heights of up to 15ft. above grade.

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:

10/17/2019

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: 1396007
Inspection Date(s): 04/22/2019 - 04/22/2019
Issuance Date: 09/27/2019



Citation and Notification of Penalty

Company Name: Roofing Solutions, LLC
Inspection Site: 2144 21st Street, Nitro, WV 25143

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

29 CFR 1926.1053(b)(1): Where portable ladders were used for access to an upper landing surface and the ladder's length allows, the ladder side rails did not extend at least 3 feet (.9 m) above the upper landing surface being accessed:

(a) 2144 21st Street, Nitro - On or about 4/22/19 employees were accessing a roof using an aluminum extension ladder which was not extended 3ft. above the landing surface.

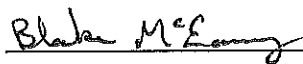
Roofing Solutions was previously cited for a violation of this occupational safety and health standard, which was contained in OSHA Inspection Number 1222642, Citation Number 1, Item Number 3/a and was affirmed as a final order on 6/15/2017, with respect to a workplace located at 6401 MacCorkle Avenue SE, Charleston, WV

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:

10/03/2019
\$13260.00


for **Prentice Cline**
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
405 Capitol Street
Suite 407
Charleston, WV 25301



INVOICE / DEBT COLLECTION NOTICE

Company Name: Roofing Solutions, LLC
Inspection Site: 2144 21st Street, Nitro, WV 25143
Issuance Date: 09/27/2019

Summary of Penalties for Inspection Number	1396007
Citation 1, Serious	\$5683.00
Citation 2, Willful	\$66299.00
Citation 3, Repeat	\$13260.00
TOTAL PROPOSED PENALTIES	\$85242.00

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

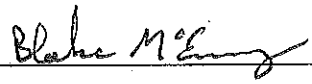
original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

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.


for **Prentice Cline**
Area Director

9-27-2019
Date

U.S. Department of Labor

Occupational Safety and Health Administration
405 Capitol Street
Suite 407
Charleston, WV 25301



Notification of Failure to Abate Alleged Violations

To:

Roofing Solutions, LLC
42 Wildberry Drive
Charleston, WV 25312

Original Inspection Number: 1222642

Original Inspection Date: 04/05/2017 - 04/05/2017

Inspection Number: 1396007

Inspection Date(s): 04/22/2019 - 04/22/2019

Issuance Date: 09/27/2019

Inspection Site:

6401 MacCorkle Avenue SE
Charleston, WV 25304

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

After the original inspection, a Citation(s) was issued to you in accordance with the provisions of the Occupational Safety and Health Act of 1970 (the Act), notifying you of certain violations of the Act and the dates by which they were to be abated. Based upon re-inspection, it is alleged that you have failed to abate the violation(s) listed below within the time prescribed, and the following additional penalties are proposed. The additional penalty is computed by multiplying a daily penalty times the number of days the violation(s) remained unabated. You are to notify the Area Director in writing of the date and nature of the corrective action taken. If you do not abate the violation(s), further penalties may be proposed and other enforcement action to compel abatement may be taken under section 11(b) of the Act. If you have any questions please contact this office at 304-347-5937

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 OSHA office issuing the citation and identified above. The certification must be sent by you within 10 calendar days of the abatement date indicated on the citation. For **Willful** and **Repeat** violations, documents (examples: photos, copies of receipts, training records, etc.) demonstrating that abatement is complete must accompany the certification. Where the citation is classified as **Serious** and the citations states the 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 certificate is required for that item.

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

abatement.

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

You are further notified that you must pay the ADDITIONAL PENALTY unless you inform the Area Director in writing that you intend to contest the Notification or the Additional Penalty within 15 working days (excluding weekends and Federal holidays) from your receipt of this notification. If you do not contest within 15 working days after receipt, the Notification and the additional penalties will become the final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency. Issuance of this Notification 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 the Notification is affirmed by the Review Commission.

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](http://www.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.

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 the OSHA to discuss the Notification of Failure to Abate Alleged Violations issued on 09/27/2019. The conference will be held by telephone or at the OSHA office located at 405 Capitol Street, Suite 407, Charleston, WV 25301 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Original Inspection Number: 1222642

Company Name: Roofing Solutions, LLC
Inspection Site: 6401 MacCorkle Avenue SE, Charleston, WV 25304
Issuance Date: 09/27/2019

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, 405 Capitol Street, Suite 407, Charleston, WV 25301**

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.

NAME OF COMPANY OFFICIAL **DATE**

TITLE

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

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

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



Notification of Failure to Abate Alleged Violation

Original Inspection: 1222642

Inspection Number: 1396007

Original Inspection Dates: 04/05/2017 - 04/05/2017

Inspection Date(s): 04/22/2019 - 04/22/2019

Issuance Date: 09/27/2019

Company Name: Roofing Solutions, LLC

Inspection Site: 6401 MacCorkle Avenue SE, Charleston, WV 25304

Citation 1 Item 1 b

29 CFR 1926.20(b)(1): The employer did not initiate and maintain accident prevention programs as necessary to comply with this part:

(a) On or about April 5, 2017 and times prior, a safety and health program had not been initiated and maintained which addressed the following basic elements:

1. Management Commitment and Leadership
 - A. Policy statement: goals established, issued, and communicated to employees.
 - B. Program Reviewed Annually.
 - C. Participation in safety meetings, inspections; agenda item in meetings.
 - D. Adequate commitment of resources.
 - E. Safety rules and procedures incorporated into site operations.
 - F. Management observations of safety rules.
2. Assignment of Responsibility
 - A. Safety designee on site, knowledgeable, and accountable.
 - B. Supervisors' (including foremen) safety and health responsibilities understood.
 - C. Employees adherence to safety rules.
3. Identification and Control of Hazards
 - A. Periodic site inspection program involving supervisors.
 - B. Preventive controls in place (PPE, Maintenance, and Engineering Controls).
 - C. Action taken to address hazards.
 - D. Safety Committee, where appropriate.
 - E. Technical reference materials available.
4. Training and Education
 - A. Supervisors receive basic safety and health training.
 - B. Specialized training taken when needed.
 - C. Existence of an employee training program, which is ongoing and effective.

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



Notification of Failure to Abate Alleged Violation

Original Inspection: 1222642

Inspection Number: 1396007

Original Inspection Dates: 04/05/2017 - 04/05/2017

Inspection Date(s): 04/22/2019 - 04/22/2019

Issuance Date: 09/27/2019

Company Name: Roofing Solutions, LLC

Inspection Site: 6401 MacCorkle Avenue SE, Charleston, WV 25304

5. Recordkeeping and Hazard Analysis

- A. Records maintained of employee illnesses/injuries, and posted.
- B. Supervisors perform incident investigations, determine causes, and propose corrective action.
- C. Injuries, near misses, and illnesses are evaluated for trends, similar causes; corrective action initiated.

6. First Aid and Medical Assistance

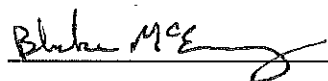
- A. First aid supplies and medical services available.
- B. Employees informed of medical results.
- C. Emergency procedures and training, where necessary.

This condition was first observed on April 5, 2017 and on 4/22/19 it was still not abated.

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.

Additional Penalty:

\$ 44817.00


for **Prentice Cline**
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
405 Capitol Street
Suite 407
Charleston, WV 25301
304-347-5937 Fax: 304-347-5275



INVOICE / DEBT COLLECTION NOTICE

Company Name: Roofing Solutions, LLC
Inspection Site: 6401 MacCorkle Avenue SE, Charleston, WV 25304
Issuance Date: 09/27/2019

Summary of Additional Penalties for Inspection Number 1222642
Followup Inspection Number 1396007

TOTAL ADDITIONAL PROPOSED PENALTIES \$ 44817.00

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:

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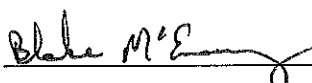
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within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

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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 accessed for demand letters sent in an attempt to collect the unpaid debt.


for **Prentice Cline**
Area Director

9-27-2019
Date