

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



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## Citation and Notification of Penalty

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**To:**  
Shoreline Foundation, Inc.  
and its successors  
2781 SW 56th Avenue  
Pembroke Park, FL 33023

**Inspection Number:** 1021105  
**Inspection Date(s):** 01/27/2015 - 01/27/2015  
**Issuance Date:** 07/23/2015

**Inspection Site:**  
1 East 11 Street  
Slip 3  
Riviera Beach, FL 33404

*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 07/23/2015. The conference will be held by telephone or at the OSHA office located at 1000 South Pine Island Road, Suite 100, Fort Lauderdale, FL 33324 on \_\_\_\_\_ at \_\_\_\_\_.

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

## CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

**Inspection Number: 1021105**

Company Name: Shoreline Foundation, Inc.  
Inspection Site: 1 East 11 Street, Slip 3, Riviera Beach, FL 33404  
Issuance Date: 07/23/2015

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

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

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

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

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

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

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

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

**U.S. Department of Labor**  
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**Citation and Notification of Penalty**

**Company Name:** Shoreline Foundation, Inc.  
**Inspection Site:** 1 East 11 Street, Slip 3, Riviera Beach, FL 33404

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

29 CFR 1926.25(a): During the course of construction, alteration, or repairs, debris was not kept cleared from work areas, passageways, and stairs, in and around buildings or other structures:

- a) On or about 01/27/2015, at the above addressed worksite, construction debris, ropes, rebar rods, garbage, sheets of plywood and pieces of lumber were strewn along the edge of the pier wall where the employees were working exposing them to fall hazards.
- b) On or about 01/28/2015, at the above addressed worksite, construction debris, ropes, rebar rods, garbage, sheets of plywood and pieces of lumber were strewn along the edge of the pier wall where the employees were working exposing them to fall hazards.
- c) On or about 02/05/2015, at the above addressed worksite, construction debris, ropes, rebar rods, garbage, sheets of plywood and pieces of lumber were strewn along the edge of the pier wall where the employees were working exposing them to fall hazards.

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

**08/04/2015**  
**\$6600.00**

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

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

29 CFR 1926.106(c): Ring buoys were not readily available for emergency rescue operations:

On or about 01/27/2015, at the above addressed work site, a ring buoy was not readily available for emergency rescue at the seawall on the south side of slip #3 exposing employees to a drowning hazard.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/29/2015
Proposed Penalty:	\$5500.00

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**  
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**Issuance Date:** 07/23/2015



**Citation and Notification of Penalty**

**Company Name:** Shoreline Foundation, Inc.  
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**Citation 1 Item 3** Type of Violation: **Serious**

29 CFR 1926.106(d): A lifesaving skiff was not immediately available at locations where employees were working over or adjacent to water.

- a) On or about 01/27/2015 at the above addressed worksite, a life saving skiff was not available for divers and employees working at the edge of the seawall exposing them to drowning hazards.
- b) On or about 02/04/2015 at the above addressed worksite, a life saving skiff was not available for divers and employees working at the edge of the seawall exposing them to drowning hazards.
- c) On or about 02/18/2015 at the above addressed worksite, a life saving skiff was not available for divers and employees working at the edge of the seawall exposing them to drowning hazards.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

<b>Date By Which Violation Must be Abated:</b>	<b>07/29/2015</b>
<b>Proposed Penalty:</b>	<b>\$7000.00</b>

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

29 CFR 1926.451(b)(2): Scaffold platforms and walkways were not at least 18 inches wide alongside the dock wall.

On or about 01/27/2015, at the above addressed worksite, an employee working without fall protection was exposed to a fall hazard onto steel beams while working on a narrow 4-inch plank alongside a dock wall.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

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

**07/29/2015**  
**\$7000.00**

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

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

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

On or about 02/04/2015, at the above addressed worksite, employees standing on top of a wall at the edge of a dock without fall protection were exposed to a fall hazard of approximately 8-feet.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/29/2015
Proposed Penalty:	\$7000.00

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

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**Company Name:** Shoreline Foundation, Inc.  
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**Citation 1 Item 6** Type of Violation: **Serious**

29 CFR 1926.605(b)(2): Employees were not provided safe access (i.e., ramp or walkway) to or from the wharf, float, barge, or river towboat:

On or about 02/18/2015, at the above addressed worksite, employees were exposed to a fall hazard of approximately 4-feet while accessing a walkway that was not secured between the pier and a barge.

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

**07/29/2015**  
**\$4400.00**

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

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**Issuance Date:** 07/23/2015



**Citation and Notification of Penalty**

**Company Name:** Shoreline Foundation, Inc.  
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**Citation 1 Item 7** Type of Violation: **Serious**

29 CFR 1926.605(c)(2): The employer did not ensure that the deck or working surface of a barge was maintained in a safe condition:

- a) On or about 01/27/2015, at the above addressed worksite, employees were exposed to tripping hazards while walking on the damaged timbers to access the crane on the deck of a barge supporting the American Crane.
- b) On or about 01/27/2015, at the above addressed worksite, employees were exposed to tripping hazards while walking on the damaged timbers to access the crane on the deck of a barge supporting the Link Belt Crane.

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

**08/04/2015**  
**\$4400.00**

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

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**Company Name:** Shoreline Foundation, Inc.  
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**Citation 1 Item 8**    Type of Violation: **Serious**

29 CFR 1926.701(b): All protruding reinforcing steel, onto and/or into which employees could fall or come against, was not guarded to eliminate the hazard of impalement.

a) On or about 01/27/2015, at the above addressed worksite, employees working on the dock were exposed to impalement hazards from vertical uncapped rebar rods at the edge of the seawall at slip #3.

b) On or about 02/18/2015, at the above addressed worksite, employees working in the water adjacent to the dock were exposed to impalement hazards from horizontal uncapped rebar rods on the wall of the seawall at slip #3.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/29/2015  
\$7000.00

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

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

29 CFR 1926.1053(a)(11): Ladder components were not surfaced to prevent injury to employees from punctures or lacerations, and/or to prevent snagging of clothing:

On or about 01/27/2015, at the above addressed worksite, employees were exposed to laceration hazards when using two job-made ladders with split wood and protruding nails.

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

**07/29/2015**  
**\$4400.00**

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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 10 a**      Type of Violation: **Serious**

29 CFR 1926.1053(b)(6): Ladders were used on surfaces which were not stable and level:

On or about 01/27/2015, at the above addressed worksite, employees were exposed to fall hazards when using a job made ladder to access a barge. The ladder that was on an unstable surface and not secured.

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

**07/29/2015**  
**\$4400.00**

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

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

29 CFR 1926.1053(b)(10): The tops of a non-self-supporting ladder were not placed with the two rails supported equally:

On or about 01/27/2015, at the above addressed work site, a job made ladder rung was leaning on an upright 2x4 at the sea wall and the side rails were not supported.

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

**07/29/2015**

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



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**Citation 1 Item 11** Type of Violation: **Serious**

29 CFR 1926.1412(b)(1)(i): The qualified person must determine if the repair/adjustment meets manufacturer equipment criteria (where applicable and available).

a) On or about 01/27/2015 to 02/18/2015, at the above addressed work site, an American crane without the proper attachments for pneumatic hose lines was being used to dredge and assist in the construction of a new bulkhead and was not taken out of service.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/29/2015  
\$7000.00

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**Citation 1 Item 12 Type of Violation: **Serious****

29 CFR 1926.1416(e)(1): Crane equipment did not have a boom angle or radius indicator readable from the operator's station and alternative measures were not used to determine the booms angle or radius.

On or about 01/27/2015 to 02/18/2015, at the above addressed work site, a Link-Belt crane without a functioning boom angle indicator was being used to set sheet piles and assisting in the construction of a new bulkhead.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

<b>Date By Which Violation Must be Abated:</b>	<b>07/29/2015</b>
<b>Proposed Penalty:</b>	<b>\$7000.00</b>

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**Citation 1 Item 13** Type of Violation: **Serious**

29 CFR 1926.1423(c)(2): The employer did not maintain in good condition originally-equipped steps, handholds, ladders and guardrails/railings/grab rails.

On or about the time period from 01/27/2015 to 02/18/ 2015, an American crawler crane on a barge had steps that were bent and not in good condition exposing the operator to a fall hazard.

**Date By Which Violation Must be Abated:**  
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**07/29/2015**  
**\$4400.00**

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**Citation 1 Item 14 Type of Violation: **Serious****

29 CFR 1926.1424(a)(2)(ii): To prevent employees from entering hazard areas, the employer did not erect and maintain control lines, warning lines, railings or similar barriers to mark the boundaries of the hazard areas and/or did not train each employee to understand what these markings signify:

On or about 02/18/2015, at the above addressed work site, employees were exposed to a struck-by hazard while working adjacent to the rotating cab of a Link-Belt crane.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/29/2015
Proposed Penalty:	\$7000.00

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**Citation 1 Item 15** Type of Violation: **Serious**

29 CFR 1926.1437(n)(1)(i): The employer did not ensure, for land cranes/derricks used on barges, pontoons, vessels or other means of flotation, that the rated capacity of the equipment (including but not limited to modification of load charts) applicable for use on land is reduced to account for increased loading from list trim wave action and wind:

On or about 01/27/2015 to 02/18/2015, at the above addressed worksite, the employer did not ensure that the rated capacity of two cranes operating on barges was reduced to account for increased loading from list, trim, wave action, and wind.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/04/2015  
\$7000.00

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**Citation 1 Item 16** Type of Violation: **Serious**

29 CFR 1926.1437(n)(5)(i): The crane/derrick was not physically attached to the barge, pontoons, vessel or other means of flotation:

On or about the time frame from 01/27/2015 to 02/18/2015, at the above addressed worksite, two crawler cranes being operated on barges were not physically attached to the barge creating the hazard of a crane failure.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	07/29/2015
Proposed Penalty:	\$7000.00

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

29 CFR 1926.95(a): Protective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, respiratory devices, and protective shields and barriers, were not provided:

On or about 01/27/2015 to 02/18/2015, at the above addressed work site, employees working adjacent to sharp metal edges on steel sheet piles and working in the water alongside the seawall under areas where they could sustain a head injury from falling tools such as but not limited to hammers and pliers were not provided with head protection and were exposed to head, face and body injuries.

Shoreline Foundation, Inc. was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1926.95(a), which was contained in OSHA inspection number 438211, citation number 01, item number 01 and was affirmed as a final order on 06/27/2012, with respect to a workplace located at 4000 Crandon Blvd., in Key Biscayne, Florida.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	08/04/2015
Proposed Penalty:	\$15400.00

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:** 1021105  
**Inspection Date(s):** 01/27/2015 - 01/27/2015  
**Issuance Date:** 07/23/2015



**Citation and Notification of Penalty**

**Company Name:** Shoreline Foundation, Inc.  
**Inspection Site:** 1 East 11 Street, Slip 3, Riviera Beach, FL 33404

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

29 CFR 1926.1433(d)(7)(iii)(A): The cab did not have windows in front and on both sides of the operator:

On or about the time period from 01/27/2015 to 02/18/2015, at the above addressed worksite, an American crawler crane that was being operated on a barge did not have windows.

Date By Which Violation Must be Abated:  
Proposed Penalty:

08/04/2015  
\$0.00

**Condell Eastmond**  
Area Director

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



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



## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** Shoreline Foundation, Inc.  
**Inspection Site:** 1 East 11 Street, Slip 3, Riviera Beach, FL 33404  
**Issuance Date:** 07/23/2015

<b>Summary of Penalties for Inspection Number</b>	<b>1021105</b>
<b>Citation 1, Serious</b>	<b>\$97100.00</b>
<b>Citation 2, Repeat</b>	<b>\$15400.00</b>
<b>Citation 3, Other-than-Serious</b>	<b>\$0.00</b>
<b>TOTAL PROPOSED PENALTIES</b>	<b>\$112500.00</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.

  
Condell Eastmond

Area Director

7/23/2015  
Date