

U.S. Department of Labor Occupational Safety and Health Administration
5807 Breckenridge Pkwy
Suite A
Tampa, FL 33610



09/11/2024

BLACKTIP BOATWORKS LLC
and its successors
7301 74th Street North
Pinellas Park, FL 33781

Dear Employer:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet entitled, "Employer Rights and Responsibilities Following an OSHA Inspection", (OSHA 3000), which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussions in person or by telephone. Please contact me at (813) 626-1177.

You will note on page 6 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

As indicated on page 3 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

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 the citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the Citations as soon as the time, date and the place of the informal conference have been determined. Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of 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.

You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of 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.

Sincerely,

Danelle Jindra
Area Director

Enclosures

U.S. Department of Labor
Occupational Safety and Health Administration
5807 Breckenridge Pkwy
Suite A
Tampa, FL 33610



Citation and Notification of Penalty

To:
BLACKTIP BOATWORKS LLC
and its successors
7301 74th Street North
Pinellas Park, FL 33781

Inspection Number: 1736375
Inspection Date(s): 03/13/2024 - 03/13/2024
Issuance Date: 09/11/2024

Inspection Site:
7301 74th Street North
Pinellas Park, FL 33781

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 (813) 626-1177. 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 at www.pay.gov. At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. 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 09/11/2024. The conference will be held by telephone or at the OSHA office located at 5807 Breckenridge Pkwy, Suite A, Tampa, FL 33610 on _____ at

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

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Inspection Number: 1736375

Company Name: BLACKTIP BOATWORKS LLC
Inspection Site: 7301 74th Street North, Pinellas Park, FL 33781
Issuance Date: 09/11/2024

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, 5807 Breckenridge Pkwy, Suite A, Tampa, FL 33610.**

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
Occupational Safety and Health Administration

Inspection Number: 1736375
Inspection Date(s): 03/13/2024 - 03/13/2024
Issuance Date: 09/11/2024



Citation and Notification of Penalty

Company Name: BLACKTIP BOATWORKS LLC
Inspection Site: 7301 74th Street North, Pinellas Park, FL 33781

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

OSH ACT of 1970 Section (5)(a)(1): The employer did not furnish employment and a place of employment which were free from recognized hazards that were causing or likely to cause death or serious physical harm to employees, in that, employees were exposed to crush-by hazards:

a: At 7301 74th Street North Pinellas Park, Florida; On or about March 13, 2024, the gantry crane was not periodically inspected at least once every 12 months, in that, the gantry crane used by employees to lift boats and boat components during assembling activities had signs of corrosion and/or damage.

Among other methods, one feasible and acceptable abatement method to correct this hazardous condition would be to conduct frequent and periodic visual examinations and inspections by a designated person.

Date By Which Violation Must be Abated:
Proposed Penalty:

October 29, 2024
\$4,610.00

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: 1736375
Inspection Date(s): 03/13/2024 - 03/13/2024
Issuance Date: 09/11/2024



Citation and Notification of Penalty

Company Name: BLACKTIP BOATWORKS LLC
Inspection Site: 7301 74th Street North, Pinellas Park, FL 33781

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

29 CFR 1910.106(e)(6)(ii): Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100 °F (37.8 °C), were dispensed into containers without the nozzle and container being electrically interconnected:

a: At 7301 74th Street North Pinellas Park, Florida; On or about March 13, 2024, the employer failed to ensure that category 3 flammable liquids such as the lamination resin drums in the lamination department were transferred between containers that cannot be electrically interconnected; exposing employees to a fire hazard.

Date By Which Violation Must be Abated:
Proposed Penalty:

October 29, 2024
\$4,610.00

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: BLACKTIP BOATWORKS LLC
Inspection Site: 7301 74th Street North, Pinellas Park, FL 33781

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

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

a: At 7301 74th Street North Pinellas Park, Florida; On or about March 13, 2024, the employer did not provide a medical evaluation to determine each employees' ability to use a respiratory before requiring use, in that, employees involved in grinding, cutting and sanding operations and grinding were provided and required to use tight-fitting facepiece respirators.

The BLACKTIP BOATWORKS LLC was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.134(e)(1), which was contained in OSHA inspection number 1656961, citation number 1, item number 3b and was affirmed as a final order on August 8, 2023, with respect to a workplace located at 7301 74th Street North Pinellas Park, Florida 33781.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 29, 2024
Proposed Penalty:	\$7,374.00

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: BLACKTIP BOATWORKS LLC
Inspection Site: 7301 74th Street North, Pinellas Park, FL 33781

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

29 CFR 1910.134(f)(1): The employer did not ensure that employee(s) required to use a tight-fitting facepiece respirator passed the appropriate qualitative fit test (QLFT) or quantitative fit test (QNFT):

a: At 7301 74th Street North Pinellas Park, Florida; On or about March 13, 2024, the employer did not provide a fit test to employees involved in the grinding, cutting and sanding operations, provided and required to use tight-fitting facepiece respirators.

The BLACKTIP BOATWORKS LLC was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.134(f)(1), which was contained in OSHA inspection number 1656961, citation number 1, item number 3c and was affirmed as a final order on August 8, 2023, with respect to a workplace located at 7301 74th Street North Pinellas Park, Florida 33781.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 29, 2024
Proposed Penalty:	\$7,374.00



Citation and Notification of Penalty

Company Name: BLACKTIP BOATWORKS LLC
Inspection Site: 7301 74th Street North, Pinellas Park, FL 33781

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

29 CFR 1910.1200(h)(1): Employees were not provided effective information and training on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard that the employees had not been previously trained about was introduced into their work area:

a: At 7301 74th Street North Pinellas Park, Florida; On or about March 13, 2024, the employer did not provide information and training to employees handling chemical products such as Norox MEKP-9, ArJay, Ultra UHD2399, XM 1808 45/45 cloth and 3M Hitrack 71.

The BLACKTIP BOATWORKS LLC was previously cited for a violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.1200(h)(1), which was contained in OSHA inspection number 1656961, citation number 1, item number 9c and was affirmed as a final order on August 8, 2023, with respect to a workplace located at 7301 74th Street North Pinellas Park, Florida 33781.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:	October 29, 2024
Proposed Penalty:	\$9,219.00

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: 1736375
Inspection Date(s): 03/13/2024 - 03/13/2024
Issuance Date: 09/11/2024



Citation and Notification of Penalty

Company Name: BLACKTIP BOATWORKS LLC
Inspection Site: 7301 74th Street North, Pinellas Park, FL 33781

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

29 CFR 1910.134(k)(6): The employer did not provide the basic advisory information on respirators, as presented in Appendix D of 29 CFR 1910.134, in written or oral format to employees who wear respirators when such use was not required by the employer:

a: At 7301 74th Street North Pinellas Park, Florida; On or about March 13, 2024, the employer did not provide the Appendix D information to employees provided with disposable filtering facepiece respirators for voluntary use while performing lamination activities.

Date By Which Violation Must be Abated:
Proposed Penalty:

October 29, 2024
\$0.00

Danelle Jindra
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
5807 Breckenridge Pkwy
Suite A
Tampa, FL 33610



INVOICE / DEBT COLLECTION NOTICE

Company Name: BLACKTIP BOATWORKS LLC
Inspection Site: 7301 74th Street North, Pinellas Park, FL 33781
Issuance Date: 09/11/2024

Summary of Penalties for Inspection Number: 1736375

Citation 1 Item 1, Serious	\$4,610.00
Citation 1 Item 2, Serious	\$4,610.00
Citation 2 Item 1, Repeat - Serious	\$7,374.00
Citation 2 Item 2, Repeat - Serious	\$7,374.00
Citation 2 Item 3, Repeat - Serious	\$9,219.00
Citation 3 Item 1, Other-than-Serious	\$0.00

TOTAL PROPOSED PENALTIES: **\$33,187.00**

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 at www.pay.gov. At the top of the pay.gov homepage, type "OSHA" in the Search field and select Search. From the **OSHA Penalty Payment Form** search result, select Continue. 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 two 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.

Danelle Jindra

Area Director

Date

U.S. Department of Labor
Occupational Safety and Health Administration
5807 Breckenridge Pkwy
Suite A
Tampa, FL 33610



Notification of Failure to Abate Alleged Violations

To:
BLACKTIP BOATWORKS LLC
and its successors
7301 74th Street North
Pinellas Park, FL 33781

Inspection Site:
7301 74th Street North
Pinellas Park, FL 33781

Original Inspection Number: 1656961
Original Inspection Date(s): 03/16/2023 - 07/10/2023

Inspection Number: 1736375
Inspection Date(s): 03/13/2024 - 03/13/2024
Issuance Date: 09/11/2024

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.

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 (813) 626-1177.

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 (813) 626-1177. 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 Notification, 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 Notification. 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 Notification 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.

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 and identified above. You **must** send the certification 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 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 (identified above); 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 at www.pay.gov. At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. 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 OSHA to discuss the Notification of Failure to Abate Alleged Violations issued on 09/11/2024. The conference will be held by telephone or at the OSHA office located at 5807 Breckenridge Pkwy, Suite A, Tampa, FL 33610 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

CERTIFICATION OF CORRECTIVE ACTION WORKSHEET

Original Inspection Number: 1656961

Company Name: BLACKTIP BOATWORKS LLC
Inspection Site: 7301 74th Street North, Pinellas Park, FL 33781
Issuance Date: 09/11/2024

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, 5807 Breckenridge Pkwy, Suite A, Tampa, FL 33610.**

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
Occupational Safety and Health Administration



Notification of Failure to Abate Alleged Violation

Original Inspection Number: 1656961
Original Inspection Date(s): 03/16/2023 - 07/10/2023

Inspection Number: 1736375
Inspection Date(s): 03/13/2024 - 03/13/2024
Issuance Date: 09/11/2024

Company Name: BLACKTIP BOATWORKS LLC
Inspection Site: 7301 74th Street North, Pinellas Park, FL 33781

Citation 1 Item 3 a Type of Violation: **FTA - Serious**

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

a: The employer, BLACKTIP BOATWORKS LLC, fails to establish and implement a written respiratory program as demonstrated on or about March 13, 2024, in that, employees in the fabrication department are required to wear tight-fitting facepiece respirators during grinding, cutting and sanding operations. To abate this hazard, the employer must establish and implement a written respiratory protection program that includes the site-specific procedures of the provisions included in 29 CFR 1910.134(c)(1)(i) - (ix).

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 29, 2024
\$53096.00

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



Notification of Failure to Abate Alleged Violation

Original Inspection Number: 1656961
Original Inspection Date(s): 03/16/2023 - 07/10/2023

Inspection Number: 1736375
Inspection Date(s): 03/13/2024 - 03/13/2024
Issuance Date: 09/11/2024

Company Name: BLACKTIP BOATWORKS LLC
Inspection Site: 7301 74th Street North, Pinellas Park, FL 33781

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

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

a: At 7301 74th Street North Pinellas Park, Florida; On or about March 13, 2024, a compressed air line in the cutting and grinding area used for cleaning dust off surfaces, had a pressure per square inch of 100.

Date By Which Violation Must be Abated:
Proposed Penalty:

Corrected During Inspection
\$103716.00

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



Notification of Failure to Abate Alleged Violation

Original Inspection Number: 1656961
Original Inspection Date(s): 03/16/2023 - 07/10/2023

Inspection Number: 1736375
Inspection Date(s): 03/13/2024 - 03/13/2024
Issuance Date: 09/11/2024

Company Name: BLACKTIP BOATWORKS LLC
Inspection Site: 7301 74th Street North, Pinellas Park, FL 33781

Citation 1 Item 9 a Type of Violation: **FTA - Serious**

29 CFR 1910.1200(e)(1): Employer had not developed or implemented a written hazard communication program included the requirements outlined in 29 CFR 1910.1200(e)(1)(i) and (e)(1)(ii):

a: The employer, BLACKTIP BOATWORKS LLC, fails to ensure a written hazard communication program is develop and implement as demonstrated on or about March 13, 2024, in that, employees handle chemical products containing styrene, fibrous glass, acetone, benzene, toluene and methyl ethyl ketone during boat manufacturing operations. To abate this hazard, the employer must establish and implement a written hazard communication program that includes the requirements outlined in 29 CFR 1910.1200(e)(1)(i) and (e)(1)(ii)

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 29, 2024
\$138288.00

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



Notification of Failure to Abate Alleged Violation

Original Inspection Number: 1656961
Original Inspection Date(s): 03/16/2023 - 07/10/2023

Inspection Number: 1736375
Inspection Date(s): 03/13/2024 - 03/13/2024
Issuance Date: 09/11/2024

Company Name: BLACKTIP BOATWORKS LLC
Inspection Site: 7301 74th Street North, Pinellas Park, FL 33781

Citation 1 Item 9 b Type of Violation: **FTA - Serious**

29 CFR 1910.1200(g)(1): Employers did not have a safety data sheet in the workplace for each hazardous chemical which they use.

a: The employer, BLACKTIP BOATWORKS LLC, fails to ensure safety data sheets are maintained in the workplace as demonstrated on or about March 13, 2023, in that, employees handle chemical products employees handling chemical products such as Norox MEKP-9, ArJay, Ultra UHD2399, XM 1808 45/45 cloth and 3M Hitrack 71 during boat manufacturing operations. To abate this hazard, the employer must have the safety data sheets in the workplace for each chemical they use.

ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM

Date By Which Violation Must be Abated:
Proposed Penalty:

October 29, 2024
\$0.00

Danelle Jindra
Area Director

U.S. Department of Labor
Occupational Safety and Health Administration
5807 Breckenridge Pkwy
Suite A
Tampa, FL 33610



INVOICE / DEBT COLLECTION NOTICE

Company Name: BLACKTIP BOATWORKS LLC
Inspection Site: 7301 74th Street North, Pinellas Park, FL 33781
Issuance Date: 09/11/2024

Summary of Penalties for Inspection Number: 1656961
Follow-up Inspection Number: 1736375

Citation 1 Item 3a, FTA - Serious	\$53,096.00
Citation 1 Item 7, FTA - Serious	\$103,716.00
Citation 1 Item 9a, FTA - Serious	\$138,288.00
Citation 1 Item 9b, FTA - Serious	\$0.00

TOTAL PROPOSED PENALTIES: \$295,100.00

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 at www.pay.gov. At the top of the [pay.gov](http://www.pay.gov) homepage, type "OSHA" in the Search field and select Search. From **OSHA Penalty Payment Form** search result, select Continue. 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 full amount due, and will process the payments 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 two 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 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 to 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.

Danelle Jindra
Area Director

Date