Indiana Department of Labor

Indiana Occupational Safety and Health Administration
402 West Washington St - Room W195
Indianapolis, IN 46204
Phone: 317-232-1979 FAX: (317)233-3790

Certified mail #91 7190 0005 2920 0034 0693 3-28-14 jhs

Safety Order and Notification of Penalty

To:
Affordable Sewer Service LLC
1719 North Harrison
Fort Wayne, IN 46808

Inspection Site:
15 Spruce Knoll Drive
Yoder, IN 46798

Inspection Number: 316505932
CSHO ID: U8836
Optional Report No.: 01014
Inspection Date(s): 10/1/2013 - 10/17/2013
Issuance Date: 3/28/2014

The violation(s) described in this Safety Order 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.

An inspection of your place of employment has revealed conditions which we believe do not comply with the provisions of the Indiana Occupational Safety and Health Act (Indiana Code Chapter 22-8-1.1) or the standards or rules adopted thereunder. Accordingly, enclosed please find safety order(s) and notification(s) of penalty describing such violation(s) with references to applicable standards, rules, or provisions of the statute and stating the amount of any penalty(ies).

Informal Conference - Please be advised that it may be possible to informally settle any potential dispute without initiating the more elaborate proceedings brought on by a petition for review. Prior to filing a petition for review, you may request an informal conference concerning any of the results of the inspection (safety orders, penalties, abatement dates, etc.) by contacting the Indiana Department of Labor/IOSHA, preferably by telephone, in a prompt manner. Please be advised that a request for an informal conference cannot extend the fifteen working day period for filing a petition for review. Informal conferences frequently resolve any possible disputes, and therefore you are urged to take advantage of this opportunity. Because of the limited time period and in order to facilitate scheduling, any requests for an informal conference should be made promptly upon your receipt of the safety order(s) and notification(s) of penalty.

Right to Contest - You are hereby also notified that you are entitled to seek administrative review of the safety order(s), penalty(ies), or both by filing a written petition for review at the above address postmarked within fifteen working days of your receipt of the safety order(s) and notification(s) of penalty. ("Working days" means Mondays through Fridays, but does not include Saturdays, Sundays, legal holidays under a state statute or days on which the Indiana Department of Labor's offices are closed during regular business hours). If you do not file such a petition for review (contest), the safety order(s)

and penalty(ies) shall be deemed final orders of the Board of Safety Review and not subject to review by any court or agency. The issuance of a safety order does not constitute a finding that a violation has occurred unless no petition for review is filed, or if a petition for review (contest) is filed, it must contain a statement of its basis and should reference the above inspection number. Upon receipt of your petition for review, we will affirm, amend or dismiss the safety order(s) and notification(s) of penalty. If we affirm, your petition for review will be granted (unless it was not timely) and the dispute will be certified by the Board of Safety Review for further proceedings. The Board of Safety Review is an independent agency appointed by the governor with authority to conduct hearings and to issue decisions concerning disputed safety order(s) and notification(s) of penalty. If we amend the safety order(s) or notification(s) of penalty, your petition for review shall be deemed moot. However, you will then be given an opportunity to file a petition for review concerning the amended safety order(s) and notification(s) of penalty.

Please be advised that an employee or representative of employees may file a petition for review to contest the reasonableness of the time stated in the safety order(s) for the abatement of any violation.

Posting - Upon receipt of any safety order(s) you are required to post such safety order(s), or a copy thereof, unedited, at or near each place an alleged violation referred to in the safety order(s) occurred. However, if your operations are such that it is not practicable to post the safety order(s) at or near each place of alleged violation, such safety order(s) shall be posted, unedited, in a prominent place where it will be readily observable by all affected employees. For example, if you are engaged in activities which are physically dispersed, the safety order(s) may be posted at the location from which the employees operate to carry out their activities. You must take steps to ensure that the safety order is not altered, defaced, or covered by other material. Posting shall be until the violation is abated, or for three working days, whichever is longer.

Penalties - Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Abatement does not constitute payment of penalties.

Abatement - The conditions cited in the safety order(s) must be corrected (abated) on or before the date shown for each item on the safety order(s) and notification(s) of penalty unless:

(1) You file a petition for review concerning the violation, in which case the full abatement period shall commence from the issuance of a final decision by the Board of Safety Review or the courts which requires compliance with the safety order; or

(2) The abatement period is extended by the granting of a petition for modification of abatement date.

PMAs - The petition for modification of abatement date is a manner in which you may seek additional time to correct (abate) a violation without having to file a petition for review concerning the safety order, or after the expiration of the time period to file such a petition for review when it becomes apparent that you need extra time to abate the violation. A petition for modification of abatement date shall be in writing and shall include the following information:

(1) All steps you have taken, and the dates of such actions, in an effort to achieve compliance

during the prescribed abatement period.

(2) The specific additional abatement time necessary in order to achieve compliance.

(3) The reasons such additional time is necessary, including the unavailability of professional or technical personnel or of materials and equipment, or because necessary construction or alteration of facilities cannot be completed by the original abatement date.

(4) All available interim steps being taken to safeguard employees against the cited hazard during the abatement period.

(5) A certification that a copy of the petition has been posted, and if appropriate, served on the authorized representative of affected employees, and a certification of the date upon which such posting and service was made.

A petition for modification of abatement date shall be filed with the Indiana Department of Labor/IOSHA no later than the close of the next working day following the date on which abatement was originally required. A later-filed petition shall be accompanied by the employer's statement of exceptional circumstances explaining the delay. A copy of such petition shall be posted in a conspicuous place where all affected employees will have notice thereof or near such location where the violation occurred. The petition shall remain posted until the time period for the filing of a petition for review of the Commissioner's granting or denying the petition expires. Where affected employees are represented by an authorized representative, said representative shall be served a copy of such petition.

Notification of Corrective Action - Correction of the alleged violations which have an abatement period of thirty (30) days or less should be reported in writing to us promptly upon correction. A "Letter of Abatement" form and an "Abatement Photographs" worksheet are enclosed for your assistance in providing adequate documentation of abatement. Reports of corrections should show specific corrective action on each alleged violation and the date of such action. On alleged violations with abatement periods of more than thirty (30) days, a written progress report should be submitted, detailing what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, we should be so advised. Timely correction of an alleged violation does not affect the initial proposed penalty..

Followup Inspections - Please be advised that a followup inspection may be made for the purpose of ascertaining that you have posted the safety order(s) and corrected the alleged violations. Failure to correct an alleged violation may result in additional penalties for each day that the violation has not been corrected.

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 Indiana Department of Labor/IOSHA at the address shown above.

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 Indiana Department of Labor/IOSHA at the address shown above within fifteen (15) working days (excluding weekends and State holidays) or receipt by the employer of this safety order and penalty.

If you wish additional information, you may direct such requests to us at the address or telephone number stated above.

Indiana Department of Labor

NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with IOSHA to discuss the safety order(s) issued on 3/28/2014. The conference will be held at the IOSHA office located at 402 West Washington Street, Room W195, Indianapolis, IN 46204 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

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

Safety Order 01 Item 001a Type of Violation: **Serious**

29 CFR 1910.132(d)(1): The employer did not assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE):

Job Site ----- On October 1, 2013 and before, the employer failed to assess the workplace to determine the need for personal protective equipment (PPE).

Date By Which Violation Must Be Abated:	**5/14/2014**
Proposed Penalty:	**$2,500.00**

Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 001b Type of Violation: **Serious**

29 CFR 1910.132(d)(2): The employer did not verify that the required workplace hazard assessment has been performed through a written certification that identifies the workplace evaluated, the person certifying that the evaluation has been performed, the date(s) of the hazard assessment, and, which identifies the document as a certification of hazard assessment:

Company Office ----- On or about October 1, 2013 the employer had not verified such assessment was performed through a written certification of any kind.

Date By Which Violation Must Be Abated:	**4/30/2014**
Proposed Penalty:	**$0.00**

Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

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

Safety Order 01 Item 002a Type of Violation: **Serious**

29 CFR 1910.1200(e)(1): The employer did not develop, implement, and/or maintain at the workplace a written hazard communication program which describes how the criteria specified in 29 CFR 1910.1200(f), (g), and (h) will be met: (Construction Reference: 1926.59)

Job Site ----- On October 1. 2013 the employer did not maintain such program on site.

Date By Which Violation Must Be Abated: **Corrected During Inspection**
Proposed Penalty: **$2,500.00**

Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 002b Type of Violation: **Serious**

29 CFR 1910.1200(g)(1): The employer did not have a safety data sheet for each hazardous chemical which they used: (Construction Reference: 1926.59)

Job Site ----- On October 1, 2013 Safety Data Sheets were not maintained on the job site for any products in use or available for use such as but not limited to polyvinylchloride pipe, unleaded gasoline, diesel fuel and raw sewage.

Date By Which Violation Must Be Abated:	**5/14/2014**
Proposed Penalty:	**$0.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 316505932
Inspection Date(s): 10/1/2013 - 10/17/2013
Issuance Date: 3/28/2014
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Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 002c Type of Violation: **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: (Construction Reference: 1926.59)

Job Site ----- On October 1, 2013, the employer had not provided employees with information on the hazard communication standard and employees were not trained on the use of hazardous substances in their work area, such as, but not limited to polyvinylchloride pipe, unleaded fuel, diesel fuel and raw sewage.

Date By Which Violation Must Be Abated: **5/14/2014**
Proposed Penalty: **$0.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 316505932
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Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 003 Type of Violation: **Serious**

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

Job Site ----- On October 1, 2013 the employer had not developed, implemented or enforced an accident prevention safety and health program which included but is not limited to the following items:
(1) a statement of management commitment toward the identification and evaluation of occupational hazards.
(2) establishment of employee participation in safety meetings and inspections
(3) development of documentation of the instructions of each employee in the recognition and avoidance of unsafe work conditions.

Date By Which Violation Must Be Abated: **5/14/2014**
Proposed Penalty: **$2,500.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 316505932
Inspection Date(s): 10/1/2013 - 10/17/2013
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Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 004 Type of Violation: **Serious**

29 CFR 1926.20(b)(2): Inspections of the jobsite, materials, and equipment were not made by a competent person(s) designated by the employer:

Job Site ----- On October 1, 2013 Inspections of the job site, materials and equipment were not done by a competent person where employees were exposed to P. P. E. (Personal Protective Equipment), electrical, confined space entry and trenching and excavation hazards as well as other hazards.

Date By Which Violation Must Be Abated: **4/23/2014**
Proposed Penalty: **$2,500.00**

Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 005 Type of Violation: **Serious**

29 CFR 1926.21(b)(2): The employer did not instruct each employee in the recognition and avoidance of unsafe conditions and the regulations applicable to his/her environment to control or eliminate any hazards or other exposure to illness or injury:

Jobsite ----- On October 1, 2013 employees were not instructed, or adequately instructed in the recognition and avoidance of unsafe conditions applicable to their work environment such as but not limited to those connected with P. P. E. (Personal Protective Equipment), electricity, machine guarding, confined space entry, and trenching and excavation hazards.

Date By Which Violation Must Be Abated:	**5/14/2014**
Proposed Penalty:	**$2,500.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 316505932
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Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 006 Type of Violation: **Serious**

29 CFR 1926.21(b)(6)(i): Employees required to enter into confined or enclosed spaces were not instructed as to the nature of the hazards involved, the necessary precautions to be taken, and in the use of protective and emergency equipment required:

Manhole - West Side of Mobile Home ----- On October 1, 2013 employee(s) required to enter the confined space of a sanitary sewer manhole were not instructed as to the nature of the hazards involved.

Date By Which Violation Must Be Abated:	**4/30/2014**
Proposed Penalty:	**$2,500.00**

Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 007 Type of Violation: **Serious**

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:

(a) Job Site ----- Impervious protective clothing such as but not limited to gloves, pants and goggles were not provided and used by two employees updating a live sewer system.

(b) Job site ----- Protective helmets were not provided for two employees working in an unprotected trench.

Date By Which Violation Must Be Abated: **4/30/2014**
Proposed Penalty: **$2,500.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 316505932
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Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 008 Type of Violation: **Serious**

29 CFR 1926.150(a)(4): Defective firefighting equipment was not immediately replaced:

Company Van ----- On October 1, 2013 the gauge on the Amerex Model A409, 10 B:C Serial Number MC216236, fire extinguisher showed recharge and it was not immediately replaced.

Date By Which Violation Must Be Abated:	**4/3/2014**
Proposed Penalty:	**$750.00**

Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 009 Type of Violation: **Serious**

29 CFR 1926.303(c)(3): Portable abrasive wheel(s) used for external grinding were not provided with safety guards (protection hoods):

Company Van ----- On October 1, 2013 the Makita 2" angle grinder equipped with a grinder wheel was available for use and not provided with a guard.

Date By Which Violation Must Be Abated:	**4/3/2014**
Proposed Penalty:	**$1,000.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 316505932
Inspection Date(s): 10/1/2013 - 10/17/2013
Issuance Date: 3/28/2014
CSHO ID: U8836
Optional Report No.: 01014

Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 010 Type of Violation: **Serious**

29 CFR 1926.404(b)(1)(ii): On a construction site, where an assured equipment grounding program was not utilized, all 120-volt, single-phase, 15 and 20 ampere receptacle outlets which were not a part of the permanent wiring of the building or structure and which are in use by employees did not have approved ground fault circuit interrupters for personal protection:

Job Site ----- On October 1, 2013 the 15/20 ampere, 120 Volt receptacle outlet located on the trailer porch used with a 3 foot 3 way tap, 75 foot round 3-wire orange extension cord and a 50 foot round 3-wire blue extension cord used to power a Chicago Sump Pump, Item 95591, was not protected by a ground fault circuit interrupter or an assured equipment grounding conductor program.

Date By Which Violation Must Be Abated: **4/3/2014**
Proposed Penalty: **$750.00**

Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 011 Type of Violation: **Serious**

29 CFR 1926.405(g)(2)(iv): Flexible cords were not connected to devices and fittings so that strain relief is provided to prevent pull from being directly transmitted to joints or terminal screws:

Job Site ----- On October 1, 2013 the cord grip at the attachment plug end of the round three wire extension cord was not gripping the cord cover.

Date By Which Violation Must Be Abated: **Corrected During Inspection**
Proposed Penalty: **$1,750.00**

Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 012 Type of Violation: **Serious**

29 CFR 1926.416(e)(1): Worn or frayed electric cords or cables were used:

Company Van ----- On October 1, 2013 worn cords were available for use on the motor of the Leeson Sewer and Drain Cleaning Machine, Model D.

Date By Which Violation Must Be Abated: **Corrected During Inspection**
Proposed Penalty: **$750.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 316505932
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Issuance Date: 3/28/2014
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Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 013 Type of Violation: **Serious**

29 CFR 1926.651(b)(2): Utility companies or owners were not contacted within established or customary local response times, advised of the proposed work, and asked to establish the location of the utility underground installations prior to the start of an actual excavation:

15 Spruce Knoll Drive ----- On October 1, 2013 the Indiana Underground Utility Locates Reference # 1306130586, expired July 3, 2013.

Date By Which Violation Must Be Abated: **4/3/2014**
Proposed Penalty: **$2,500.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 316505932
Inspection Date(s): 10/1/2013 - 10/17/2013
Issuance Date: 3/28/2014
CSHO ID: U8836
Optional Report No.: 01014

Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

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

Safety Order 01 Item 014a Type of Violation: **Serious**

29 CFR 1926.651(b)(3): When excavation operations approached the estimated location of underground installations, the exact location of the installations was not determined by safe and acceptable means:

Job Site ----- On or about October 15, 2013 the exact location of the service line was not determined by safe and acceptable means as the employees struck the line with a shovel rupturing it and causing an interruption in gas service.

Date By Which Violation Must Be Abated: **4/3/2014**
Proposed Penalty: **$2,500.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 316505932
Inspection Date(s): 10/1/2013 - 10/17/2013
Issuance Date: 3/28/2014
CSHO ID: U8836
Optional Report No.: 01014

Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 014b Type of Violation: **Serious**

IC 22-8-1.1 Section 2: 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:

15 Spruce Knoll Drive ----- On or about, October 15, 2013, employees excavating in an area with underground utilities, were exposed to fire and/or explosion hazards when a natural gas line was broken during excavation activities, a hazard which could result in serious physical harm. Among other methods one feasible and acceptable method to correct this hazard would be to follow IC 8-1-26-20(a)(2) which states that persons responsible for the excavations maintain a clearance between an underground facility, as marked by the operator, and the cutting edge or point of mechanized equipment of not less than two (2) feet on either side of the outer limits of the physical plant or exposure of the underground facility may be accomplished only by the use of hand excavation, air cutting or vacuum excavation and instruct employees to use extreme caution around utility lines.

Date By Which Violation Must Be Abated: **4/3/2014**
Proposed Penalty: **$0.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 316505932
Inspection Date(s): 10/1/2013 - 10/17/2013
Issuance Date: 3/28/2014
CSHO ID: U8836
Optional Report No.: 01014

Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 015 Type of Violation: **Serious**

29 CFR 1926.651(g)(1)(i): Where oxygen deficiency (atmosphere containing less than 19.5 percent oxygen) or a hazardous atmosphere existed or could reasonably be expected to exist, such as in excavations in landfill areas or excavations in areas where hazardous substances are stored nearby, the atmospheres in the excavation were not tested before employees enter excavations greater than 4 feet (1.22 m) in depth:

Manhole West of Mobile Home ----- On October 1, 2013 where oxygen deficiency, in an excavation, 10 feet deep could reasonably be expected, due to an open live sewer line & raw sewage atmospheres were not tested.

Date By Which Violation Must Be Abated: **4/30/2014**
Proposed Penalty: **$2,500.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 316505932
Inspection Date(s): 10/1/2013 - 10/17/2013
Issuance Date: 3/28/2014
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Optional Report No.: 01014

Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 016 Type of Violation: **Serious**

29 CFR 1926.651(k)(1): Daily inspections of excavations, the adjacent areas, and protective systems were not made by a competent person for evidence of a situation that could have resulted in possible cave-ins, indications of failure of protective systems

Trench ----- On October 1, 2013 daily inspections of the excavation were not made by a competent person in that the employer did not have a designated competent person on the site capable of performing such an inspection.

Date By Which Violation Must Be Abated:	**5/14/2014**
Proposed Penalty:	**$2,500.00**

Indiana Department of Labor
Occupational Safety and Health Administration

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Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 01 Item 017 Type of Violation: **Serious**

29 CFR 1926.652(a)(1): Each employee in an excavation was not protected from cave-ins by an adequate protective system designed in accordance with 29 CFR 1926.652(c). The employer had not complied with the provisions of 29 CFR 1926.652(b)(1)(i) in that the excavation was sloped at an angle steeper that one and one-half horizontal to one vertical (34 degrees measured from the horizontal:

Trench ----- On October 1, 2013 No cave-in protection was provided for the employees in the trench-excavation 5 feet 2 inches deep, 6 feet wide and 7 feet long that had vertical sides.

Date By Which Violation Must Be Abated: **5/14/2014**
Proposed Penalty: **$2,500.00**

Indiana Department of Labor
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Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 02 Item 001 Type of Violation: **NonSerious**

29 CFR 1926.50(d)(1): First-aid supplies were not easily accessible when required:

Job Site ----- On October 1, 2013 the company did not have first aid supplies on site.

Date By Which Violation Must Be Abated: **Corrected During Inspection**
Proposed Penalty: **$0.00**

Indiana Department of Labor
Occupational Safety and Health Administration

Inspection Number: 316505932
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Safety Order and Notification of Penalty

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798

Safety Order 02 Item 002 Type of Violation: **NonSerious**

29 CFR 1926.601(b)(5): Motor vehicle(s) had cracked or broken glass that had not been replaced:

Job Site ----- On October 1, 2013 the Chevrolet Van, IN License TK 664L OX, had a cracked windshield.

Date By Which Violation Must Be Abated: **5/14/2014**
Proposed Penalty: **$0.00**

Jerry W. Lander /HOS
Jerry W. Lander
Director of Construction Safety

Indiana Department of Labor

Indiana Occupational Safety and Health Administration
402 West Washington St - Room W195
Indianapolis, IN 46204
Phone: (317)232-1979 FAX: (317)233-3790

INVOICE/DEBT COLLECTION NOTICE

Company Name: Affordable Sewer Service LLC
Inspection Site: 15 Spruce Knoll Drive, Yoder, IN 46798
Issuance Date: 3/28/2014

Summary of Penalties for Inspection Number: 316505932

Safety Order 1, Serious	**= $35,000.00**
Safety Order 2, NonSerious	**= $0.00**
TOTAL PENALTIES	**= $35,000.00**

Penalties are due within fifteen (15) working days of receipt of this notification unless contested. Make your check or money order payable to: "Indiana DOL/IOSHA". Please indicate IOSHA's Inspection Number (indicated above) on the remittance.

IOSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

Corrective action, taken by you for each alleged violation should be submitted to this office on or about the abatement dates indicated on the Safety Order and Notification of Penalty.

A work sheet has been provided to assist in providing the required abatement information. A completed copy of this work sheet should be posted at the worksite with the safety order(s).

Jerry W. Lander /HOS
Jerry W. Lander
Director of Construction Safety

03/28/14
Date