

**U.S. Department of Labor** Occupational Safety and Health Administration  
639 Granite Street  
Suite 114  
Braintree, MA 02184



11/01/2022

NorthStar Contracting Group, Inc.  
and its successors  
401-S Second Street  
Everett, MA 02149

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 3000-04R) revised 2018, 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 (617) 565-6924.

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](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.

Sincerely,

**James Mulligan**  
Area Director

Enclosures

**U.S. Department of Labor**  
Occupational Safety and Health Administration  
639 Granite Street  
Suite 114  
Braintree, MA 02184



## Citation and Notification of Penalty

**To:**  
NorthStar Contracting Group, Inc.  
and its successors  
401-S Second Street  
Everett, MA 02149

**Inspection Number:** 1593859  
**Inspection Date(s):** 05/05/2022 - 05/05/2022  
**Issuance Date:** 11/01/2022

**Inspection Site:**  
776 Summer Street  
South Boston, MA 02127

*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 (617) 565-6924. 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](http://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.

**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 11/01/2022. The conference will be held by telephone or at the OSHA office located at 639 Granite Street, Suite 114, Braintree, MA 02184 on \_\_\_\_\_ at

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

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

**Inspection Number: 1593859**

Company Name: NorthStar Contracting Group, Inc.  
Inspection Site: 776 Summer Street, South Boston, MA 02127  
Issuance Date: 11/01/2022

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, 639 Granite Street, Suite 114, Braintree, MA 02184.**

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

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

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

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

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

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

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

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Title

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

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



**Citation and Notification of Penalty**

**Company Name:** NorthStar Contracting Group, Inc.  
**Inspection Site:** 776 Summer Street, South Boston, MA 02127

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Citation 1 Item 1    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:

Location: Worksite

On May 4, 2022, three NorthStar employees were injured when a concrete mezzanine platform on the west wall of building 1A, unexpectedly collapsed during demolition and asbestos abatement operations.

On or about May 4, 2022 employees were exposed to hazards such as mezzanine floor collapse, struck-by and crushing hazards while working where employer had not trained employees to recognize and avoid the hazards associated with cutting wooden posts during demolition.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	November 16, 2022
Proposed Penalty:	\$14,502.00

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:** 1593859  
**Inspection Date(s):** 05/05/2022 - 05/05/2022  
**Issuance Date:** 11/01/2022



**Citation and Notification of Penalty**

**Company Name:** NorthStar Contracting Group, Inc.  
**Inspection Site:** 776 Summer Street, South Boston, MA 02127

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

29 CFR 1926.250(a)(2)(ii): Employers shall conspicuously post maximum safe load limits of floors within buildings and structures, in pounds per square foot, in all storage areas, except when the storage area is on a floor or slab on grade. Posting is not required for storage areas in all single-family residential structures and wood-framed multi-family residential structures.

Location: Worksite

On or about May 4, 2022, and times prior, employees were exposed to a floor collapse hazard while working where demolition and asbestos debris was being stored on a mezzanine floor where the safe load limit was not conspicuously posted.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	November 16, 2022
Proposed Penalty:	\$14,502.00

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:** 1593859  
**Inspection Date(s):** 05/05/2022 - 05/05/2022  
**Issuance Date:** 11/01/2022



**Citation and Notification of Penalty**

**Company Name:** NorthStar Contracting Group, Inc.  
**Inspection Site:** 776 Summer Street, South Boston, MA 02127

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

29 CFR 1926.1101(g)(8)(v)(D): Asbestos-containing material removed was not immediately bagged or wrapped, or kept wetted until transferred to a closed receptacle, no later than the end of the work shift.

Location: Worksite

On or about May 2, 2022, and times prior the employer did not transfer the asbestos- containing material removed into the on-site asbestos trailer at the end of the work shift, and left gaylord boxes filled with asbestos waste and demolition debris on top of mezzanine area for multiple days within the building.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	November 16, 2022
Proposed Penalty:	\$10,360.00

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:** 1593859  
**Inspection Date(s):** 05/05/2022 - 05/05/2022  
**Issuance Date:** 11/01/2022



**Citation and Notification of Penalty**

**Company Name:** NorthStar Contracting Group, Inc.  
**Inspection Site:** 776 Summer Street, South Boston, MA 02127

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

29 CFR 1926.1101(h)(1)(ii):Respirators were not used during Class II work where asbestos containing material was not removed in a substantially intact state.

Location: Worksite

On or about May 4, 2022, employees were exposed to asbestos fibers where respirators were not be worn during Class II work where employees were cutting through wooden posts covered in asbestos containing material using reciprocating saws in active Regulated Asbestos Containment areas.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	November 16, 2022
Proposed Penalty:	\$6,215.00

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:** 1593859  
**Inspection Date(s):** 05/05/2022 - 05/05/2022  
**Issuance Date:** 11/01/2022



**Citation and Notification of Penalty**

**Company Name:** NorthStar Contracting Group, Inc.  
**Inspection Site:** 776 Summer Street, South Boston, MA 02127

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

29 CFR 1910.134(g)(1)(i)(A): Respirators with tight-fitting facepieces were worn by employees who had facial hair that came between the sealing surface of the facepiece and the face or that interfered with valve function:

Location: Worksite.

On or about May 4, 2022, and times prior, employees were exposed to asbestos fibers where the employer permitted respirators to be worn by employees who had facial hair and beards that came between the sealing surface of the facepiece and the face and/or interfered with valve function while entering active 'Regulated' Asbestos Containment areas.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	November 16, 2022
Proposed Penalty:	\$103,593.00

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:** NorthStar Contracting Group, Inc.  
**Inspection Site:** 776 Summer Street, South Boston, MA 02127

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

29 CFR 1926.850(a): An engineering survey was not performed by a competent person to determine the condition of the framing, floors and walls and the possibility of unplanned collapse of any portion of the structure prior to permitting employees to start demolition operations.

Location: Worksite

On May 4, 2022, three NorthStar employees were injured when a concrete mezzanine platform on the west wall of building 1A, unexpectedly collapsed during demolition and asbestos abatement operations.

Instance 1.

On May 4, 2022, Employees were exposed to struck-by and caught between hazards while working under a concrete mezzanine where the employer failed to determine the condition of the west wall mezzanine in building 1A in order to avoid the possibility of unplanned collapse of any portion of the structure.

Instance 2.

On May 4, 2022, a worker was exposed to a deck collapse, struck-by, crushing hazards, while working on a concrete deck in close proximity to a mechanical demolition robot where the employer did not determine the condition of framing, floors and walls and the possibility of unplanned collapse of any portion of the structure prior to permitting employees to start demolition operations.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	November 09, 2022
Proposed Penalty:	\$145,027.00

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:** 1593859  
**Inspection Date(s):** 05/05/2022 - 05/05/2022  
**Issuance Date:** 11/01/2022



**Citation and Notification of Penalty**

**Company Name:** NorthStar Contracting Group, Inc.  
**Inspection Site:** 776 Summer Street, South Boston, MA 02127

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

29 CFR 1926.1101(o)(3)(i): On all worksites where employees are engaged in Class I or II asbestos work, the competent person designated in accordance with 29 CFR 1926.1101(e)(6) did not perform or supervise the following duties, as applicable as specified in 29 CFR 1926.1101(o)(3)(i)(A) through 29 CFR 1926.1101(o)(3)(i)(I):

Location: Worksite

On or about May 4, 2022, The designated competent person did not perform or supervise duties as required, such as; conduct regular and frequent inspections, ensure the integrity of the enclosure, set up and maintain control of personnel entering the control area, ensure the personnel do not open critical barriers, ensure personnel enter only through the designated entrance, ensure personnel working in the control area wear respirators during entry in the control area.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	November 16, 2022
Proposed Penalty:	\$103,593.00

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:** 1593859  
**Inspection Date(s):** 05/05/2022 - 05/05/2022  
**Issuance Date:** 11/01/2022



**Citation and Notification of Penalty**

**Company Name:** NorthStar Contracting Group, Inc.  
**Inspection Site:** 776 Summer Street, South Boston, MA 02127

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

29 CFR 1904.40(a):

Basic requirement. When an authorized government representative asks for the records you keep under Part 1904, you must provide copies of the records within four (4) business hours.

Location: Place of business/ Office

The employer did not provide OSHA logs with the four hour time limit as required by the standard.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:	December 22, 2022
Proposed Penalty:	\$2,072.00

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**James Mulligan**  
Area Director

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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**U.S. Department of Labor**  
Occupational Safety and Health Administration  
639 Granite Street  
Suite 114  
Braintree, MA 02184



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## INVOICE / DEBT COLLECTION NOTICE

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**Company Name:** NorthStar Contracting Group, Inc.  
**Inspection Site:** 776 Summer Street, South Boston, MA 02127  
**Issuance Date:** 11/01/2022

Summary of Penalties for Inspection Number: 1593859

Citation 1 Item 1, Serious	\$14,502.00
Citation 1 Item 2, Serious	\$14,502.00
Citation 1 Item 3, Serious	\$10,360.00
Citation 1 Item 4, Serious	\$6,215.00
Citation 2 Item 1, Willful - Serious	\$103,593.00
Citation 2 Item 2, Willful - Serious	\$145,027.00
Citation 2 Item 3, Willful - Serious	\$103,593.00
Citation 3 Item 1, Other-than-Serious	\$2,072.00

**TOTAL PROPOSED PENALTIES:** **\$399,864.00**

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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 at [www.pay.gov](http://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 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.

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**James Mulligan**

Area Director

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Date