

U.S. Department of Labor
Occupational Safety and Health Administration
2400 Herodian Way
Suite 250
Smyrna, GA 30080
Phone: (770)984-8700 FAX: (770)984-8855



Citation and Notification of Penalty

To:
Georgia Television, Inc. DBA WSB-TV
and its successors
1601 W. Peachtree Street NE
Atlanta, GA 30309

Inspection Number: 312775331
Inspection Date(s): 11/19/2009- 02/04/2010
Issuance Date: 03/10/2010

Inspection Site:
901 Rice Street, NW
Atlanta, GA 30318

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 enclosed booklet (OSHA 3000) which outlines your rights and responsibilities 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. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

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.**

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

All abatement verification documents must contain the following information: 1) Your name and address; 2) the inspection number (found on front page); 3) the citation and the citation items 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 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 your inspection will be available 7 calendar days after the Citation Issuance Date. 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 - 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 your inspection will be available 30 calendar days after the Citation Issuance Date. 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.

IMPORTANT NOTICE

(READ THIS CAREFULLY)

The proposed penalties assessed for this inspection's citation(s) reflect reductions that have been granted for the size, good faith, and history of the employer.

ORIGINAL PENALTY	\$10,000.00
PROPOSED PENALTY	\$7,000.00

INFORMAL SETTLEMENT OFFER

An additional 25% reduction in penalties (rounded to the nearest dollar) will be granted if all citation items are abated and the **INFORMAL SETTLEMENT AGREEMENT** is signed and returned by the employer to **OSHA** within 15 Federal working days (excluding weekends and Federal holidays) of the receipt of the citation. Penalties must be submitted no longer than 14 days after the Informal Settlement Agreement is executed. A detailed abatement plan **must** be submitted with the **INFORMAL SETTLEMENT AGREEMENT** for those items which have not been abated and will require a longer abatement period.

REDUCED PENALTY AMOUNT FOR INFORMAL SETTLEMENT:	\$5,250.00
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Corrective Action, taken by you for each alleged violation should be submitted to this office on or about the abatement date(s) indicated on the Citation and Notification of Penalty and included with the submitted **INFORMAL SETTLEMENT AGREEMENT**. A work sheet has been provided to assist in submitting the required abatement information.

Meetings may be held to discuss questions concerning citation/violation issues (other than the penalties) or dates and methods of abatement prior to the final contest date of the citation. Please contact the U.S. Department of Labor - OSHA at (770)984-8700 for an appointment.

U. S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

INFORMAL SETTLEMENT AGREEMENT

In the Matter of: Georgia Television, Inc. DBA WSB-TV
OSHA No.(s): 312775331

The undersigned representatives of the Employer and the Occupational Safety and Health Administration (OSHA), in settlement of the above citation(s) and penalties which were issued on 03/10/2010, hereby agree as follows:

1. The Employer agrees to correct the violations as cited in the attached citations.
2. The Employer agrees to pay the reduced penalties, amended by this agreement, in the amount of

\$5,250.00

3. The Employer, by signing this informal settlement agreement, hereby waives its rights to contest the above citation(s) and penalties, as amended in this agreement.
4. The employer agrees to immediately post a copy of this Informal Settlement Agreement in a prominent place at or near the location of the violation(s) referred to in the attached citation. This Informal Settlement Agreement must remain posted until the violations cited have been corrected, or for 3 working days (excluding weekends and Federal Holidays), whichever is longer.
5. The employer agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970, and the applicable safety and health standards promulgated pursuant to the Act.
6. The Employer agrees to develop/review its safety and health program and modify it as appropriate on an ongoing basis.
7. By entering into this agreement, the employer does not admit that it violated the cited standards for any litigation or purpose other than subsequent proceeding under the Occupational Safety and Health Act.

For Occupational Safety
And Health Administration
ANDRE C. RICHARDS
(signature and date)

For The Employer
(signature and date)

NOTE: TWO COPIES OF THE SIGNED AND COMPLETED AGREEMENT WILL BE RETURNED TO THE EMPLOYER AFTER THE CASE IS SETTLED.

ABATEMENT CERTIFICATION

ANDRE C. RICHARDS, Area Director
U.S. Department of Labor - OSHA
2400 Herodian Way
Suite 250
Smyrna, GA 30080
Phone: (770)984-8700

Georgia Television, Inc. DBA WSB-TV
1601 W. Peachtree Street NE
Atlanta, GA 30309

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by the following means, methods or procedures:

The hazard referenced in Inspection Number _____ for the violation identified as
Citation _____ and Item _____ was corrected on _____
by the following means, methods or procedures:

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

Signature

Typed or Printed Name



Citation and Notification of Penalty

Company Name: Georgia Television, Inc. DBA WSB-TV
Inspection Site: 901 Rice Street, NW, Atlanta, GA 30318

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

Section 5(a)(1) of the Occupational Safety and Health Act of 1970: The employer did not furnish to each of his employees 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:

- a) The employee operating the vehicle D-TEC and Vehicle mounted mast system was not trained on electrical related safety work practices as per manufacturer recommendations. The employee was exposed to electrical hazards.

One suitable mean of abatement is to not allow employees to operate equipment for which they have not been properly trained.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED.

Date By Which Violation Must be Abated: 04/05/2010
Proposed Penalty: \$ 3500.00

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

Inspection Number: 312775331
Inspection Dates: 11/19/2009 - 02/04/2010
Issuance Date: 03/10/2010



Citation and Notification of Penalty

Company Name: Georgia Television, Inc. DBA WSB-TV
Inspection Site: 901 Rice Street, NW, Atlanta, GA 30318

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

29 CFR 1910.333(c)(3)(iii)(A): Vehicles or mechanical equipment capable of having parts of its structure elevated near energized overhead lines were not operated so that a clearance of 10 feet (305 cm) was maintained:

- a) The employees operating the vehicle D-TEC and Vehicle mounted mast system did not maintain a clearance of 10-feet from energized power lines. The employees were exposed to electrical hazards.

ABATEMENT CERTIFICATION AND DOCUMENTATION REQUIRED.

Date By Which Violation Must be Abated: 04/05/2010
Proposed Penalty: \$ 3500.00

A handwritten signature in black ink, appearing to read "Andre C. Richards", is written over a horizontal line.

ANDRE C. RICHARDS
Area Director

TO SET UP AN INFORMAL PLEASE CALL ANITA FOUNTAIN OF MY STAFF AT (770) 984-1340.

See pages 1 through 5 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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INVOICE/ DEBT COLLECTION NOTICE

Company Name: Georgia Television, Inc. DBA WSB-TV
Inspection Site: 901 Rice Street, NW, Atlanta, GA 30318
Issuance Date: 03/10/2010

Summary of Penalties for Inspection Number 312775331

Citation 1, Serious	= \$	7000.00
TOTAL PROPOSED PENALTIES	= \$	7000.00

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.

OSHA does not agree to any restrictions or conditions 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 do not exist.

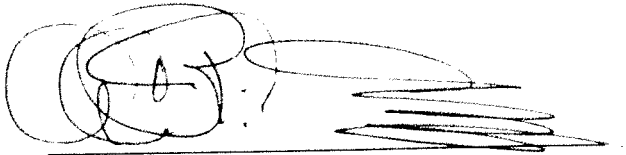
If a personal check is issued, it will be converted into an electronic fund transfer (EFT). This means that our bank will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will then usually occur within 24 hours and will be shown on your regular account statement. You will not receive your original check back. The bank will destroy your original check, but will keep a copy of it. If the EFT cannot be completed because of insufficient funds or closed account, the bank will attempt to make the transfer up to 2 times.

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest. Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is 5%. 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.



ANDRE C. RICHARDS
Area Director

3/11/2010

Date