

**BEFORE THE N.C. OCCUPATIONAL SAFETY AND HEALTH REVIEW
COMMISSION
RALEIGH, NORTH CAROLINA**

**COMMISSIONER OF LABOR OF THE)
STATE OF NORTH CAROLINA,)
COMPLAINANT,)
v.)
BRUNSON MARINE GROUP, LLC)
and its successors,)
RESPONDENT.)**

**DOCKET NO: 2023-6560
INSPECTION NO: 318256740
CSHO ID: C9077**

FILED

SEP 10 2024

NC OSH Review Commission

DECISION AND FINAL ORDER

THIS MATTER was duly noticed and came on for hearing before the undersigned on June 12, 2024, via the Lifesize video platform. The Complainant, Commissioner of Labor of the State of North Carolina (“Complainant”), was represented by Special Deputy Attorney General Stacey A. Phipps. Respondent Robert Brunson appeared *pro se* representing his corporation.

WITNESSES

1. Mr. Jerry Midyette, Compliance Safety and Health Officer, N.C. Department of Labor
2. Mr. Robert Brunson, owner, Brunson Marine Group, LLC
3. Ms. Kelly DeBusk, Environmental & Safety Consultant, Composites Compliance, LLC

EXHIBITS

The following exhibits were admitted into evidence at the hearing:

For the Complainant: Certified unredacted file, Inspection No. 318256740 (pp 1-360)
Inspection photographs included in Folders 318256740_1, 318256740_2,
318256740_3

For the Respondent: Ex. 1A Hearing Prgm from KenCraft Mfg (Property of Brunson Marine),
including Photos labeled jpg 1, jpg 4, jpg 5, jpg 6
Ex. 1B Brunson Marine Hearing Conservation PGM (email with photos
attached)

- Ex. 1C Questions on Monitoring
- Ex. 1D Audio Metric Testing (yearly) 29 CFR 1910.95G1 including
C Wright Doug Webb Hearing test 2024,
Chris Wright Hearing Test 2023
Doug Webb Hearing Test 2023
- Ex. 1F Safety Sign in Sheets from 2015
- Ex. 2A Curriculum Vitae of Kelly DeBusk
- Ex. 2B Spray booth compliance with OSH standards is determined at the
work place_ Occupational Safety and Health Administration
- Ex. 2C Interpretation for questions related to compliance with NFPA 33
(1995 edition)_ Occupational Safety and Health Administration
- Ex. 2D OSHA memos on the use of NFPA 33
- Ex. 3B FIT Test Information email
- Ex. 3C Fit Test Certification for Bobby Will
- Ex. 4B Dust Masks Voluntary, 3/20/2007 Employer Report of Action
Taken
- Ex. 5B Preassembly Hoist Certifications and Spec Tag
- Ex. 5C Preassembly Hoist Cert 1
- Ex. 5D Preassembly Hoist Cert 2
- Ex. 5E Preassembly Hoist Tag
- Ex. 7B Confirmation of OSHA Visit
- Ex. 7C Pwr Interrupt Mandated

DECISION

BASED UPON careful consideration of the sworn testimony of the witnesses presented at the hearing, the documents and exhibits received and admitted into evidence, judicially noticed information pursuant to N.C. Gen. Stat. §8C-1-201 and the entire record in this proceeding, the Undersigned makes Findings of Fact and Conclusions of Law. In making the Findings of Fact, the undersigned has weighed all the evidence and assessed the credibility of the witnesses. The undersigned has taken into account the appropriate factors for judging credibility of witnesses, including but not limited to the demeanor of the witness and any interests, biases, or any prejudice the witness may have. Further, the undersigned has carefully considered the opportunity of the witness to see, hear, know or remember the facts or occurrences about which the witness testified, whether the testimony of the witness is reasonable, and whether the testimony is consistent with all other believable evidence in the case. Based upon the foregoing, the Undersigned makes the following:

FINDINGS OF FACT

1. Complainant is an agency of the State of North Carolina charged with the administration and enforcement of the provisions of the Occupational Safety and Health Act of North Carolina. N.C. Gen. Stat. § 95-126 et seq. (“the Act”).

2. Respondent Brunson Marine Group, LLC is a North Carolina Limited Liability Company organized under the laws of the State of North Carolina doing business at 4155 Dixie Inn Rd. in Wilson, NC 27893. Compl. Ex. 1, p 218.
3. Robert Brunson has owned the business since 2015. Compl. Ex. 1, p 22.
4. Respondent builds KenCraft brand boats using an open mold process. The facility in Wilson, NC consists of six buildings which are: the office / final rigging building, the lamination building, the preassembly building, the welding shop / storage, a storage building and a chemical storage building. Compl. Ex. 1, p 22; Midyette Test. 00:30:29 - 00:36:30; DeBusk Test. 5:35:00.
5. Between December 12, 2022 and January 11, 2023 N.C. Department of Labor Compliance Safety and Health Officer ("CSHO") Jerry Midyette conducted a "wall to wall" inspection pursuant to a special emphasis program aimed at reducing levels of occupational exposures to hazardous chemicals (Operational Procedure Notice 1351). Compl. Ex. 1, p 22; Midyette Test. 00:23:30-27:00.
6. Mr. Midyette conducted an opening conference on December 12, 2022 and did an initial walk-around on that date, including taking photographs in each of the buildings where employees worked. Mr. Midyette returned on December 15, 2022 for the specific purpose of determining noise level exposures in the welding and trimming / sanding operations. Compl. Ex. 1, pp 25-28; Midyette Test. 00:27:00 - 00:28:00; 00:37:01-00:38:00. A closing conference was held with employer representatives on January 11, 2023. Midyette Test. 00:37:01-00:38:44.
7. As a result of the inspection, on May 8, 2023 Complainant issued two citations with twelve and four items, respectively, carrying the following proposed abatement dates and penalties:

ITEM NO.	STANDARD	ABATE DATE	PENALTY
	CITATION ONE (Serious)		
001a	29 CFR 1910.95(c)(1)	corr during insp.	\$4,300.00
001b	29 CFR 1910.95(d)(1)	immediately	grouped
001c	29 CFR 1910.95(g)(1)	corr during insp.	grouped
001d	29 CFR 1910.95(k)(1)	06/02/2023	grouped
002	29 CFR 1910.107(b)(9)	corr during insp.	\$1,300.00
003	29 CFR 1910.107(e)(2)	corr during insp.	\$1,300.00

004	29 CFR 1910.107(g)(2)	corr during insp.	\$1,300.00
005a	29 CFR 1910.134(e)(1)	immediately	\$1,300.00
005b	29 CFR 1910.134(f)(2)	immediately	grouped
005c	29 CFR 1910.134(h)(1)(i)	corr during insp.	grouped
006	29 CFR 1910.179(b)(5)	immediately	\$2,000.00
007	29 CFR 1910.215(b)(9)	immediately	\$750.00
	CITATION TWO (Nonserious)		
001	29 CFR 1910.157(c)(4)	corr during insp.	\$0.00
002	29 CFR 1910.178(l)(4)(iii)	corr during insp.	\$0.00
003	29 CFR 1910.305(g)(l)(4)(A)	corr during insp.	\$0.00
004	29 SFR 1910.1200(f)(6)	corr during insp.	\$0.00
	TOTAL PENALTIES		\$12,300.60

Compl. Ex. 1, pp 3-19.

8. For the alleged violations, the Complainant calculated the proposed penalties and proposed abatement dates according to the procedures set forth in the Complainant's North Carolina Operations Manual. Pursuant to Chapter VI, section B of the North Carolina Operations Manual, Complainant applied the following Adjustment Factors to the Gravity Based Penalty to calculate the Proposed Adjusted Penalty, as appropriate: 60% for size, 0-10% for good faith, and 10% for history. Compl. Ex. 1, pp 28-29.
9. Respondent submitted a timely Notice of Contest dated June 28, 2023.
10. Respondent submitted a timely Statement of Position contesting all items in Citations One and Two. Verbal Order, Rec. at 00:05:52.

**CITATION ONE, ITEMS 1a, 1b, 1c, 1d
Hearing Conservation Program**

11. Respondent's employee, Mr. Doug Webb, who worked in the welding shop was exposed to an eight hour time-weighted average noise level of 89.3 decibels, as measured by

CSHO Midyette's dosimetry on December 15, 2022. Compl. Ex. 1, p 27; Midyette Test. 2:14:58 - 2:24:35.

12. While working inside the welding shop Mr. Webb wore disposable silicone earplugs. Compl. Ex. 1, p 303. Midyette Test. 2:14:58 - 2:24:35.
13. Respondent's employee, Mr. Chris Wright, who worked in the lamination building using a sander and router, was exposed to an eight hour time-weighted average noise level of 88.1 decibels, as measured by CSHO Midyette's dosimetry on December 15, 2022. Compl. Ex. 1, p 28. Midyette Test. 2:14:58 - 2:24:35.
14. While working inside the lamination building using a sander and/or router, Mr. Wright wore disposable silicone earplugs. Compl. Ex. 1, p 303. Midyette Test. 2:14:58 - 2:24:35.
15. Respondent had not done any monitoring since purchasing the business. Midyette Test. 2:24:45. Neither exposed employee had been tested prior to the December 2022 inspection. Midyette Test. 2:27:31; Brunson Test. 4:10:40 (did not regularly perform hearing tests using dosimeter); 4:12:39 (had not performed audiometric tests on fairly new employee, Chris Wright); 4:12:13 (did not monitor noise levels).
16. Respondent did not provide any documentation that it had supplied employees with any training regarding noise levels and potential health effects. Furthermore, the employees stated to the CSHO that they had not received training. Midyette Test. 2:28:54.
17. Chris Wright was a "fairly new employee" and should have been monitored at the start of his job tenure to establish a baseline. Brunson Test. 4:12:39.
18. The Respondent provided copies of the three pages from its safety manual that addressed hearing conservation. The policy expressed an intention to perform "periodic monitoring" in the two areas where employees would be exposed to excessive noise, to provide employees with hearing protection equipment, to perform audiometric testing and to provide employee training. Resp. Ex. 1A, including photos identified as jpg 4, jpg 5, jpg 6. No evidence was provided that monitoring, testing or training had been done either consistently since 2015, or, in response to changes in the employer's production processes, including the addition of a new employee. Compare Resp. Ex. 1A and Midyette Test. 2:24:45; 2:27:31; 2:28:54; Brunson Test. 4:10:40; 4:12:13; 4:12:39. See also Resp. Ex. 1F, "Safety Sign-in Sheets" (employer provided sign-in sheets for safety meetings between 2015 and 2021; three sign-in sheets reference hearing conservation (3/10/17; 4/9/21; and, 11/24/21) without providing any information regarding the contents of training provided to employees).
19. Respondent contended that there had not been changes in production, process, equipment or controls that might have increased noise exposure since 2015. Brunson Test. 4:10:40.
20. Complainant's evidence was that the silicone earplugs required by Respondent were effective in reducing noise exposure to within acceptable levels. Compl. Ex. 1, pp 27-28.

CITATION ONE, ITEMS 2, 3, 4
Spray Finishing Using Combustible and Flammable Materials

21. There were two spray booths in the lamination building. Only one was used for manufacturing processes. Midyette Test. 00:40:52.
22. Respondent's manufacturing process included spraying a gel coat and a resin solution containing styrene. Compl. Ex. 1, p 25.
23. In the booth that was being used for spraying product, there was trash "to include but not limited to paper, gloves, bucket and cardboard boxes on the floor." Compl. Ex. 1, p 23. There was an opened, unlabeled container of acetone (a flammable substance) covered with rags, as well as buckets, mixing apparatus, flammable chemicals on a wooden pallet just outside the spray booth, and cardboard covering a chemical drum. *Id.*, at p 23; pp 309-318. Midyette Test. 00:40:52 - 00:58:10.
24. The above-described materials inside and just outside the spray booth created an environment where there was not a clear space of at least three feet on all sides of the booth that was free from storage or combustible items. Midyette Test. 00:52:25.
25. The floor of the spray booth was covered with Kraft paper, taped to the floor and extending out the door of the spray booth. Midyette Test. 00:52:25.
26. Respondent contended that the Kraft paper taped to the floor was flame retardant and that the proposed alternative, plastic covering, would be more hazardous, creating a greater opportunity for slip and fall injuries. Brunson Test. 04:04:17
27. CSHO Midyette testified that he did not know if plastic was safer than the Kraft cardboard used by the employer. Midyette Test. 02:32:48 - 02:42:57.
28. There was a five gallon metal container containing acetone, a flammable chemical with a flammability rating of "2," stored in the spray booth.¹ Complainant contended that the volume exceeded a one day supply of the chemical. Respondent's employees stated that the drum of gel coat and container of catalyst stored in the spray booth would last a week and that they pour catalyst into the gallon jug at about two week intervals. Midyette Test. 01:02:16. Brunson Test. 04:02:02 (admitting container had flammable materials). Compl. Ex. 1, p 58 (recounting statements made by employees who were interviewed).
29. Although Respondent's witness stated that the five gallon container could reasonably contain a one-day supply of chemical since the acetone was used for both spraying boat parts and for flushing out the spray guns, the witness had never visited Respondent's facility nor spoken with employees regarding the volume of work taking place in the spray booth. DeBusk Test. 05:21:15; 05:32:00. Furthermore, Respondent's employees

¹ Category 2 include liquids having flashpoints below 73.4 °F (23 °C) and having a boiling point above 95 °F (35 °C). 29 CFR 1910.106.

told the CSHO that only "a quick squirt" of the acetone was needed to clean the spray gun. Compl. Ex. 1, p 58.

30. Upon inspection of the spray booth, CSHO Midyette observed significant overspray on the kraft paper taped to the floors, which was changed once every six months and on the walls of the spray booth, which was not cleaned daily. Midyette Test. 52:25; 1:08:30. Respondent's employee stated that the gel coat "stays sticky." Compl. Ex. 1, p 63.

**CITATION ONE, ITEMS 5a, 5b, 5c
Respiratory Protection**

31. Respondent's employees who worked in the spray booth wore full face respirators after spraying styrene-based gel coat. Employees also wore half-face respirators when spraying styrene-based resin on boat hulls outside of the spray booth and when sanding boat parts. Compl. Ex. 1, pp 26; 67; 319-323;327.
32. One employee had not been fit-tested for his respirator in approximately three years prior to the date of the inspection; the other had not been fit-tested in approximately four years since the date of the inspection. Midyette Test. 01:24:26 - 01:26:50; Brunson Test. 03:59:42 - 04:02:02.
33. Respirators were not regularly cleaned. Midyette Test. 1:26:50 - 01:27:42. Compl. Ex. 1, p 75.
34. Respondent claimed that two employees were certified to perform fit-testing but that the company had not maintained any records that the employees had actually been fit-tested. Brunson Test. 04:32:35 - 04:36:28. Resp. Ex. 3b, 3c.

**CITATION ONE, ITEM 6
Crane Markings to Show Rated Load**

35. During the inspection CSHO Midyette observed an overhead crane with two Roughneck HHXG-HA1 Electric Chain Hoists in the preassembly building. No load rating label was visible from the floor. The CSHO was able to read a label by using a zoom focus on his camera. Mr. Brunson also confirmed that he was able to take a photo where the load rating was readable only by using the zoom feature on his iphone camera. Compl. Ex. 1, p 79; Midyette Test. 02:07:03; Brunson Test. 04:45:53.
36. Mr. Brunson admitted that they were "remiss in not having it [the load rating] marked on the beams." Brunson Test. 04:48:30 - 04:49:11.

CITATION ONE, ITEM 7
Welding Wheel Machinery

37. In the Welding Building, CSHO Midyette observed a Dayton Six-Inch Bench Grinder with the left top adjustable tongue set approximately three-quarter inch (3/4") above the abrasive wheel. Compl. Ex. 1, pp 83; 331. Midyette Test. 02:12:11.
38. Mr. Brunson admitted that the opening between the guards and the wheel was one-half inch greater than it should have been. Brunson Test. 03:58:59.

CITATION TWO (Nonserious)

39. Respondent was cited for a fire extinguisher sign mounted on the wall of the spray booth, where the fire extinguisher had been re-located, but the sign remained. The sign, without the fire extinguisher, could cause a delay in retrieving the actual fire extinguisher during a fire emergency. Compl. Ex. 1, p 332. Midyette Test. 1:50:33. During the hearing Mr. Brunson acknowledged that the sign should be removed, and, in fact, it was immediately removed during the inspection. Brunson Test. 03:53:54; 04:50:47.
40. There were two forklifts being used by five different employees. No performance evaluation had been conducted on the forklift operators since 2015. Midyette Test. 01:54:09. Mr. Brunson admitted that no testing had been done within a three year period. Brunson Test. 03:55:56.
41. In its carpentry room, Respondent used flexible cords and cables attached to power tools (a ban saw, a table saw, and, arm saw). These were used in lieu of hard-wiring the equipment in the building. The previous owner was cited for failing to have a shut-off / disconnect switch that would prevent spontaneous re-start in the event of a power outage / restoration. Respondent argued that the cords were required to comply with the previously mandated abatement. However, it appears that the abatement previously required was hard-wiring with conduit and a separate circuit breaker (e.g. magnetic switch) that would prevent spontaneous re-start after power outage. Compl. Ex. 1, pp 25-26; 97.
42. The CSHO observed a container of gel coat that was not marked or labeled sitting on the ground just outside the spray booth. Compl. Ex 1, p 337. Midyette Test. 02:02:51.

CONCLUSIONS OF LAW

1. To the extent that the foregoing Findings of Fact contain conclusions of law, or that these Conclusions of Law are findings of fact, they are intended to be considered without regard to their given labels. *Charlotte v. Heath*, 226 N.C. 750, 755, 40 S.E.2d 600, 604 (1946); *Peters v. Pennington*, 210 N.C. App. 1, 15, 707 S.E.2d 724, 735 (2011). *Warren v. Dep't of Crime Control*, 221 N.C. App. 376, 377, 726 S.E.2d 920, 923, *disc. rev. den.*, 366 N.C. 408, 735 S.E.2d 175 (2012). The foregoing Findings of

Fact are incorporated by reference as Conclusions of Law to the extent necessary to give effect to the provisions of this Order.

2. Respondent is an employer within the meaning of N.C. Gen. Stat. §95-127(11).
3. The Review Commission has jurisdiction over the parties and the subject matter pursuant to N.C. Gen. Stat. § 95-135.
4. 29 CFR 1910.95(c)(1) requires that an "employer shall administer a continuing, effective hearing conservation program, as described in paragraphs (c) through (o) of this section, whenever employee noise exposures equal or exceed an 8-hour time-weighted average sound level (TWA) of 85 decibels" and that "[f]or purposes of the hearing conservation program, employee noise exposures shall be computed . . . without regard to any attenuation provided by the use of personal protective equipment."
5. 29 CFR 1910.95(d)(1) requires employers whose employees are exposed to noise levels in excess of an 8-hour TWA of 85 decibels to monitor exposure by identifying affected employees and using properly calibrated monitoring devices whenever there is "a change in production, process, equipment or controls increases noise exposures" by exposing more employees or where existing hearing protection may be rendered inadequate.
6. 29 CFR 1910.95(g)(1) requires annual audiometric testing of employees exposed to noise levels in excess of an 8-hour TWA of 85 decibels by an individual with specified certifications, along with baseline testing for new employees.
7. 29 CFR 1910.95(k)(1) requires annual training for employees exposed to noise levels in excess of an 8-hour TWA of 85 decibels to include training on health effects, hearing protectors and testing procedures.
8. Respondent did not utilize an effective hearing conservation program.
 - a) Although Respondent relied upon the hearing conservation program established by the previous owner, the regulations require that *all* of the elements of the program in regulations 29 CFR 1910.95 (c) through 29 CFR 1910.95 (o) be implemented in order for the Respondent's hearing conservation program to be effective.
 - b) Respondent's program did identify affected employees.
 - c) While Respondent contended that "nothing had changed" in its manufacturing process, thus seemingly negating the requirement for recent monitoring, Respondent also admitted that one of its employees was "fairly new," an event which would have triggered required monitoring and there was no evidence that such monitoring was done.
 - d) Respondent did not undertake regular audiometric testing for employees working in the welding shop and for the employees who used the power tools, including the sander and router.

e) Respondent did not train employees who were exposed to noise levels above 85 decibels, including without limitation training about potential health effects of excessive noise exposure, the purpose and advantages and disadvantages of various hearing protection devices, nor did Respondent provide information regarding proper fitting, care and use of hearing protection devices

f) Based upon the plain statement of the regulations, the Complainant correctly measured noise levels without regard for the helmets worn by affected employees.

g) The exhibits submitted by the Respondent did not evince an effective hearing conservation program.

9. 29 CFR 1910.107(b)(9) requires that a clear space of not less than three feet on all sides of a spray booth that is free from storage or combustible construction. The wooden pallet containing flammable chemicals which was located just outside the spray booth, as well as the gloves, bucket and cardboard boxes on the floor constituted a violation of regulation 29 CFR 1910.107(b)(9).

10. The three foot requirement in 29 CFR 1910.107(b)(9) has not been abandoned and/or replaced by National Fire Protection Association (NFPA) guidelines via OSHA interpretive guidance. The OSHA interpretive guidelines submitted as an exhibit by the Respondent did not apply to the clear space requirements and, in any case, no authoritative evidence supported Respondent's contention that NFPA does not require three feet of clear space on all sides of the spray booth.

11. 29 CFR 1910.107(e)(2) requires that "[t]he quantity of flammable liquids or liquids with a flashpoint greater than 199.4° F (93° C) kept in the vicinity of spraying operations shall be the minimum required for operations and should ordinarily not exceed a supply for 1 day or one shift." The preponderance of the evidence indicated that the quantity of stored flammable liquids in the vicinity of the spraying operations exceeded a one day supply.

12. Respondent did not comply with NC OSH requirements for respiratory protection of employees.

a) 29 CFR 1910.134(e)(1) requires that an employer "provide a medical evaluation to determine the employee's ability to use a respirator, before the employee is fit tested or required to use the respirator in the workplace." Medical evaluations may only be discontinued when the employee is no longer required to use a respirator. The preponderance of the evidence indicated that at least one employee was required to use a full face respirator and there was no evidence that a medical evaluation had been done to determine the employee's ability to use the respirator.

b) 29 CFR 1910.134(f)(2) requires that an "employer shall ensure that an employee using a tight-fitting facepiece respirator is fit tested prior to initial use of the respirator, whenever a different respirator facepiece (size, style, model or make) is used, and at least

annually thereafter." The Respondent did not annually fit-test its employees who regularly used tight-fitting respirators.

c) 29 CFR 1910.134(h)(1)(i) requires that "[r]espirators issued for the exclusive use of an employee shall be cleaned and disinfected as often as necessary to be maintained in a sanitary condition." The preponderance of the evidence indicated that the Respondent did not enforce requirements that employees clean and disinfect the respirators they wore.

13. 29 CFR 1910.179(b)(5) requires that the "rated load of [a] crane shall be plainly marked on each side of the crane, and if the crane has more than one hoisting unit, each hoist shall have its rated load marked on it or its load block and this marking shall be clearly legible from the ground or floor." Respondent admitted that the load rating on the Roughneck HHXG-HA1 Electric Chain Hoists was not plainly marked so that it was legible from the floor.
14. Regarding Respondent's use of an abrasive wheel machine, a bench grinder, 29 CFR 1910.215(b)(9) provides, in pertinent part, that "the distance between the wheel periphery and the adjustable tongue or the end of the peripheral member at the top shall never exceed one-fourth inch." Respondent admitted that its bench grinder in the welding room exceeded the machine guard standard.
15. 29 CFR 1910.157(c)(4) requires that fire extinguishers are kept in their designated places at all times except during use. Respondent admitted that the fire extinguisher in question had been re-located but that the sign identifying the prior location remained in place.
16. 29 CFR 1910.178(l)(4)(iii) requires that "[a]n evaluation of each powered industrial truck operator's performance shall be conducted at least once every three years." Respondent admitted that the required testing had not been completed.
17. 29 CFR 1910.305(g)(1)(iv)(A) provides that "unless specifically permitted" by another regulation in the section, flexible cords and cables are not to be used "as a substitute for the fixed wiring of a structure." Respondent had not properly hard-wired the equipment in question.
18. 29 CFR 1910.1200.(f)(6) requires that each container of hazardous chemicals is labeled, tagged or marked such that "at least general information regarding the hazards of the chemicals, and which, in conjunction with the other information immediately available to employees under the hazard communication program, will provide employees with the specific information regarding the physical and health hazards of the hazardous chemical." The container of gel coat outside the spray booth was not properly marked.

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby **ORDERED** that the citations issued by the Complainant are **AFFIRMED** as issued. Respondent shall pay the total penalty amount of **\$12,300.60** within **30 days** of the entry of this ORDER.

This the 10th day of September 2024.

A handwritten signature in cursive script that reads "Mary-Ann Leon".

Mary-Ann Leon
Hearing Examiner Presiding
maleon@leonlaw.org

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this date served a copy of the foregoing ORDER upon:

**ROBERT BRUNSON
BRUNSON MARINE GROUP
4155 DIXIE INN RD
WILSON, NC 27893**

By depositing a copy of the same in the United States Mail, by certified mail, return receipt requested, postage prepaid at Raleigh, North Carolina, and upon:

**STACEY A. PHIPPS
NC DEPARTMENT OF JUSTICE
LABOR SECTION
PO BOX 629
RALEIGH NC 27602**

By depositing a copy of the same in the United States Mail, first class, postage prepaid at Raleigh, North Carolina, and upon:

**NC DEPARTMENT OF LABOR
LEGAL AFFAIRS DIVISION
1101 MAIL SERVICE CENTER
RALEIGH, NC 27699-1101**

via email.

THIS THE 11 DAY OF September 2024.

**PAUL E. SMITH
CHAIRMAN**



**Karissa B. Sluss
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