JANET T. MILLS
GOVERNOR

STATE OF MAINE
DEPARTMENT OF LABOR
BUREAU OF LABOR STANDARDS
WORKPLACE SAFETY AND HEALTH DIVISION
45 STATE HOUSE STATION
AUGUSTA, MAINE 04333-0045

LAURA A. FORTMAN
COMMISSIONER

KATE BURKHART
DIRECTOR

November 10, 2026

Lorie Costigan, Selectboard Chair
Town of Appleton
2915 Sennebec Road
Appleton, ME 04862

Inspection Number: 1894878

Dear Lorie Costigan:

Enclosed is the Remediation and Settlement Agreement between the Maine Department of Labor, Bureau of Labor Standards and the Town of Appleton resolving the workplace safety and health conditions identified in Inspection 1894878. Also enclosed is the final report that the Bureau of Labor Standards, Workplace Safety and Health Division has submitted to the U.S. Department of Labor Occupational Safety and Health Administration (OSHA).

The enclosed Agreement constitutes final agency action. As part of reaching this Agreement, the Town of Appleton and Appleton Fire Department expressly waived any right to appeal this action, including an 80C appeal. The Town and Fire Department have acknowledged that this Agreement is a public document and will be posted by the Agency and, possibly, OSHA.

The Agreement suffices to document your actions to abate and remediate the citations identified in this inspection. In lieu of the Abatement Certification Worksheet, please provide of copy of this Agreement to all Fire Department personnel and post a copy of this Agreement in a prominent area available to all fire department personnel for inspection until all commitments made under the Agreement have been fulfilled.

Sincerely,

J. Kate Burkhart
Director, Bureau of Labor Standards

PHONE: (207) 623-7900 (VOICE) TTY USERS CALL MAINE RELAY 711 FAX: (207) 623-7937
OFFICES LOCATED AT: CENTRAL MAINE COMMERCE CENTER, 45 COMMERCE DR., AUGUSTA, ME 04330

Citation and Notification of Penalty

Company Name: Town of Appleton/ Appleton Fire Department
Inspection Site: 506 Main Street South Searsmont, ME 04973

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

T.26Ch.6561-A: The employer did not furnish to each employee a place of employment that was free from recognized hazards, that could cause or are likely to cause death or serious physical harm to employees.

On or about May 15, 2026, and at times before, the Town of Appleton Fire Department (AFD) did not activate an accountability system prior to the silo explosion.

Acceptable and feasible methods to correct the conditions as agreed upon include the following:

The Town and AFD have taken the following corrective actions:
1. AFD began exploring the use of the Passport Accountability System in February 2026, as part of the Knox County Mutual Aid Association. The Passport Accountability System is an evidence-based system of tracking fire service personnel which meets NFPA standards and can be easily implemented without expensive technology.
2. Since May 2026 following the explosion, AFD has worked toward purchasing and implementing the Passport Accountability System in coordination with the Knox County Mutual Aid Association.
3. Knox County agreed to fund the purchase of the system for AFD and other fire departments in the county, approximately $1,000.00 per fire department.
4. The AFD fire chief and two AFD firefighters attended the OSHA Training Institute Education Center's Combustible Dust Hazards training hosted by SafetyWorks! on September 17-18, 2026.

The Town and AFD commit to the following actions to remediate and abate the hazards identified in the inspection:
1. The Fire Chief and four (4) AFD officers will attend the Fire Chiefs Workshop being coordinated by the Agency with MFSI and MFCA, to be held February 20-21, 2027.
2. The Town and AFD have committed to purchase and implement the Passport Accountability System equipment by the end of November and to have trained all AFD personnel on the system by December 31, 2026. AFD commits to ongoing use of the Passport Accountability System once it is implemented.

Date By Which Violation Must Be Abated:	**February 28, 2027**
Proposed Penalty:	**$10,000.00 – 100% SUSPENDED**

Remediation and Settlement Agreement between the Maine Department of Labor, Bureau of Labor Standards and the Town of Appleton
Inspection 1894878

This Agreement is entered into by and between the Maine Department of Labor, Bureau of Labor Standards (hereinafter "Agency"), the Town of Appleton (hereinafter "Town"), and the Appleton Fire Department (hereinafter "AFD") to resolve the workplace safety and health violations identified during Inspection 1894878 and the citation issued on October 5, 2026.

I. RECITALS

Lorie Costigan is the Chairperson of the Select Board for the Town of Appleton, Maine, and Prent Marriner is the Chief of the Appleton Fire Department. They are authorized to bind the Town and AFD and enter into this Settlement Agreement.

The Agency conducted Inspection 1894878 and found that AFD did not deploy an accountability system to account for all employees at a fire scene, which is a willful violation of the general duty imposed by 26 MRSA §561-A subject to a penalty not to exceed $10,000.00.

II. TERMS OF REMEDIATION AND ABATEMENT OF HAZARDS

The Town and AFD has undertaken the following actions to remediate and abate the hazards identified in the inspection:

1. AFD began exploring the use of the Passport Accountability System in February 2026, as part of the Knox County Mutual Aid Association.
    a. The Passport Accountability System is an evidence-based system of tracking fire service personnel that meets NFPA standards and can be easily implemented without expensive technology.
2. Since May, AFD has worked toward purchase and implementation of the Passport Accountability System in coordination with the Knox County Mutual Aid Association.
3. Knox County agreed to fund the purchase of the system for AFD and other fire departments in the county, approximately $1,000 per fire department.
4. AFD expects to have the Passport Accountability System equipment by the end of November and to have trained all AFD personnel on the system by December 31, 2026.
5. Chief Marriner and two AFD firefighters attended the OSHA Training Institute Education Center's Combustible Dust Hazards training hosted by SafetyWorks! on September 17-18, 2026.

The Agency commits to coordinate and support delivery of the Fire Chiefs' Workshop by the Maine Fire Service Institute (MFSI) and Maine Fire Chiefs' Association (MFCA) in February 2027 at a location in Waldo County and in a way that is as convenient and accessible to the participants as possible. The Agency also commits to deliver, at no charge to the Town or Fire Department, the Fire Service Respiratory Protection Program training, in January 2027 at a

location in Waldo County and in a way that is as convenient and accessible to the participants as possible.

The Town and AFD commit to further remediation, specifically that the Fire Chief and at least two (2) AFD officers will attend the Fire Chiefs Workshop being coordinated by the Agency with MFSI and MFCA to be held in February 2027. AFD commits to ongoing use of the Passport Accountability System once it is implemented.

III. SUSPENSION OF PENALTIES

The penalty associated with this investigation totals $10,000.00. In consideration for the actions taken by the Town and AFD and the commitment to provide additional training to AFD officers and staff and to prevent and mitigate future hazards, the Agency agrees to suspend the full penalty assessed of $10,000.00 so long as all commitments are performed on or before March 31, 2027.

IV. FINAL ORDER, WAIVER OF RIGHT TO APPEAL

The Town and AFD acknowledge that this Agreement constitutes final agency action and waive any right to appeal this action, including an 80C appeal. This Agreement constitutes a final money judgment pursuant to 14 M.R.S. § 3138. The Town and AFD acknowledge and understand that this Settlement Agreement is a public document and will be posted by the Agency and, possibly, the US Department of Labor Occupational Safety and Health Administration.

The Town and AFD acknowledge that, in the event that the terms of this Agreement are not met, the Agency may enforce the entire amount of penalties suspended and may pursue additional penalties under 26 M.R.S. §46 if any citation has not been corrected as provided in this Agreement. If the Agency pursues remedies for breach of this Agreement, the Town and AFD retain the right to dispute whether this Agreement has been breached but waive any right to contest the underlying violations and resulting penalties.

V. TECHNICAL ASSISTANCE

The Agency provides formal and informal technical assistance to public employers, including the free, confidential Consultation Program through SafetyWorks!. The Town and AFD are invited to contact the Agency for free, confidential technical assistance related to workplace safety and health.

SIGNATURES

J. Kate Burkhart

Date: 11.10.26

J. Kate Burkhart
Director, Bureau of Labor Standards
Maine Department of Labor

Date: 11/08/2026

Chief Prent Marriner
Appleton Fire Department

Date: 11/09/2026

Lorie Costigan, Select Board Chairperson
Town of Appleton