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

Pete Milinazzo, First Selectperson
Town of Searsmont
PO Box 56
Searsmont, ME 04973

Inspection Number: 1895354

Dear Pete Milinazzo:

Enclosed is the Remediation and Settlement Agreement between the Maine Department of Labor, Bureau of Labor Standards and the Town of Searsmont resolving the workplace safety and health conditions identified in Inspection 1895354. 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 Searsmont and Searsmont 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 Searsmont/ Searsmont 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 Searsmont Fire Department (SFD) 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 SFD have taken the following corrective actions:
1. SFD has reviewed and augmented its current accountability system and developed a practice where tags are on a tripod, not on the fire apparatus, and the Chief and Assistant Chief assure that firefighters are tagging in and out on scene. SFD has developed a Standard Operating Procedure and trained all personnel on the current accountability system.
2. SFD will be implementing the use of the Passport Accountability System in coordination with the Knox County Fire Departments. 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. SFD has received donated funds to support purchase and implementation of the Passport Accountability System, which costs approximately $1,000 per fire department. SFD expects to have the Passport Accountability System equipment by the end of November and to have trained all SFD personnel on the system by December 31, 2026.
3. SFD personnel attended the OSHA Training Institute Education Center's Combustible Dust Hazards training hosted by SafetyWorks! on September 17-18, 2026.
4. The Town and SFD have completed the required OSHA recordkeeping and logs for the past five (5) years.
5. SFD reviewed and updated the PPE Risk Assessment/Hazard Analysis on October 30, 2026.

SFD commits to further remediation, specifically that:
1. The Fire Chief and up to four (4) other SFD officers will attend the Fire Chiefs' Workshop being coordinated by the Agency with MFSI and MFCA to be held in February 2027; and
2. SFD will train all personnel on the Task Hazard Assessment in November 2026; and
3. Town and SFD personnel responsible for preparing and filing OSHA logs and records will attend the OSHA Recordkeeping Class provided by the Agency within the next 60 days.

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

Citation and Notification of Penalty

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

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

T.26Ch.28§2103(1)(B): The firefighter did not use the protective equipment whenever exposed to the hazards for which that equipment is provided.

On or about May 15, 2026, and at times before, the Town of Searsmont Fire Department (SFD) did not ensure all employees on an emergency scene wore the appropriate personal protective equipment (PPE).

Acceptable and feasible methods to correct the conditions include but are not limited to:

The Town and SFD has undertaken the following actions to remediate and abate the hazards identified in the inspection.
1. SFD has reviewed and augmented its current accountability system and developed a practice where tags are on a tripod, not on the fire apparatus, and the Chief and Assistant Chief assure that firefighters are tagging in and out on scene. SFD has developed a Standard Operating Procedure and trained all personnel on the current accountability system.
2. SFD will be implementing the use of the Passport Accountability System in coordination with the Knox County Fire Departments. 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. SFD has received donated funds to support purchase and implementation of the Passport Accountability System, which costs approximately $1,000 per fire department. SFD expects to have the Passport Accountability System equipment by the end of November and to have trained all SFD personnel on the system by December 31, 2026.
3. SFD personnel attended the OSHA Training Institute Education Center's Combustible Dust Hazards training hosted by SafetyWorks! on September 17-18, 2026.
4. The Town and SFD have completed the required OSHA recordkeeping and logs for the past five (5) years.
5. SFD reviewed and updated the PPE Risk Assessment/Hazard Analysis on October 30, 2026.

SFD commits to further remediation, specifically that:
1. The Fire Chief and up to four (4) other SFD officers will attend the Fire Chiefs' Workshop being coordinated by the Agency with MFSI and MFCA to be held in February 2027; and
2. SFD will train all personnel on the Task Hazard Assessment in November 2026; and
3. Town and SFD personnel responsible for preparing and filing OSHA logs and records will attend the OSHA Recordkeeping Class provided by the Agency within the next 60 days.

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

Citation and Notification of Penalty

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

Citation 2 Item 1 Type of Violation: **Other-than-Serious**

29 CFR 1904.33(a): The employer did not retain (save) the OSHA 300 Log, the privacy case list (if one exists), the annual 300A Summary, and the OSHA 301 Incident Report (or State of Maine Worker's Compensation First Report of Injury) for five (5) years following the end of the calendar year these records covered.

On or about May 15, 2026, and at times before, the Town of Searsmont Fire Department (SFD) did not complete OSHA recordkeeping forms to record injuries and illnesses, such as the OSHA 300 Log and the OSHA 300A Summary or equivalent forms, for all establishments during the 2021-2025 calendar years.

Acceptable and feasible methods to correct the conditions include but are not limited to:

The Town and SFD has undertaken the following actions to remediate and abate the hazards identified in the inspection.
1. SFD has reviewed and augmented its current accountability system and developed a practice where tags are on a tripod, not on the fire apparatus, and the Chief and Assistant Chief assure that firefighters are tagging in and out on scene. SFD has developed a Standard Operating Procedure and trained all personnel on the current accountability system.
2. SFD will be implementing the use of the Passport Accountability System in coordination with the Knox County Fire Departments. 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. SFD has received donated funds to support purchase and implementation of the Passport Accountability System, which costs approximately $1,000 per fire department. SFD expects to have the Passport Accountability System equipment by the end of November and to have trained all SFD personnel on the system by December 31, 2026.
3. SFD personnel attended the OSHA Training Institute Education Center's Combustible Dust Hazards training hosted by SafetyWorks! on September 17-18, 2026.
4. The Town and SFD have completed the required OSHA recordkeeping and logs for the past five (5) years.
5. SFD reviewed and updated the PPE Risk Assessment/Hazard Analysis on October 30, 2026.

SFD commits to further remediation, specifically that:
1. the Fire Chief and up to four (4) other SFD officers will attend the Fire Chiefs' Workshop being coordinated by the Agency with MFSI and MFCA to be held in February 2027;
2. SFD will train all personnel on the Task Hazard Assessment in November 2026; and
3. Town and SFD personnel responsible for preparing and filing OSHA logs and records will attend the OSHA Recordkeeping Class provided by the Agency within the next 60 days.

Date By Which Violation Must Be Abated:	**February 28, 2027**
Proposed Penalty:	**$0.00**

Citation and Notification of Penalty

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

Citation 2 Item 2 Type of Violation: **Other-than-Serious**

29 CFR 1910.134(c)(1): The respiratory protection program was not updated as necessary to reflect those changes in workplace conditions that affected respirator use.

On or about May 15, 2026, and at times before, the Town of Searsmont Fire Department (SFD) did not update their respiratory protection plan when changes in the workplace occurred. While the department was following its written program, missing or insufficient elements were as follows: the SCOTT SCBA facepiece is identified as AV2000, and the program identified that medical evaluations were being completed by a previous medical provider.

Acceptable and feasible methods to correct the conditions include but are not limited to:

The Town and SFD has undertaken the following actions to remediate and abate the hazards identified in the inspection.
1. SFD has reviewed and augmented its current accountability system and developed a practice where tags are on a tripod, not on the fire apparatus, and the Chief and Assistant Chief assure that firefighters are tagging in and out on scene. SFD has developed a Standard Operating Procedure and trained all personnel on the current accountability system.
2. SFD will be implementing the use of the Passport Accountability System in coordination with the Knox County Fire Departments. 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. SFD has received donated funds to support purchase and implementation of the Passport Accountability System, which costs approximately $1,000 per fire department. SFD expects to have the Passport Accountability System equipment by the end of November and to have trained all SFD personnel on the system by December 31, 2026.
3. SFD personnel attended the OSHA Training Institute Education Center's Combustible Dust Hazards training hosted by SafetyWorks! on September 17-18, 2026.
4. The Town and SFD have completed the required OSHA recordkeeping and logs for the past five (5) years.
5. SFD reviewed and updated the PPE Risk Assessment/Hazard Analysis on October 30, 2026.

SFD commits to further remediation, specifically that:
1. the Fire Chief and up to four (4) other SFD officers will attend the Fire Chiefs' Workshop being coordinated by the Agency with MFSI and MFCA to be held in February 2027;
2. SFD will train all personnel on the Task Hazard Assessment in November 2026; and
3. Town and SFD personnel responsible for preparing and filing OSHA logs and records will attend the OSHA Recordkeeping Class provided by the Agency within the next 60 days.

Date By Which Violation Must Be Abated:	**February 28, 2027**
Proposed Penalty:	**$0.00**

Remediation and Settlement Agreement between the Maine Department of Labor, Bureau of Labor Standards and the Town of Searsmont
Inspection 1895354

This Agreement is entered into by and between the Maine Department of Labor, Bureau of Labor Standards (hereinafter "Agency"), the Town of Searsmont (hereinafter "Town"), inclusive of the Searsmont Fire Department, a department within the Town's municipal government (hereinafter "SFD") to resolve the workplace safety and health violations identified during Inspection 1895354 and the citation issued on October 6, 2026.

I. RECITALS

Peter Milinazzo is Selectperson and Representative for the Town of Searsmont, Maine. He is authorized to bind the Town and SFD and enter into this Settlement Agreement.

The Agency conducted Inspection 1895354 and issued citations for the following:

1. lack of an accountability system to account for all employees at a fire scene, including mutual aid departments as they arrived on 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;

2. not all personnel on an emergency scene wore the appropriate personal protective equipment (PPE), which is a willful violation of 26 MRSA §2103(1)(B) subject to a penalty not to exceed $10,000.00;

3. the OSHA 300 Log, the privacy case list (if one exists), the annual 300A Summary, and the OSHA 301 Incident Report (or State of Maine Worker's Compensation First Report of Injury) for five (5) years following the end of the calendar year these records covered were not retained, which is an other-than-serious violation of 29 CFR 1904.33(a) not subject to civil penalty; and

4. elements of the written respiratory protection plan being followed were missing or insufficient; this is an other-than-serious violation of 29 CFR 1910.134(c)(1) not subject to civil penalty.

This Agreement represents a compromise of disputed claims and shall not be offered, introduced, or construed as evidence of liability, fault, or wrongdoing in any other proceeding, except as may be necessary to enforce or interpret this Agreement or as otherwise required by law.

II. TERMS OF REMEDIATION AND ABATEMENT OF HAZARDS

SFD has undertaken the following actions to remediate and abate the hazards identified in the inspection.

1. SFD has reviewed and augmented its current accountability system and developed a practice where tags are on a tripod, not on the fire apparatus, and the Chief and Assistant Chief assure that firefighters are tagging in and out on scene. SFD has developed a Standard Operating Procedure and trained all personnel on the current accountability system.

2. SFD will be implementing the use of the Passport Accountability System in coordination with the Knox County Fire Departments. 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. SFD has received donated funds to support purchase and implementation of the Passport Accountability System, which costs approximately $1,000 per fire department. SFD expects to have the Passport Accountability System equipment by the end of November and to have trained all SFD personnel on the system by December 31, 2026.
3. SFD personnel attended the OSHA Training Institute Education Center's Combustible Dust Hazards training hosted by SafetyWorks! on September 17-18, 2026.
4. The Town and SFD have completed the required OSHA recordkeeping and logs for the past five (5) years.
5. SFD reviewed and updated the PPE Risk Assessment/Hazard Analysis on October 30, 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 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 Agency commits to deliver an OSHA Recordkeeping Class within the next 60 days, virtually or in-person in Waldo County so that it is more accessible to Town and Fire Department personnel.

SFD commits to further remediation, specifically that:

1. the Fire Chief and up to four (4) other SFD officers will attend the Fire Chiefs' Workshop being coordinated by the Agency with MFSI and MFCA to be held in February 2027;
2. SFD will train all personnel on the Task Hazard Assessment in November 2026; and
3. Town and SFD personnel responsible for preparing and filing OSHA logs and records will attend the OSHA Recordkeeping Class provided by the Agency within the next 60 days.

III. SUSPENSION OF PENALTIES

The total penalty associated with this investigation is $20,000.00. In consideration for the actions taken by the Town and SFD and the commitment to provide additional training to SFD officers and staff and to prevent and mitigate future hazards, the Agency agrees to suspend the full $20,000.00 penalty.

IV. FINAL ORDER, WAIVER OF RIGHT TO APPEAL

The Town and SFD 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 SFD 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 SFD 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 SFD retain the right to dispute whether this Agreement has been breached but waive any right to contest the underlying violations and resulting penalties. For any allegation of a breach by the Town, the Agency shall provide notice to the Town with a reasonable opportunity to cure said breach within a reasonable time.

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 SFD are invited to contact the Agency for free, confidential technical assistance related to workplace safety and health.

SIGNATURES

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

Date: 11.10.26

Peter Milinazzo, First Selectperson
Town of Searsmont

Date: 11/10/26