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 / Searsmont Rescue Department
PO Box 56
Searsmont, ME 04973

Inspection Number: 1895367

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 1895367. 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 Rescue Department expressly waived any right to appeal this action, including an 80C appeal. The Town and Rescue 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 Rescue Department personnel and post a copy of this Agreement in a prominent area available to all Rescue department personnel for inspection until all commitments made under the Agreement have been fulfilled.

Sincerely,

Kate Burkhart

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 Rescue 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 Rescue Department (SRD) did not ensure employees set up firefighter rehab in a safe location, free from hazards, at an active fire scene. Employees staged firefighter rehab less than 50 feet from the area of origin of a silo fire and within the collapse zone of the structure.

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

The Town and SRD has undertaken the following actions to remediate and abate the hazards identified in the inspection.
1. SRD reviewed and updated the Fire Rehabilitation Standard Operating Procedure and trained all personnel on the procedure on August 12, 2026.
2. SRD developed a hazard assessment chart/tool and conducted a Task Hazard Assessment on August 12, 2026; SRD trained all personnel on the hazard assessment on September 8, 2026.
3. SRD has completed the OSHA records for 2021, 2022, and 2025.
4. SRD is exploring how to align their accountability system with the Searsmont Fire Department's system.

SRD commits to further remediation, specifically that:
1. The Acting Chief will attend the Fire Chiefs' Workshop being coordinated by the Agency with MFSI and MFCA to be held in February 2027; and
2. SRD will attend Personal Protective Equipment (PPE) Assessment Training, which will be provided by the agency in Searsmont in January 2027. SRD has offered to host the PPE training; and
3. Town and SRD 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 Rescue Department
Inspection Site: 506 Main Street South Searsmont, ME 04973

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

29 CFR 1910.132(d)(1): The employer did not assess the workplace to determine if hazards are present, or are likely to be present, which necessitate the use of personal protective equipment (PPE). If such hazards are present, or likely to be present.

On or about May 15, 2026, and at times before, the Town of Searsmont Rescue Department (SRD) did not assess the workplace to determine if hazards were present or likely to be present and select the appropriate personal protective equipment (PPE). Employees are exposed to, but not limited to, respiratory diseases, biological hazards, vehicle traffic, and sharp objects.

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

The Town and SRD has undertaken the following actions to remediate and abate the hazards identified in the inspection.
1. SRD reviewed and updated the Fire Rehabilitation Standard Operating Procedure and trained all personnel on the procedure on August 12, 2026.
2. SRD developed a hazard assessment chart/tool and conducted a Task Hazard Assessment on August 12, 2026; SRD trained all personnel on the hazard assessment on September 8, 2026.
3. SRD has completed the OSHA records for 2021, 2022, and 2025.
4. SRD is exploring how to align their accountability system with the Searsmont Fire Department's system.

SRD commits to further remediation, specifically that:
1. The Acting Chief will attend the Fire Chiefs' Workshop being coordinated by the Agency with MFSI and MFCA to be held in February 2027; and
2. SRD will attend Personal Protective Equipment (PPE) Assessment Training, which will be provided by the agency held in Searsmont in January 2027. SRD has offered to host the PPE training; and
3. Town and SRD 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:	**$1,000.00 – 100% SUSPENDED**

Citation and Notification of Penalty

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

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

29 CFR 1904.33(a): 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 Rescue Department (SRD) did not complete OSHA recordkeeping forms to record injuries and illnesses, such as the OSHA 300 Log and the OSHA 300A Summary or equivalent. The employer provided logs for calendar years 2024 and 2023, but did not provide logs for calendar years 2025, 2022, or 2021.

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

The Town and SRD has undertaken the following actions to remediate and abate the hazards identified in the inspection.
1. SRD reviewed and updated the Fire Rehabilitation Standard Operating Procedure and trained all personnel on the procedure on August 12, 2026.
2. SRD developed a hazard assessment chart/tool and conducted a Task Hazard Assessment on August 12, 2026; SRD trained all personnel on the hazard assessment on September 8, 2026.
3. SRD has completed the OSHA records for 2021, 2022, and 2025.
4. SRD is exploring how to align their accountability system with the Searsmont Fire Department's system.

SRD commits to further remediation, specifically that:
1. the Acting Chief will attend the Fire Chiefs' Workshop being coordinated by the Agency with MFSI and MFCA to be held in February 2027; and
2. Town and SRD 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 1895367

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 Rescue Department, a department within the Town's municipal government (hereinafter "SRD") to resolve the workplace safety and health violations identified during Inspection 1895367 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 SRD and enter into this Settlement Agreement.

The Agency conducted Inspection 1895367 and issued citations for the following:

1. employees established firefighter rehabilitation services in a location that was not safe from hazards at an active fire scene; this is a willful violation of 26 MRSA §561-A subject to a penalty not to exceed $10,000.00;

2. lack of an assessment of the workplace to determine if hazards were present or likely to be present and select the appropriate personal protective equipment (PPE) to protect the employees, resulting in employee injuries sustained during an explosion; this is a willful violation of 29 CFR 1910.132(d)(1) subject to a penalty not to exceed $10,000.00.

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

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

1. SRD reviewed and updated the Fire Rehabilitation Standard Operating Procedure and trained all personnel on the procedure on August 12, 2026.
2. SRD developed a hazard assessment chart/tool and conducted a Task Hazard Assessment on August 12, 2026; SRD trained all personnel on the hazard assessment on September 8, 2026.
3. SRD has completed the OSHA records for 2021, 2022, and 2025.
4. SRD is exploring how to align their accountability system with the Searsmont Fire Department's system.

The Agency commits to partner with SRD to develop and deliver training on the following topics identified by SRD:

1. how supervisors and officers can identify the appropriate PPE required for specific tasks and associated hazards;
2. officer responsibilities for ensuring personnel are wearing the appropriate PPE;
3. how officers should address and manage personnel who do not follow established safety procedures and PPE requirements; and
4. the authority and responsibilities of incident commanders and officers regarding PPE compliance among mutual aid personnel operating at an incident.

The Agency and SRD will work together to identify a date, location, and format for the training,

with the goal to deliver it before January 31, 2027.

SRD commits to further remediation, specifically that:

1. the Acting Chief will attend the Fire Chiefs' Workshop being coordinated by the Agency with MFSI and MFCA to be held in February 2027; and
2. Town and SRD 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 totals $20,000.00. In consideration for the actions taken by the Town and SRD and the commitment to provide additional training to SRD 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 SRD are invited to contact the Agency for free, confidential technical assistance related to workplace safety and health.

SIGNATURES

Date: 11.10.26
J. Kate Burkhart
Director, Bureau of Labor Standards
Maine Department of Labor

Date: 11-10-26
Peter Milinazzo, Selectperson
Town of Searsmont