

Microoffice Memorandum

TO (Name and Location)	DATE
Mr. S. P. Krivan - Dallas	May 12, 1980
FROM (Name and Location)	REFERENCE NO.
Mr. J. P. Hawthorne	JPH-419-80

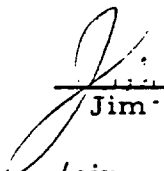
FILE

PLAINTIFF'S
EXHIBIT
CEL-624

SUBJECT: OSHA CITATIONS (Ref. SPK-107-80)

CCCTC was visited by an OSHA representative on May 29, 1974 in search of cancer suspect agents. The facility was cited---five (5) discrepancies associated with 29 CFR 1910.93 (see attached). No fines were assessed.

Our records indicate there were no others OSHA visits.


Jim

/ejv

cc: Mr. R. A. Gangemi w/attachment

008518

CITATION

U.S. DEPARTMENT OF LABOR 7-331A

1015 JACKSON WALKER ROAD

SAN ANTONIO, TEXAS 78213

Phone (512) 225-5511 ext 4591

S 9361	23	74
AREA	REGION	
6090	06	

TO: 2
Celanese Chemical Company Technical Center
Attn: Mr. Paul Hime, Director of
Administration
1901 Clarkwood Road
Corpus Christi, Texas 78408

3. Citation Number 1
4. Page 1 of 5. 1

TYPE OF ALLEGED VIOLATION(S): NONSERIOUS

An inspection was made on May 29 1974 of a place of employment located at:

1. 1901 Clarkwood Road from 2:50 p.m. to 4:35 p.m. and described as follows:

2. Research & Develop for Mfg of organic chemicals

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 et seq., in the following respects:

10. Item number	11. Standard, regulation or section of the Act allegedly violated	12. Description of alleged violation	13. Date by which alleged violation must be corrected
1	29 CFR 1910.93d(c) 4/10.11.10	Employer had not established a regulated area where alpha-naphthylamine is stored (approximately 10 grams were stored in a storage drawer in a storage room).	Immediately upon receipt of this citation
2	29 CFR 1910.93d(e)	Entrances to regulated areas were not posted with signs bearing the legend: Cancer - Suspect Agent Authorized Personnel Only	Immediately upon receipt of this citation
3	29 CFR 1910.93d(f) (1)(iv)	Employer did not report in writing to the nearest Occupational Safety and Health Administration Area Director the manner in which alpha-naphthylamine is present in each regulated area.	Immediately upon receipt of this citation
4	29 CFR 1910.93o(c)	Employer had not established a regulated area where 4-dimethylaninoazobenzene is stored (approximately 10 grams were stored in a storage drawer in a storage room).	Immediately upon receipt of this citation
5	29 CFR 1910.93o(e)	Entrances to regulated areas were not posted with signs bearing the legend: Cancer - Suspect Agent Authorized Personnel Only	Immediately upon receipt of this citation
6	29 CFR 1910.93o(f) (1)(iv)	Employer did not report in writing to the nearest Occupational Safety and Health Area Director the manner in which 4-dimethylaninoazobenzene is present in each regulated area.	Immediately upon receipt of this citation

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near each place that an alleged violation referred to in the citation occurred. The citation must remain posted until all alleged violations cited therein are corrected, or for 3 working days, whichever period is longer.

RIGHTS OF EMPLOYEES

Any employee or representative of employees who believes that any period of time fixed in this citation for the correction of a violation is unreasonable has the right to contest such time for correction by submitting a letter to the U.S. Department of Labor at the address shown above within 15 working days of the issuance of this citation.

No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. 11(c) (1) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, 660(c)(1).

Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, or Federal Holidays.

14.

Area Director's Signature HERBERT N. KURTZ

Issuance Date June 20 19 74

(NOTICE: Additional Important Information On Reverse Side.)

008519

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

1. 1015 Jackson Keller Road
San Antonio, Texas 78213
Phone: 512/225-5511, Ext. 4591

CSHQ NO.	OSHA
S9361	23 74
AREA	REGION
6090	6

TO:
2. Celanese Chemical Company Technical Center
Attn: Mr. Paul Hime, Director of Administration, 1901 Clarkwood Rd.
Corpus Christi, Texas 78408

3. Date June 20, 1974
THERE IS NO REQUIREMENT THAT THIS NOTIFICATION BE POSTED.

NOTIFICATION OF PROPOSED PENALTY

This notification and the penalty(ies) proposed by the Secretary of Labor shall be deemed to be the final order of the Occupational Safety and Health Review Commission (an independent agency with authority to issue decisions respecting citations and proposed penalties) and not subject to review by any court or agency unless, within 15 working days from the date of receipt of this notification, you submit a letter of contest. The letter of contest should be mailed or otherwise delivered to the Area Director named below at the address shown at the top of this notification. If no notice of contest is filed within the 15 working day period the proposed penalty(ies) becomes final and is immediately payable.

Payment of all penalties shown is to be made by check or money order payable to the order of "Occupational Safety and Health-Labor". Payment of penalties should be remitted to the Area Director at the address shown above.

Section 17(1) of the Act states: "Civil penalties owed under this Act shall be paid into the Treasury of the United States and shall accrue to the United States and may be recovered in a civil action in the name of the United States brought in the United States district court for the district where the violation is alleged to have occurred or where the employer has its principal office."

4. On the 20th day of June, 19 74, a citation(s) was issued to you in accordance with the provisions of Section 9(a) of the Occupational Safety and Health Act of 1970 (84 Stat. 1601; 29 U.S.C. 651, et seq.) hereinafter referred to as the Act. You were thus notified of certain alleged violations of the Act, as specified in that citation(s).

YOU ARE HEREBY NOTIFIED that pursuant to the provisions of Section 10(a) of the Act, the penalty(ies) set forth below is/ are being proposed, based on the citation(s).

5. VIOLATIONS			6. NONSERIOUS VIOLATIONS		
5A. Citation No.	5B. Item No.	5C. Proposed Penalty	6A. Citation No.	6B. Item No.	6C. Proposed Penalty
			1	1	None
			1	2	None
			1	3	None
			1	4	None
			1	5	None
			1	6	None
			7. Total Proposed Penalty for All Alleged Violations \$ NONE		
Area Director			Date		
H. T. Mule			June 20 1974		
HERBERT M. KUEZ					

The proposed penalty for Nonserious Violations of safety and health standards reflects a 50 percent adjustment factor for corrective action to be taken within the period prescribed in the citation. If a particular alleged violation is not corrected within this period, the 50 percent adjustment will be added to such other penalty as may subsequently be proposed for failure to correct a violation within the abatement period. No abatement credit is allowed for violations of recordkeeping or posting requirements.