P. O. Box 2027
Tyler, Texas 75710. Tel 214/882-9511

Tyler Pipe
Subsidiary of
Tyler Corporation

PLAINTIFF'S EXHIBIT
TPI-20

May 27, 1981

U. S. Department of Labor

Occupational Safety & Health Administration

Room 208 Federal Building

211 West Ferguson Street

Tyler, Texas 75702

Attention: Mr. C. R. Holder/Area Director

Dear Sir:

As can be seen on the enclosed progress schedule, we are considerably behind on our target dates for completion of the cold box core machines projects.

When the existing dust control plan was originated, we were using one particular type of material for the cold box process. Since that time, we have decided to experiment with two other materials which offer possible benefits. The final choice of material will dictate certain machine and equipment design. We are proceeding with experimentation as expeditiously as possible in order to determine the necessary equipment requirements.

Cordially,

Ron Howell

Ron Howell
Design Engineering Manager

RH:dv

Encls.

U.S. Department of Labor

Occupational Safety and Health Administration

Federal Building
Room 208
211 W. Ferguson
Tyler, TX 75702
214 595-2438

June 3, 1981

Reply to the Attention of

Mr. John C. Warner, President
Tyler Pipe Industries, Inc.
P. O. Box 2027
Tyler, TX 75710

Dear Mr. Warner:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (Act) which in some instances, may have accompanying proposed penalties. Also enclosed is a booklet which explains your rights and responsibilities under the Act. As indicated on page 2 of the booklet, you may request an informal conference with me during the 15 working day notice of contest period. During the informal conference, you may present any evidence or views which you believe would support an adjustment to the citation or penalty.

If you decide to request an informal conference, please complete the form at the bottom of this letter and post it next to the citations immediately after determining the time, date and place of the informal conference.

If you have any questions about the enclosed citations and penalties, I would welcome further discussion at the informal conference, and, where warranted, I am authorized to enter into an informal settlement agreement which amicably resolves this matter without any litigation or contest. If you have any questions regarding the informal conference, please contact me.

Sincerely,

C. R. HOLDER
Area Director

* * * * * * * * *

NOTICE TO EMPLOYEES

An informal conference has been scheduled with OSHA to discuss the citations issued on _____. The conference will be held at the OSHA Office located at the Federal Building, Room 208, 211 W. Ferguson, Tyler, Texas, on _____ (date) at _____ (time).

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

CITATION and NOTIFICATION OF PENALTY

Tyler Area Office
208 Federal Building
Tyler, TX 75702

ISSUANCE DATE	OSHA NUMBER	
6/3/81	18099-123	
REGION	AREA	PAGE
6	7070	1 OF 2

TYPE OF VIOLATION(S)	CITATION NO.
OTHER	1

INSPECTION DATE:
3/26 - 4/7/81
INSPECTION SITE
Hwy 69 N
Tyler, TX

TO: Tyler Pipe Industries, Inc.
P. O. Box 2027
Tyler, TX 75710

Attn: Mr. John C. Warner, President

THE LAW REQUIRES that a copy of this Citation be posted immediately in a prominent place at or near the location of the violation(s) cited below. The Citation must remain posted until the violations cited below have been corrected, or for 3 working days (excluding weekends and Federal holidays) whichever is longer.

PENALTIES ARE DUE WITHIN 15 DAYS OF RECEIPT OF THIS NOTIFICATION UNLESS CONTESTED (See enclosed Booklet)

This Section To Be Detached Before Posting

This citation describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed below are based on these violations. You must correct the violations referred to in this citation by the dates listed below and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this citation and penalty you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. (See the enclosed booklet which outlines your responsibilities and courses of action and should be read in conjunction with this form.)

ITEM NUMBER STANDARD, REGULATION OR SECTION OF THE ACT VIOLATED DESCRIPTION	DATE BY WHICH VIOLATION MUST BE CORRECTED	PENALTY
The violations described in this citation are alleged to have occurred on or about the day the inspection was made unless otherwise indicated within the description given below.		
1A. 29 CFR 1910.1000(c): Employee(s) were exposed to material(s) in excess of the 8-hour time weighted average limit(s) listed for that material(s) in Table Z-3 of subpart Z of 29 CFR part 1910: a. Employee exposed to dust containing crystalline silica while operating the sand slinger on the "234" pipe mold line in the north plant on April 7, 1981. b. Employee exposed to dust containing crystalline silica while operating the sand slinger on the "456" pipe mold line in the north plant on May 6, 1981.	11/03/81	
1B. 29 CFR 1910.1000(e): Feasible administrative or engineering controls were not determined and implemented to reduce employee exposure(s): a. Employee exposed to dust containing crystalline silica while operating the sand slinger on the "234" pipe mold line in the north plant on April 7, 1981. b. Employee exposed to dust containing crystalline silica while operating the sand slinger on the "456" pipe mold line in the north plant on May 6, 1981.	Step 1 08/03/81 Step 2 11/03/81	
Step 1 - Submit to the Area Director a written detailed plan of abatement outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to hazardous substances as referenced in this citation. This plan shall include as a minimum, target dates for the following actions which should be consistent with the dates required by this citation. a. Evaluation of the extent and location of the hazard source; b. Evaluation of control measure options; c. Selection of optimum control measure(s); d. Determination of control measure design;		

AREA DIRECTOR
C. B. HOLDER

NOTICE TO EMPLOYEES – The law gives an employee or his representative the opportunity to object to any abatement date set for a violation if he believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this citation and penalty.

EMPLOYER DISCRIMINATION UNLAWFUL – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he has been discriminated against may file a complaint no later than 30 days after the discrimination with the U.S. Department of Labor Area Office at the address shown above.

EMPLOYER RESPONSIBILITIES AND COURSES OF ACTION – The enclosed booklet outlines employer responsibilities and courses of action and should be read in conjunction with this notification.

TOTAL PEN... FOR TH... CITATI...
Make check... Order Payab... "DOL-OS... Indicate OSH... on Rem...

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

CITATION and NOTIFICATION OF PENALTY

Tyler Area Office
208 Federal Building
Tyler, TX 75702

ISSUANCE DATE	OSHA NUMBER	
6/3/81	M8099-123	
REGION	AREA	PAGE
6	7070	2 OF 2

TYPE OF VIOLATION(S)	CITATION NO
OTHER	1

INSPECTION DATE:
3/26-4/7/81
INSPECTION SITE:
Hwy 69 N
Tyler, TX

TO: Tyler Pipe Industries, Inc.
P. O. Box 2027
Tyler, TX 75710

Attn: Mr. John C. Warner, President

THE LAW REQUIRES that a copy of this Citation be posted immediately in a prominent place at or near the location of the violation(s) cited below. The Citation must remain posted until the violations cited below have been corrected, or for 3 working days (excluding weekends and Federal holidays) whichever is longer.

PENALTI
ARE DU
WITHIN
DAYS O
RECEIPT
OF THIS
NOTIFIC
UNLESS
CONTES
(See encl
Booklet)

This Sect
Be Detac
Before Fo

This citation describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed below are based on these violations. You must correct the violations referred to in this citation by the dates listed below and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this citation and penalty you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. (See the enclosed booklet which outlines your responsibilities and courses of action and should be read in conjunction with this form.)

ITEM NUMBER STANDARD, REGULATION OR SECTION OF THE ACT VIOLATED: DESCRIPTION	DATE BY WHICH VIOLATION MUST BE CORRECTED	PENA

e. Ordering and delivery of equipment and materials;

f. Installation of control measures;

g. Training of employees in the proper operation and maintenance of the newly implemented control measures; and

h. Assurance of effective performance of control measures.

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person. Ninety (90) day progress reports are required during the abatement period.

Step 2 - Correction shall be completed by the implementation of feasible engineering and/or administrative controls and their effectiveness at achieving compliance verified.

AREA DIRECTOR
J. R. HOLDER

NOTICE TO EMPLOYEES – The law gives an employee or his representative the opportunity to object to any abatement date set for a violation if he believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this citation and penalty.

EMPLOYER DISCRIMINATION UNLAWFUL – The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he has been discriminated against may file a complaint no later than 30 days after the discrimination with the U.S. Department of Labor Area Office at the address shown above.

EMPLOYER RESPONSIBILITIES AND COURSES OF ACTION – The enclosed booklet outlines employer responsibilities and courses of action and should be read in conjunction with this notification.

TOTAL PE
FOR TH
CITATI
Make check
Order Payat
"DOL OS
Indicate OSH
on Remit