

PLAINTIFF'S
EXHIBIT
DUP-634

A OC2 486711
A Occupational Safety & Health
States
Texas

Sabine River
Asbestos Citation
General

DUP 0961259

DU 041453

4/3/79 bcc: W.H.Sprout, PP&R, Sabine
apm R.M.Shepherd, PP&R,D-120:
I.Zeise, Engg.,L-1235



UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

1825 K STREET, NW
WASHINGTON, D C 20006

7
RECEIVED

APR 3 1979

TIME H.S.T.

NOTICE OF DECISION

Secretary v. E.I. duPont de Nemours & Co., Sabine River Works
OSHRC Docket No. 78-5871

1. Enclosed herewith is my decision in the above-entitled case. It is being filed on this date and will become the final order of the Commission pursuant to 29 U.S.C. §661(i) on April 30, 1979, unless a Member of the Commission directs that it be reviewed.
2. Parties will not received any further communication from the Commission on this case unless review is directed by a Member of the Commission. In that case each party will be notified and given an opportunity to submit a brief to the Commission Members prior to their final disposition of the case.

Enclosure

Date: March 30, 1979

DU 041454

DUP 0961261

UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SECRETARY OF LABOR

Complainant

v.

E.I. duPONT DE NEMOURS & CO.,
SABINE RIVER WORKS

Respondent

:
:
:
:
:
:
:
:

DOCKET NUMBER 78-5871

ORDER

The settlement agreement of the parties filed on February 5, 1979, has been considered, and is approved under the criteria of Dawson Bros. Mechanical Contractors, 1 BNA OSHC 1024, 1971-73 CCH OSHD par. 15,039 (Rev. Com. 1972)(Commission Rule 100; 5 U.S.C. section 554(c)(1)).

PAUL A. TENNEY
Judge, OSHRC

Dated: March 30, 1979
Washington, D.C.

DU 041455

DUP 0961262

Case name: Secretary v. E.I. duPont de Nemours & Co., Sabine River Works OSHAHC # 78-5871

Employer

Mr. Hastings S. Trigg, Jr.
E.I. duPont de Nemours & Co.
Legal Department, Room D-7150
1007 Market Street
Wilmington, Delaware 19898

DUP 0961262.001

DU 041456

2/6/79 bcc: W.K.Naq Sabine River
egm R.M.Sherard, PP&R, D-12014
I. Zeise, Engg. L-1235

RECEIVED

FEB 5 1979

TIME _____

February 1, 1979

Mr. Ray H. Darling, Jr.
Executive Secretary
Occupational Safety and Health
Review Commission
1325 K Street, N.W.
Washington, D.C. 20006

Re: Secretary of Labor v. E. I. duPont de Nemours &
Co., Sabine River Works; SOL Case No. 07678
OSHRC Docket No. 78-5871; CSZO No. H4681-009

Dear Mr. Darling:

Enclosed please find the original and two copies of a settlement agreement in the above-styled proceeding. Please acknowledge receipt by returning a conformed copy of the instrument in the enclosed franked, self-addressed envelope.

Sincerely,

Barbara G. Heptig
Attorney

Enclosures:
Settlement Agreement
Envelope

cc: Mr. Hastings S. Trigg, Jr.
of Counsel
E. I. duPont de Nemours and Co.
Legal Department, Room D-7150
1007 Market St.
Wilmington, Delaware 19898

DU 041457

DUP 0961263

UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

RAY MARSHALL, Secretary of Labor,	)	
United States Department of Labor,	)	
	)	
Complainant,	)	OSHRC Docket
	)	
v.	)	No. 78-5871
	)	
	)	
E. I. duPONT de NEMOURS & COMPANY,	)	
SABINE RIVER WORKS,	)	
	)	
Respondent,	)	

SETTLEMENT AGREEMENT

Come now the parties through their respective representatives and submit the following settlement agreement pursuant to Rule 100 of the Rules of Procedure:

1. Complainant has determined that Item 1a of the Serious Citation No. 1 issued to Respondent November 6, 1978 should be deleted and in lieu thereof, Complainant hereby amends the said citation as follows:

"Citation No. 1

Item 1. (Serious)

A. 29 C.F.R. 1910.1001(g)(1)(i):
Caution signs were not provided nor displayed at each location where airborne concentrations of asbestos fiber may be in excess of the exposure limits:

(a) at the north end of the 258 area, insulation containing asbestos was removed from pipes in the overhead rack allowing the emission of airborne fibers."

DU 041458

2. Complainant hereby withdraws Items Nos. 1b and 1c alleging violations of 29 C.F.R. 1910.1001(h)(1) and 29 C.F.R. 1910.1001(h)(2).

3. Respondent has paid the proposed penalty of \$560.00 sought by Complainant and desires therefore to withdraw the notice of contest and consents to the entry of a final order by the Occupational Safety and Health Review Commission.

4. Respondent represents that the aforementioned violation has been abated.

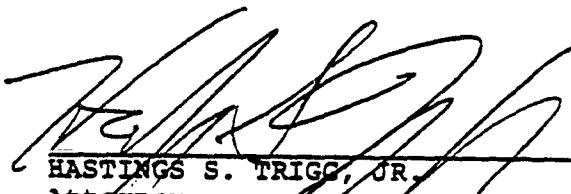
5. Respondent agrees that Complainant shall be permitted access to its workplace during Respondent's normal business hours subsequent to the abatement dates set forth for the specific and limited purpose of permitting Complainant to confirm respondent's compliance with the abatement provisions of this agreement.

6. Respondent states it will comply with the Occupational Safety and Health Act of 1970 (29 U.S.C. 651, et seq.).

7. Respondent certifies that a copy of this settlement agreement has been served upon represented and unrepresented affected employees in the manner set forth in Rule 7 of the

Rules of Procedure, by posting same on the 26th day
of January, 1979.

Agreed to this 26th day of January, 1979.


HASTINGS S. TRIGG, JR.
Attorney

Agreed to this 1st day of February, 1979.

CARIN ANN CLAUSS
Solicitor of Labor

JAMES E. WHITE
Regional Solicitor

JACK F. OSTRANDER
Acting Counsel for
Occupational Safety and
Health

By:


BARBARA G. HEPTIG
Attorney

Attorneys for RAY MARSHALL,
Secretary of Labor, United
States Department of Labor

Complainant.

SOL Case No. 07678
CSHO No. H4681-009

DU 041460

SR-51



E. I. DU PONT DE NEMOURS & COMPANY
INCORPORATED
SABINE RIVER WORKS
P. O. Box 1089, ORANGE, TEXAS 77630

BCC: H. S. Trigg, Jr. - Wilmington
R. M. Shepherd - Wilmington
W. E. Thomas

PLASTIC PRODUCTS AND RESINS DEPARTMENT

January 29, 1979

Mr. James E. White
Regional Solicitor
U. S. Department of Labor
555 Griffin Square Building - Suite 501
Griffin and Young Streets
Dallas, Texas 75202

ATTENTION: Ms. Barbara G. Heptig, Attorney

Re: Secretary of Labor v. E. I. du Pont de Nemours & Co.,
Sabine River Works; OSHRC Docket No. 78-5871 CSHO No.
H4681-009; SOL Case No. 07678

Dear Ms. Heptig:

Attached is a \$560.00 check made payable to "Occupational Safety and Health - Labor" per the Settlement Agreement of the referenced case. The subject agreement is dated January 26, 1979 and is being forwarded to you by our Counsel Hastings S. Trigg, Jr.

Sincerely,

WKNace

W. K. Nace, Superintendent
Employee Relations Department

WKN:mdp
Attachment

DU 041461

BETTER THINGS FOR BETTER LIVING . . . THROUGH CH

DUP 0961267

E. I. DU PONT DE NEMOURS & COMPANY
INCORPORATED

No. 318-37291

PLASTIC PRODUCTS & RESINS DEPT. - P.O. BOX 1089 - ORANGE, TEXAS 77630

ALWAYS REFER TO OUR CHECK NUMBER IN YOUR CORRESPONDENCE

CUS. NO.	VENDOR'S NO.	VENDOR'S DATE MO. DAY YR.	AMOUNT	DISCOUNT	FREIGHT	NET AMOUNT
1/29/79			\$560.00			
To cover penalty associated with the OSHA citation dated 11/6/78.						
8305	1020-33					
0960						

E. I. Du Pont de Nemours & Company No. 318-37291
INCORPORATED
ORANGE, TEXAS JANUARY 29, 1979

Pay ****\$560.00****

To the ****OCCUPATIONAL SAFETY AND HEALTH**
order **LABOR****
of **OSHA #H4681-9**

TO **MELLON BANK IN A**
PITTSBURGH-PENNSYLVANIA

NOT GOOD FOR MORE THAN \$30000.00
E. I. DU PONT DE NEMOURS & COMPANY
CASHIER ACCOUNT NO. 318

Ruby A. Ortega

BETTER THINGS FOR BETTER LIVING... THROUGH CHEMISTRY

31837291 04300026 1278098

DU 041462

DUP 0961268



E. I. DU PONT DE NEMOURS & COMPANY
WILMINGTON, DELAWARE 19898

LEGAL DEPARTMENT

January 26, 1979

James E. White, Esq.
Regional Solicitor
U.S. Department of Labor
555 Griffin Square Building, Suite 501
Griffin and Young Streets
Dallas, Texas 75202

Attention: Barbara G. Heptig, Esq.

Re: Secretary of Labor v. E. I. du Pont de Nemours
and Company, Sabine River Works
OSHRC DOCKET NO. 78-5871, Region 6

Dear Ms. Heptig:

In connection with the captioned matter, enclosed please find the original proposed Settlement Agreement that I have executed on behalf of Respondent. You will note that also on this date a copy of the enclosed document has been posted in accordance with 29 CFR §2200.100(c) and 29 CFR §2200.7.

Please note paragraph 5 of the proposed Settlement Agreement has been amended in accordance with our telephone conversation. In addition, I have taken the liberty of correcting a typographical error in paragraph 2 by substituting "C.F.R." for "C.R.R."

Per our telephone conversation of today, you will be receiving a check in payment of the penalty under separate letter directly from Sabine River Works. If you have not received the check by the time you receive this letter, please notify me.

Finally, it is understood that, upon receipt of the enclosed document and the check from Sabine River Works, you will execute the enclosed on behalf of Complainant and file same with the Occupational Safety and Health Review Commission.

DU 041463

DUP 0961270

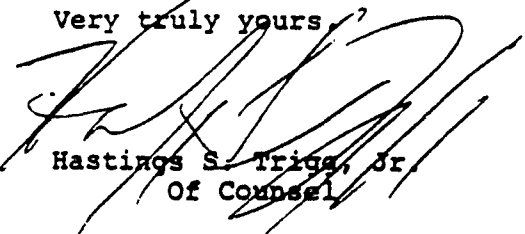
James E. White, Esq.

- 2 -

January 26, 1979

It is requested that you send me a copy of the fully executed proposed Settlement Agreement at the same time you file it with the Commission.

Very truly yours,


Hastings S. Trigg, Jr.
Of Counsel

HST:am
Enclosure

cc: (without enclosure)

Executive Secretary
U.S. Occupational Safety & Health Review Commission
1825 "K" Street, N.W.
Washington, D.C. 20006

DU 041464

DUP 0961271

UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

RAY MARSHALL, Secretary of Labor,	)	
United States Department of Labor,	)	
	)	
Complainant,	)	OSHRC Docket
	)	
v.	)	No. 78-5871
	)	
	)	
E. I. duPONT de NEMOURS & COMPANY,	)	
SABINE RIVER WORKS,	)	
	)	
Respondent,	)	

SETTLEMENT AGREEMENT

Come now the parties through their respective representatives and submit the following settlement agreement pursuant to Rule 100 of the Rules of Procedure:

1. Complainant has determined that Item 1a of the Serious Citation No. 1 issued to Respondent November 6, 1978 should be deleted and in lieu thereof, Complainant hereby amends the said citation as follows:

"Citation No. 1

Item 1. (Serious)

A. 29 C.F.R. 1910.1001(g)(1)(i):
Caution signs were not provided nor displayed at each location where airborne concentrations of asbestos fiber may be in excess of the exposure limits:

(a) at the north end of the 258 area, insulation containing asbestos was removed from pipes in the overhead rack allowing the emission of airborne fibers."

DU 041465

DUP 0961272

2. Complainant hereby withdraws Items Nos. 1b and 1c alleging violations of 29 C.F.R. 1910.1001(h)(1) and 29 C.F.R. 1910.1001(h)(2).

3. Respondent has paid the proposed penalty of \$560.00 sought by Complainant and desires therefore to withdraw the notice of contest and consents to the entry of a final order by the Occupational Safety and Health Review Commission.

4. Respondent represents that the aforementioned violation has been abated.

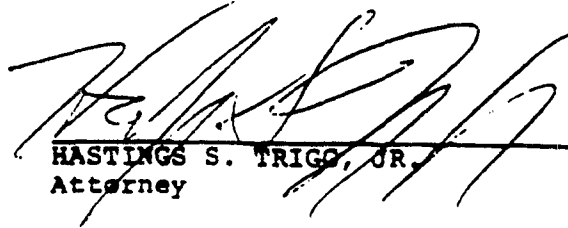
5. Respondent agrees that Complainant shall be permitted access to its workplace during Respondent's normal business hours subsequent to the abatement dates set forth for the specific and limited purpose of permitting Complainant to confirm respondent's compliance with the abatement provisions of this agreement.

6. Respondent states it will comply with the Occupational Safety and Health Act of 1970 (29 U.S.C. 651, et seq.).

7. Respondent certifies that a copy of this settlement agreement has been served upon represented and unrepresented affected employees in the manner set forth in Rule 7 of the

Rules of Procedure, by posting same on the 26th day
of January, 1979.

Agreed to this 26th day of January, 1979.


HASTINGS S. TRIGO, JR.
Attorney

Agreed to this _____ day of _____, 1979.

CARIN ANN CLAUSS
Solicitor of Labor

JAMES E. WHITE
Regional Solicitor

JACK F. OSTRANDER
Acting Counsel for
Occupational Safety and
Health

By:

BARBARA G. HEPTIG
Attorney

Attorneys for RAY MARSHALL,
Secretary of Labor, United
States Department of Labor

Complainant.

SOL Case No. 07678
CSHO No. H4681-009

DU 041467

7

U.S. DEPARTMENT OF LABOR
OFFICE OF THE SOLICITOR
555 GRIFFIN SQUARE BUILDING — SUITE 501
GRIFFIN AND YOUNG STREETS

Dallas, Texas 75202

January 19, 1979

RECEIVED

JAN 22 1979



Mr. Hastings S. Trigg, Jr.
of Counsel
E. I. duPont de Nemours and Co.
Legal Department, Room D-7150
1007 Market St.
Wilmington, Delaware 19898

TIME _____

Re: Secretary of Labor v. E. I. duPont de Nemours &
Co., Sabine River Works; OSHRC Docket No. 78-5871
CSHO No. H4681-009; SOL Case No. 07678

Dear Mr. Trigg:

Enclosed herewith are the original and two copies of our proposed settlement agreement. If it meets with your approval, please sign and return it in the enclosed envelope along with a check in the amount of \$560.00 made payable to "Occupational Safety and Health - Labor". Upon receipt I shall sign and forward the agreement to the Commission.

You should post a copy of this settlement agreement for notice to the employees and notify the Review Commission certifying when it was posted by indicating such in the settlement agreement where provided in the last paragraph.

I appreciate your cooperation in resolving this matter. If you have any questions, please call me at 214/767-4924.

Sincerely,

Barbara G. Heptig

Barbara G. Heptig
Attorney

Enclosures:
Settlement Agreement
Envelope

DU 041468

DUP 0961276

Docketed

RECEIVED

JAN 4 1979

UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

TIME _____

RAY MARSHALL, Secretary of Labor,
United States Department of Labor,
Complainant,
v.
E. I. du PONT de NEMOURS and COMPANY,
SABINE RIVER WORKS,
Respondent,

OSHRC Docket

No. 78-5871

MOTION FOR EXTENSION OF TIME TO FILE COMPLAINT

Comes now the complainant, Secretary of Labor, United States Department of Labor, and moves the Review Commission to extend the time for filing his complaint in this case an additional 30 days, to and including January 25, 1979, for the reasons that:

(1) The parties herein will attempt to settle this case without the necessity of a hearing and must have the additional time for that purpose,

DU 041469

(2) The period within which the complainant must file his complaint will expire before the negotiations are completed,

GRANTED	
Date JAN 1 1979	
By <i>Ray H. Darling, Jr.</i> Executive Secretary	

DUP 0961282

WHEREFORE, for the foregoing reasons complainant hereby respectfully moves the Review Commission to grant him an additional 30 days within which to file his complaint.

CARIN ANN CLAUSS
Solicitor of Labor

JAMES E. WHITE
Regional Solicitor

JAMES F. GRUBEN
Acting Counsel for
Occupational Safety and Health

By:

BARBARA G. HEPTIG
Attorney

Attorneys for Complainant.

CSHO No. H4681-009
SOL Case No. 07678

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of December, 1978, I served one copy of complainant's motion for extension of time to file complaint upon respondent by sending the document in a franked envelope addressed to:

Mr. Hastings S. Trigg, Jr.
of Counsel
E. I. du Pont de Nemours and
Company
Legal Department, Room D-7150
1007 Market St.
Wilmington, Delaware 19898

DU 041470

BARBARA G. HEPTIG
Attorney

DUP 0961283

UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

RAY MARSHALL, Secretary of Labor,	)	
United States Department of Labor,	)	
	)	
Complainant,	)	
	)	OSHRC Docket
v.	)	
	)	No.
	)	
E. I. du PONT de NEMOURS and COMPANY,	)	
SABINE RIVER WORKS,	)	
	)	
Respondent,	)	

MOTION FOR EXTENSION OF TIME TO FILE COMPLAINT

Comes now the complainant, Secretary of Labor, United States Department of Labor, and moves the Review Commission to extend the time for filing his complaint in this case an additional 30 days, to and including January 25, 1979, for the reasons that:

(1) The parties herein will attempt to settle this case without the necessity of a hearing and must have the additional time for that purpose,

(2) The period within which the complainant must file his complaint will expire before the negotiations are completed,

DU 041471

DUP 0961285

WHEREFORE, for the foregoing reasons complainant hereby respectfully moves the Review Commission to grant him an additional 30 days within which to file his complaint.

CARIN ANN CLAUSS
Solicitor of Labor

JAMES E. WHITE
Regional Solicitor

JAMES F. GRUBEN
Acting Counsel for
Occupational Safety and Health

By:

BARBARA G. HEPTIG
Attorney

Attorneys for Complainant.

CSHO No. H4681-009
SOL Case No. 07678

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of December, 1978, I served one copy of complainant's motion for extension of time to file complaint upon respondent by sending the document in a franked envelope addressed to:

Mr. Hastings S. Trigg, Jr.
of Counsel
E. I. du Pont de Nemours and
Company
Legal Department, Room D-7150
1007 Market St.
Wilmington, Delaware 19898

DU 041472

BARBARA G. HEPTIG
Attorney

DUP 0961286

EMPLOYER MUST COMPLETE CERTIFICATE OF SERVICE AND MAIL WITHIN 48 HOURS OF RECEIPT:

E. I. DU PONT DE NEMOURS AND COMPANY
SABINE RIVER

NAME

DOCKET
NUMBER

78-5871

On behalf of the employer in the above case, I hereby certify that on * see below
the Notice supplied by the Commission advising affected employees of this case and a copy
of employer's Notice of Contest were posted at each place where the OSHA Citation is re-
quired to be posted, and by serving such notice upon each local union (if any) that repre-
sents affected employees:

- * 1. Notice of Contest posted on December 18, 1978.
2. Notice advising affected employees of case
posted on December 28, 1978.

December 28, 1978

DATE

SIGNED

*Insert the correct date.

OSHA FORM NO. 5
REV. JULY 25, 1974

DU 041473

DUP 0961287

UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION
1325 K STREET, N.W.
WASHINGTON, D. C. 20004

DATE 12/14/70

RECEIVED

SECRETARY OF LABOR

RECEIVED

DEC 21 1970

FILE H.S.T.

Enclosed is a copy of the report of the Commission dated 12/14/70.

All future reports of the Commission should include the following information:

1. Included on (1) cover sheet of report, (2) body of your report on cover sheet, (3) body of report, and (4) a return address for the report. This post card must be completed and sent in the report.

2. If you are a member of the Commission, please include the following information:

3. If you are a member of the Commission, please include the following information:

4. If you are a member of the Commission, please include the following information:

5. If you are a member of the Commission, please include the following information:

6. If you are a member of the Commission, please include the following information:

Ray H. Darling, Jr.

7. If you are a member of the Commission, please include the following information:

8. If you are a member of the Commission, please include the following information:

DU 041474

DUP 0961290

December 20, 1978

RECEIVED

DEC 27 1978

TIME _____

Mr. Ray Darling, Jr.
Executive Secretary
Occupational Safety and Health
Review Commission
1325 K Street, N.W.
Washington, D. C. 20006

Re: Secretary of Labor v. E. I. du Pont de Nemours
and Company, Sabine River Works
OSHA No. 14891-109 OSHA Docket No.
SOL Case No. 87079

Dear Mr. Darling:

Enclosed please find the original and two copies of a
motion for extension of time in which to file a complaint
in the above referenced case.

We would appreciate your acknowledging receipt of this
instrument by returning a stamped confirmed copy to us in
the enclosed envelope.

Sincerely,

Barbara G. Montig
Attorney

Enclosures:
Motion for Extension
Envelope

cc: Mr. Hastings D. Trigg, Jr.
of Counsel
E. I. du Pont de Nemours
and Company
Legal Department, Room D-7150
1007 Market St.
Wilmington, Delaware 19808

DU 041475

DUP 0961291

UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

RAY MARSHALL, Secretary of Labor,	)	
United States Department of Labor,	)	
	)	
Complainant,	)	
	)	OSHRC Docket
v.	)	
	)	No.
	)	
E. I. du PONT de NEMOURS and COMPANY,	)	
SABINE RIVER WORKS,	)	
	)	
Respondent,	)	

MOTION FOR EXTENSION OF TIME TO FILE COMPLAINT

Comes now the complainant, Secretary of Labor, United States Department of Labor, and moves the Review Commission to extend the time for filing his complaint in this case an additional 30 days, to and including January 25, 1979, for the reasons that:

(1) The parties herein will attempt to settle this case without the necessity of a hearing and must have the additional time for that purpose,

(2) The period within which the complainant must file his complaint will expire before the negotiations are completed,

DU 041476

DUP 0961292

WHEREFORE, for the foregoing reasons complainant hereby respectfully moves the Review Commission to grant him an additional 30 days within which to file his complaint.

CARIN ANN CLAUSS
Solicitor of Labor

JAMES E. WHITE
Regional Solicitor

JAMES F. GRUBEN
Acting Counsel for
Occupational Safety and Health

By:

BARBARA G. HEPTIG
Attorney

Attorneys for Complainant.

CSHO No. H4681-009
SOL Case No. 07678

CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of December, 1978, I served one copy of complainant's motion for extension of time to file complaint upon respondent by sending the document in a franked envelope addressed to:

Mr. Hastings S. Trigg, Jr.
of Counsel
E. I. du Pont de Nemours and
Company
Legal Department, Room D-7150
1007 Market St.
Wilmington, Delaware 19898

DU 041477

BARBARA G. HEPTIG
Attorney

DUP 0961293

SABINE RIVER WORKS
WORK PERMIT

7⁴⁵ 8-22-78
Starting Time and Date
3⁴⁵ 8-23-78
Expiration Time and Date

THIS PERMIT WILL AUTHORIZE PIPE & PEO DIVISION TO DO
THE FOLLOWING WORK: DE RI PIPE & HANGERS FOR 17 1/2" PIPE
BRIDGE

BLDG. NO. OSDH

Requested by: B. J. Brown
Originator's Signature

*Investigated and
Approved by:

B. J. Brown
Prod. Foreman's Signature

FLAME PERMIT

Additional Approvals Required for Jobs Involving:
Flame or Spark Producing
High Heat Producing
Approval by _____
(Signature)

(Or on Night Shifts, Week Ends, and Holidays)

Chief Shift Supvr. Signature

Job Cleared Through:

Construction Engineer B. J. Brown

Mechanical (Cpr.) _____

Instrument (Cpr.) _____

Electrical (Cpr.) _____

SAFETY PRECAUTIONS

- | | |
|---|--|
| 1. ☐ Explosibility Test Rec. _____% | 22. ☐ Elect. & Maint. Supervision Approval for |
| 2. ☐ Following Special Procedure | Undersurface Hazards |
| (SP. No. 23) Other _____ | 23. ☐ Mech. Supv. Signature Requested |
| 3. ☐ Water at Job | 24. ☐ Sufficient Oxygen |
| 4. ☐ Standby Fire Ext. _____ (Type) | 25. ☒ Stop ALL work and clear area if evacuation |
| 5. ☐ Barricade Area | alarm sounds |
| 6. ☐ Life Lines Required | 26. ☐ Shield Arc |
| 7. ☐ Spoil Possibilities Removed | 27. ☐ Lubricate cutting edge |
| 8. ☐ Standby _____ or P. A. Speaker | 28. ☐ Confine Hot Sparks or Chips |
| 9. ☐ Keep Area Wet | 29. ☐ Check/Cover Sewers & Drains |
| 10. ☐ Tarps (Under) and/or (Around) Work | 30. ☐ Ground Attached to Equipment |
| 11. ☐ Post Warning Signs | 31. ☐ Test for CO - CO ₂ |
| 12. ☐ Wind Direction Precaution | 32. ☐ Equipment Properly Decontaminated |
| 13. ☐ Provide Blower for Ventilation | 33. ☐ Use Job Check Card |
| 14. ☐ Test for Toxic Materials | 34. ☐ Follow (S.P. No. 29) (S.P. No. 11) |
| 15. ☐ All Dust Removed | 35. ☒ Const. Eng. Signature Required |
| 16. ☐ Steam Hose Standby | 36. ☐ Vendor Signature Required |
| 17. ☐ (Air) (Hand) (Electric) Tools Only | 37. _____ |
| 18. ☐ Equip. Full of (Water) (Steam) | 38. _____ |
| (Inert Gas) | 39. _____ |
| 19. ☐ Keep Vibration to a Minimum | 40. _____ |
| 20. ☒ Evacuate Area if Requested | 41. _____ |
| 21. ☒ Coordinate with Adjacent Jobs | 42. _____ |

*Approver must make a physical inspection of the job prior to approving except in those few cases where he is fully acquainted with the prevailing conditions at the job site.

WORK MUST NOT BE STARTED UNTIL ALL PRECAUTIONS ARE TAKEN
WHEN WORK IS COMPLETED, RETURN THIS FORM TO PRODUCTION FOREMAN

ALL WORK UNDER THIS PERMIT WILL CEASE IN THE EVENT OF AN AREA EMERGENCY OR A DISASTER
ALARM AND WILL NOT RESUME WITHOUT THE AREA FOREMAN'S SIGNATURE AFFIXED HERETO.

Authorization to Resume Work: _____

DUP 0961295

DU 041478

PP&R DEPARTMENT
MANUFACTURING DIVISION
SAFETY DIVISION
SABINE RIVER WORKS

October 25, 1977

TO: HOLDERS OF SAFETY MANUAL
FROM: J. R. MOORE

SAFETY PROCEDURE #11

INITIAL OPENING OF LINES AND CLOSED VESSELS

Attached is a revision to Page 5, Safety Procedure #11, "Initial Opening of Lines and Closed Vessels". The reference to protection for initial breaks in cleared systems containing cryogenics, Ethylene has been changed to require full aluminized clothing. This conforms with area Maintenance procedure in the Ethylene Division.

Please replace this complete procedure with attached copy.

JRM:lss

DU 041479

DUP 0961296

INITIAL OPENING OF LINES
AND CLOSED VESSELS

Issued

5/15/72

Revised

10/25/77

Page 1 of 4

NOTES AND REFERENCESINTRODUCTION

Equipment and/or pipeline openings can be a serious safety hazard when unforeseen or unpredictable conditions exist such as plugged lines or valves, slipping or sagging lines, defective valves or pipelines and other conditions that may unexpectedly release hazardous materials.

Protective clothing and equipment for working on systems that are obviously not cleared of process material are not covered by this procedure. Work on this type equipment must be cleared per Safety Procedure #5, "Danger Tags and Safety Locks" and in some cases handled on an individual basis.

- It is always assumed that equipment and/or pipelines are full and under pressure or vacuum in preparing and performing the work described. Numerous unexpected incidents have proven the need to consider all potential hazards and the necessity to wear protective clothing until the hazards are positively controlled.
- An example of this type work would be working on a flare header where clearing is not possible or installing blanks where process is still in the line.

PROCEDURE

1. Each division is responsible for maintaining an up-to-date list of all potentially harmful materials used in their areas and specifying the protection required when opening lines and closed vessels.
 2. If the protective clothing can be minimized after the initial break, the list must specify the protective requirements for subsequent breaks.
 3. First-line supervision of employees doing the work is responsible for acquainting them with the hazards of these materials and the protective equipment required, and then
- Attached is a list of materials that are used extensively at SRW.
 - Forward a copy of the list to the Safety Division.
 - See Safety Procedure #5, "Danger Tags and Safety Locks" for complete details on tagging and locking.

DU 041480

DUP 0961297

INITIAL OPENING OF LINES AND CLOSED VESSELS

Page 2 of 4

NOTES AND REFERENCES

to insure that the necessary precautions are followed and that the equipment is isolated for work. Familiarity with the processes and equipment immediately adjacent to the cleared system must be a part of their indoctrination.

4. The process equipment to be opened must be cleared, "Tried", danger tagged and locked in accordance with Safety Procedure #5.
 - Refer to Safety Procedure #4, "Caution Tags", Paragraph VI, for additional tagging on complex systems.
5. Automatic valves between intended break(s) and isolating guard valves must be blocked in the open position and the line cleared to ensure that no process material is trapped in the line.
6. Drain valves must be danger tagged open except in special cases where it could create a safety hazard.
 - If proper training does not occur, refer to Safety Procedure #29, "Unplugging Lines, Valves and Related Equipment" using temporary heat or pressure.
 - Probing of drain lines and valves should be considered a last resort.
7. When opening a line that contains flammable material consideration must be given to any process equipment in the immediate area that may have surfaces hot enough to cause ignition.
8. The job plan must include the following:
 - Prearranged evacuation route.
 - A safe distance required for other personnel working in area.

DU 041481

INITIAL OPENING OF LINES AND CLOSED VESSELS

NOTES AND REFERENCES

- Location of nearest safety shower, fire extinguishers, air mask, etc.
 - Operation of safety shower by Maintenance personnel.
 - Additional ventilation if needed.
 - Protective clothing and/or equipment.
 - Barricades.
 - Buddy system or standby man.
 - Bumping hazards, body clearance, etc.
 - The work should be performed "up wind" if material is flammable or toxic.
9. The initial break will be made away from the body and the line allowed to drain before continuing the job.
 10. A standby man must wear the same protective equipment as the man doing the job.
 11. If process material has a tendency to solidify at ambient temperature a flush should be used before proceeding beyond the initial break, prior to the complete disassembling of a section of line.
- When breaking a four-bolt flange, leave one bolt snug until pressure is released. For larger flanges, leave two bolts snug.
 - He must also station himself in a safe location (normally 20 feet from the job) and must closely observe the work.
 - If the process material is a potential water contaminate then containment should be considered.

DU 041482

DUP 0961299

INITIAL OPENING OF LINES AND CLOSED VESSELS

Page 4 of 4

ATTACHMENT

CLEARED SYSTEMSPROTECTIVE EQUIPMENT FOR INITIAL SYSTEM BREAKS-MINIMUM REQUIREMENT

PROCESS	PROPERTIES			EQUIPMENT REQUIRED								
	FLAMMABLE	TOXIC	CORROSIVE	ACID SUIT	ACID HOOD	RUBBER GLOVES	COVERALL GOGGLES	ALUMINIZED NOMEX SUIT	RAIN SUIT	FACE SHIELD	STANDBY MAN	WATER
ACETHYLENE	YES	YES	NO				X					
AIR	NO	NO	NO				X					
ARGON	NO	NO	NO				X					
CYCLOHEXANE	YES	YES	NO				X					X
CONDENSATE	NO	NO	NO				X		(1) X			
(2) ETHYLENE	YES	NO	NO				X					
NATURAL GAS	YES	YES	NO				X					
NITROGEN	NO	NO	NO				X					
OXYGEN	NO	NO	NO				X					
STEAM	NO	NO	NO				X		X			
WATER	NO	NO	NO				X					
FREON	NO	NO	NO				X					
WASTE OIL	YES	YES	NO				X					
LUBE OIL	YES	NO	NO				X					
CAUSTIC	NO	YES	YES	X	X	X					X	
CHLORINE	NO	YES	NO				X				X	
HYDROGEN	YES	NO	NO				X					
METHANOL	YES	YES	NO				X					
ACIDS	NO	YES	YES	X	X	X					X	
BRINE	NO	NO	NO				X					

(1) LINES ABOVE 1" DIAMETER

(2) IF MATERIAL IS CRYOGENIC, PROTECTION MUST INCLUDE COMPLETE ALUMINIZED CLOTHING, GLOVES, AND HOOD.

PP&R DEPARTMENT
MANUFACTURING DIVISION
SAFETY DIVISION
SABINE RIVER WORKS

February 8, 1978

TO: . HOLDERS OF SAFETY MANUALS
FROM: J. R. MOORE

SAFETY PROCEDURE #23

"ENTERING OF VESSELS"

Attached is an approved revision to Safety Procedure #23, "Entering of Vessels". The following changes were made:

- Par. V, A. - The oxygen content of the vessel is changed from 18-24% to 19.5-22.5%. This change is due to an OSHA requirement.
- Par. V, D - Reminds the clearing group that a mechanical stop, to prevent rotation, may also be required in addition to the electrical disconnect.

Please review these changes with your group and file this revision in your Safety Manual.

JRM:lss

Attach.

DU 041484

DUP 0961301

Safety Procedure 23	SABINE RIVER WORKS SAFETY MANUAL	
ENTERING OF VESSELS	Issued	
	Revised 2/10/78	Page 1 of 4

NOTES AND REFERENCES

I. DEFINITION

A. The term "entering of vessels" means working inside spaces which require the person to breathe the air inside. B. "Agitated equipment" means all vessels or spaces which contain rotating parts. C. An "air-line buggy" or a "breathing air station" is a source of breathing air to a mask from a remote location. Usually the air is supplied through an air hose from breathing air cylinders. When using an air-line buggy or any mask which has a remote air supply, a separate self-contained "5-minute" air supply cylinder must be worn for escape purposes in case the primary air supply is interrupted.	• This definition applies to vessels disconnected from service in place or removed from the area for work. • Rotating vessels, such as dryers, are considered agitated equipment.
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II. AUTHORIZATION

An approved work permit is required.	• Note Safety Procedure #47 when welding and burning is involved, for additional authorizations. • Only those groups whose name appears on the work permit may enter the vessel.
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DU 041485

DUP 0961302

ENTERING OF VESSELS

Page 2 of 4

NOTES AND REFERENCESIII. REFERENCES

If a vessel is to be entered, several rules must be followed.

- Safety Procedure #47, "Work Permits".
- Safety Procedure #5, "Danger Tags and Safety Locks".
- Safety Procedure #37, "Carbon Monoxide Safety".
- SRW TS-305, "Portable Lights For Use When Entering Vessels".
- Safety Procedure #10, "Safety and Fire Equipment".
- SMS-932 (Enco) "Entering Cooling Fan Enclosures".

IV. EQUIPMENT

The following safety equipment will be required for vessel entry jobs:

- A. Safety harnesses and lifelines.
 - Wristlets are also available on Maintenance rescue wagon and must be at the job site when vessel opening is very small such as a boiler fire box, extruder barrels, etc.
- B. Freon powered horn or other methods to call for help.
- C. Plant approved flashlight.
- D. "30-Minute" self-contained air masks for rescue purposes.
- E. An approved lifting device must be used if the person is working five (5) feet or more below the opening of the vessel.
 - See SRW Drawings SRW-Gen.-C-18511 and 19177 for details of lifting device.

DU 041486

DUP0961303

ENTERING OF VESSELS

Page 3 of 4

V. PRIOR TO ENTRYNOTES AND REFERENCES

- A. The air inside the vessel must be checked to insure the oxygen content is between 19.5-22.5%. The atmosphere must be free from hazardous concentrations of flammables, toxic vapors or dusts.
 - B. All pipelines attached to the vessel must be disconnected and/or blanked and the flanges and physical disconnects danger tagged by both the clearing group and the group working inside the vessel.
 - C. During welding in a vessel, precautions must be taken to guard against loss of oxygen by torches or flames, and against the possible hazards of gas leaks from torches or hoses.
 - D. If the vessel has agitated equipment, the motor must be disconnected, danger tagged and locked out. A mechanical stop, to prevent rotation, may sometimes be required in addition to the electrical disconnect.
- If after considerable effort these conditions cannot be met, then Maintenance, Production, and Safety must agree on the adequacy of personnel protective equipment required to enter the vessel.
 - See TS #111, "Temporary Blanks".
 - A disconnected pipeline means the bolts disconnected and the pipe pulled away from the vessel opening, or a section removed. In all cases, any flange opening leading into the vessel to be entered must be arranged so that no outside material either gas, liquid, or solids, may enter the vessel.
 - Remove hoses or disconnect the cylinders while they are unattended (such as lunch time, shift change, etc.).
 - Guard against an over rich oxygen atmosphere during burning and welding.
 - One of the following methods must be used:
 - 1) Physically disconnect the motor from the driven equipment by removing the belts or chain, or in the case of direct coupled equipment, remove the coupling.

DU 041487

DUP 0961304

ENTERING OF VESSELS

Page 4 of 4

NOTES AND REFERENCES

2) Disconnect the motor leads.

3) Pull the fuses.

VI. ENTRY

- A. A standby man is required. He will be alert for changes in the work area and should be trained and physically capable of carrying out a rescue.
- B. If possible, the standby man must be able to see and talk with the men in the vessel. If this is impossible, an exception to this procedure must be approved by supervision referred to in VII.A.
- C. Safety harnesses and lifelines must be worn:
- NOTE: If there are only two men working in a vessel, both must wear a lifeline and harness.
- The standby man must have adequate protective clothing and equipment to carry out a vessel rescue. He should summons help either from freon horn or intercom, before entering the vessel.
 - Normally the standby man should be a Du Pont employee not a contract employee.
 - When there are more than two people inside the vessel, the supervision of the men entering the vessel may approve only one person having a lifeline, to minimize the tripping hazard of several lifelines.

VII. EXCEPTIONS

- A. If a lifting device cannot be used because of the design of the vessel, a written rescue procedure will be prepared and approved by the Area Maintenance Superintendent, the Area Production Superintendent, and a designated member of the Safety Division.
- Any exceptions to this procedure must be in writing stating the reason for the exception and must be approved by the persons listed in Section VII-A.
 - The Chief Shift Supervisor may represent the Safety Division on nights, weekends and holidays.

DU 041488

DUP 0961305

CITATION and NOTICE OF PENALTY

Houston North Area Office
2320 LaBranch, Rm. 2118
Houston, Texas 77004

SERIOUS		1
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RECEIVED

NOV 9 1978

PRESIDENT'S OFFICE

11, 28 REGION	11, 28 AREA	9 PAGE
6	1280	1 OF 1

Certified Mail No. 354529

Return receipt requested

INSPECTION DATE:

8/31/78 - 9/5/78

INSPECTION SITE:

FM 1006

Orange, Texas

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.

PENALTY
DUE
WITHIN 15
DAYS OF
RECEIPT
OF THIS
NOTIFICATION
UNLESS
CONTEST
(See enclosed
Booklet)

This Section
Be Detached
Before Post

TO: E. I. DuPont De Nemours Sabine River Works
P. O. Box 3269
Beaumont, Texas 77704

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 1910.1001(g)(2)(i): Caution labels were not affixed to all raw materials, mixtures, scrap, waste, debris, or other products containing <u>asbestos fibers</u> , or to their containers, which during any reasonably foreseeable use, handling, storage, disposal, processing or transportation could release airborne concentrations of <u>asbestos fibers</u> exceeding prescribed exposure limits: (a) at the north end of the 258 area, insulation containing <u>asbestos</u> was removed from pipes in the overhead rack allowing the emission of airborne fibers. Further, the insulation was not collected and sealed in impermeable bags, properly labeled.	Immediately	\$56
1b	29 CFR 1910.1001(h)(1): Places of employment were not maintained free of accumulations of <u>asbestos fibers</u> which, if dispersed, could result in an excessive concentration: (a) at the north end of the 258 area, insulation containing <u>asbestos</u> was removed from pipes in the overhead rack allowing the emission of airborne fibers. Further, this insulation was not collected and sealed in impermeable bag, properly labeled.	Immediately	
1c	29 CFR 1910.1001(h)(2): <u>Asbestos</u> waste, scrap, debris, bags, containers, equipment, and asbestos-contaminated clothing, consigned for disposal, which may produce airborne levels of <u>asbestos fibers</u> in excess of prescribed limits was not collected and disposed of in sealed impermeable bags or other closed, impermeable containers: (a) at the north end of the 258 area, insulation containing <u>asbestos</u> was removed from pipes in the overhead rack allowing the emission of airborne fibers. Further, this insulation was not collected and sealed in impermeable bags, properly labeled.	Immediately	

DU 041489

SABINE RIVER WORKS
SAFETY DIVISION

Reissue

June 23, 1976

TO: HOLDERS OF SAFETY MANUALS

FROM: J. R. MOORE

APPROVED REVISION

SAFETY PROCEDURE #29

UNPLUGGING PIPING, VALVES AND RELATED EQUIPMENT
USING TEMPORARY HEAT OR PRESSURE FACILITIES

Attached is an approved revision to Safety Procedure #29, "Unplugging Piping, Valves and Related Equipment Using Temporary Heat or Pressure Facilities".

The format has been changed and Paragraph II, E, has been added requiring Technical certification that the equipment is protected from overpressure. Paragraph IV, A, has been added to require a work permit for all unplugging operations where mechanical work is required.

Please review these changes with your personnel and replace the existing procedure with this revision.

JRM:lss

Attachment

DU 041490

DUP 0961306

Safety Procedure # 29 UNPLUGGING PIPING, VALVES AND RELATED EQUIPMENT USING TEMPORARY HEAT OR PRESSURE FACILITIES	SABINE RIVER WORKS SAFETY MANUAL	
	Issued	
	Revised 6/23/76	Page 1 of 3

NOTES AND REFERENCES

I. PURPOSE

The purpose of this procedure is to provide safeguards and establish responsibilities for unplugging piping, valves, or related equipment.

- Safe performance will require constant alertness of all persons involved to observe unusual situations on specific jobs.

II. PRESSURE INJECTION

A. Where unplugging facilities are designed into the process piping and equipment, the procedure for their use, as set out in the area operating manual, shall be followed.

B. Direct supervision by area foreman or supervisor is required for unplugging piping, valves, or related equipment, when the facility is not designed with devices for applying pressure.

- e. g. Steam injection connections.

C. Compressed air must not be used for unplugging equipment which handles combustible materials.

D. Specific approval of the Production or Maintenance Division Superintendent, of the group doing the work, or their assistant, and direct supervision by a foreman or supervisor is required when compressed gases are used for this purpose.

- The use of compressed inert gases for unplugging must be discouraged due to the high pressure potential.

EXCEPTION: Where unplugging facilities using inert gas is designed into the system.

DU 041491

 DUP 0961307

UNPLUGGING PIPING, VALVES AND RELATED EQUIPMENT USING TEMPORARY
Page #2 of 3 HEAT OR PRESSURE FACILITIESNOTES AND REFERENCES

- E. Technical must approve, in writing, unplugging operation that requires injecting external pressure in excess of the design pressure rating of the piping or related equipment. The Production Division that is responsible for the equipment must initiate this action.
 - F. No steam hose, rubber hose or other connection of a fragile nature shall be connected to equipment being unplugged.
- Be alert for a relief valve which may be plugged with the same material that plugged the system.

III. EXTERNALLY APPLIED HEAT

- A. No lines, valves, or related equipment in any service are to be unplugged by application of external heat except by established approved procedure. If the situation is new, unusual, or questionable, the operation will be supervised by a member of supervision remaining at the job site.
 - B. In applying heat for unplugging purpose, the heat application should be started at the free or open end of the piping and then proceed slowly through the plugged portion to avoid the trapping of gas which could result in a pressure build-up.
- This includes jobs being done by personnel other than area personnel.

DU 041492

DUP 0961308

NOTES AND REFERENCESIV. GENERAL

The following precautions are listed as a guide to all unplugging operations.

- A. A Work Permit is required for all unplugging operations where mechanical work is required.
- B. Area supervision and the supervision of those performing the work must remain alert to indirect results of these operations and to unusual circumstances which might arise.
 - In cases of doubt, the work should be stopped and the details referred to higher supervision for their advice and approval.
- C. Area supervision will give complete instructions as to the unplugging method to be used and safeguards required.
- D. Areas of danger will be barricaded.
- E. Full consideration shall be given to the characteristics of the materials handled by the lines or equipment in determining precautionary measures.
- F. Sudden release of plugs must be anticipated and adequate provisions made for: 1) controlling and disposing of the flowing material, and 2) possibility of the unsecured end of a line bending or whipping when subjected to sudden high velocity flow and proper positioning of individuals in the event of sudden release of plug.
- G. Everyone involved must use adequate and proper personal protective equipment.

DU 041493

DUP 0961309

UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION
1825 K STREET, N.W.
WASHINGTON, D.C. 20006

DATE 12/14/78

REGION 6

RECEIVED

DEC 21 1978

TIME H.S.T.

SECRETARY OF LABOR

v.

E. I. DUPONT, SABINE RIVER WORKS

OSHRD DOCKET NO. 7858

NOTICE OF RECEIPT OF CA

INSTRUCTIONS TO EMPLOYE

Notice is given that the above captioned case was received by the Commission on 12/11/78 and assigned the docket number listed above.

All future documents and communications relating to this case should include the docket and region numbers.

Enclosed are (1) a copy of the Commission's rules, (2) a copy of your NOTICE OF CONTEST, (3) a form notifying your affected employees this, and (4) a return post card notifying us that you have notified them. This post card must be completed and mailed within 48 hours of receipt of this letter.

Rule 7 of the rules sets forth the necessary procedures for and advising affected employees of the case. Failure to comply with procedures may result in the dismissal of your NOTICE OF CONTEST.

In the event that you have already complied and notified the Commission regarding this letter as to these items.

Please consult the rules for answers to any questions you may have about this matter.

For the EMPLOYER:

HASTINGS S. TRIGG, JR., ESQ.
E. I. DU PONT DE NEMOURS AND COMPANY
LEGAL DEPARTMENT, Rm. C-7150
WILMINGTON, DE 19893

Ray H. Darling, Jr.
Ray H. Darling, Jr.
Executive Secretary
Phone: (202) 634-7050

For the EMPLOYEES:

For the SECRETARY OF LABOR:

JAMES E. WHITE
ACTING REGIONAL SOLICITOR
555 GRIFFIN SQUARE, SUITE 200
GRIFFIN AND YOUNG STRAITS
DALLAS, TX 75202

DU 041494

DUP 0961310

NOTICE

TO EMPLOYEES OF

**E. I. DU PONT DE NEMOURS AND COMPANY
SABINE RIVER WORKS**

YOUR EMPLOYER HAS BEEN CITED BY THE SECRETARY OF LABOR FOR VIOLATION OF THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970. THE CITATION HAS BEEN CONTESTED AND WILL BE THE SUBJECT OF A HEARING BEFORE THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION.

AFFECTED EMPLOYEES ARE ENTITLED TO PARTICIPATE IN THIS HEARING AS PARTIES UNDER TERMS AND CONDITIONS ESTABLISHED BY THE OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION IN ITS RULES OF

GSA DC 73-3783

**PROCEDURE. NOTICE OF INTENT TO PARTICIPATE
SHOULD BE SENT TO**

**OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION
1828 K STREET, NW
WASHINGTON, DC 20006**

**ALL PAPERS RELEVANT TO THIS MATTER MAY BE
INSPECTED AT**

**(EMPLOYER MUST FILL IN ABOVE BLANK SPACE PRIOR
TO POSTING AND SERVING THIS NOTICE)**

DU 041495

DUP 0961311



E. I. DU PONT DE NEMOURS & COMPANY
INCORPORATED
WILMINGTON, DELAWARE 19898

LEGAL DEPARTMENT

December 4, 1978

REGISTERED MAIL - RETURN RECEIPT REQUESTED

Mr. Gerald A. Baty, Area Director
U.S. Department of Labor
Occupational Safety and Health Administration
Houston North Area Office
2320 LaBranch, Rm. 2118
Houston, Texas 77004

Re: Citation and Notification of Penalty
CSHA No. H 4681 9
Region 6, Area 3280

Dear Mr. Baty:

E. I. du Pont de Nemours and Company, Sabine River Works, Orange, Texas, the employer named in the captioned Citation and Notification of Penalty, hereby notifies your office of its intent to contest in their entirety both the three item Citation for Serious Violation alleging non-compliance with the standards at 29 CFR §1910.1001(g)(2)(i), 29 CFR §1910.1001(h)(1) and 29 CFR §1910.1001(h)(2), and the Notification of Penalty which proposes a penalty of \$560.00 for the aforementioned alleged violations.

Please direct further correspondence or notices concerning this Notice of Contest to the undersigned at the address given below.

Very truly yours,)

Hastings S. Trigg, Jr.
Of Counsel.
E. I. du Pont de Nemours and Company
Legal Department, Rm. D-7150
Wilmington, DE 19898
(302) 774-5637

HST:am

DUP0961314

DU 041496

MOOREHEAD OFFICE AREA - 2530
2530 Lahranch, Bn. 25
Houston, Texas 77025

TYPE OF VIOLATION (If not indicated)
SERIOUS

TO: Benjamin F. Shaw Company
P. O. Box 1085
Orange, Texas 77630

INSPECTION DATE: 8/28/78 - 9/17/78
INSPECTION SITE: Infront Sabine River Works
Orange, Texas

THE LAR REQUIRES that a copy of this citation be posted immediately at the location of the violation, place it or over the location of the violation cited below. The citation shall remain posted until the violations cited below have been corrected or for 2 working days, including weekends and Federal holidays, whichever is longer.

PERM ARE D
WITHIN
DATE OF
RECEIPT
OF THIS
ELECTRIC
UNITED
CONTEST
Can send
Backlog

This letter
On District
Orders, Post

As citation describes violations of the Occupational Safety and Health Act of 1970. The penal provisions listed below are based on these violations. It must correct the violations referred to in this citation by the date listed below and pay the penalties provided, unless within 15 working days following compliance 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 citation booklet which outlines your responsibilities and courses of action and include as an in connection with this letter.)

LINE NUMBER	STANDARD, REGULATION OR SECTION OF THE ACT VIOLATED	DESCRIPTION	DATE BY WHICH VIOLATION MUST BE CORRECTED	PENAL
	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.			
14	29 CFR 1910.1001(c)(2)(i):	Insofar as practicable, asbestos was not handled, mixed, applied, removed, cut, scored, or otherwise worked in a wet state sufficient to prevent the emission of airborne fibers in excess of prescribed exposure limits for asbestos:	Immediately	\$564
	(a) at the north end of the 258 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.			
15	29 CFR 1910.1001(c)(2)(ii):	Employees engaged in the spraying of asbestos, the removal or demolition of pipes, structures, or equipment covered or insulated with asbestos, or the removal or demolition of asbestos insulation or coverings were not provided with respiratory equipment in accordance with paragraph (c)(2)(iii) of this section and special clothing in accordance with paragraph (c)(3) of this section:	Immediately	
	(a) at the north end of the 258 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.			
16	29 CFR 1910.1001(f)(1):	Initial monitoring was not conducted in such a manner to determine whether every employee's exposure to airborne asbestos fibers is below the prescribed limits:	Immediately	
	(a) at the north end of the 258 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.			

DU 041497

DUP 0961317

Houston North Area Office
2320 Lakeview, Rm. 2118
Houston, Texas 77004

To: R. M. Thompson, G-12014

TYPE OF VIOLATION	
SEVERE	1

From: W. K. Place

to: Benjamin F. Shaw Company
P. O. Box 1089
Orange, Texas 77630

44-70-14621	5
AREA	PAGE
12280	2 of 2

INSPECTION DATE:
6/22/78 - 6/27/78
INSPECTION SITE:
DUPONT Sabine River Works
Orange, Texas

THE LAW REQUIRES that a copy of this citation be posted immediately in a prominent place at or near the location of the violation cited below. The citation must remain posted until the violation cited below has been corrected to the satisfaction of the inspecting agency. Violations must be corrected within the time specified in the citation.

GENERAL
ARE O
WITHIN
DAYS
RECEI
OF THE
NOTICE
UNLESS
COSTS
FOR CO
Citation

This is
to be
corrected

This citation describes violations of the Occupational Safety and Health Act of 1970. The penalties 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 imposed, unless within 15 working days you notify the nearest OSHA Area Office of the abatement effort. (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	PEN.
10	29 CFR 1910.1001(f)(2)(1):	Proper samples were not collected from the breathing zones of employees when determining exposure to airborne asbestos fibers:	Immediately	
	(a) at the north end of the 150 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.			
11	29 CFR 1910.1001(f)(2)(2):	Samples were not collected from areas of a work environment which were representative of the airborne concentrations of asbestos fibers which may reach the breathing zone of employees:	Immediately	
	(a) at the north end of the 150 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.			
12	29 CFR 1910.1001(f)(3):	The employer did not provide or make available to each employee, within 30 days following his first employment in an occupation exposed to airborne levels of asbestos fibers, a comprehensive medical examination:	Immediately	
	(a) at the north end of the 150 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.			

DU 041498

DUP 0961318

To: R. M. Shepherd -
ASBESTOS HANDLING

D-12014

From: W. E. Thomas SRW

Issued

October 1973

Revised

July 24, 1978

Page 1 of

NOTES AND REFERENCESPURPOSE

This procedure presents the permissible asbestos dust exposure limits, methods of controlling exposure, respiratory protective equipment, disposal, and methods of handling.

The principle sources of exposure to airborne asbestos dust at Sabine River Works have been:

- 1) Removing old insulation;
- 2) filter aids; 3) waste disposal;
- 4) mixing asbestos cement; 5) cutting transite; 6) removal of clothing after completing asbestos insulating duties.

A. DEFINITIONS

1. Asbestos Material - Any material containing asbestos.
2. Particulate Asbestos Material - Finely divided particles of asbestos material.
3. Visible Emissions - Any emissions which are visually detectable without the aid of instruments and which contain particulate asbestos material.
4. Removal - The taking down or stripping of Friable Asbestos Material.

- Reference Du Pont Engineering Standard S 4 T. OSHA Regulation, Section 1910.9 and 1910.141. Asbestos concentrations in air shall not exceed an eight hour time weighted average of (2) fibers longer than five (5) microns per cubic meter of air. At no time may the concentration exceed a ceiling of 10 fibers longer than five (5) microns per cubic meter.

1910.93 - 1910.93 g

revised in Subpart
C 1910.1000

Asbestos in 1910.1001

1910.141 is same

made by RMS

Recordkeeping

1910.1001(i)(1) not
covered

Medical examination

Medical records

DUP 0961323

DU 041499

July 24, 1978

ASBESTOS HANDLING

Page 2 of 6

Pg. 2 of 6

NOTES AND REFERENCES

5. Friable Asbestos - Any material that contains more than 1% asbestos by weight and can be crumbled, pulverized, or reduced to powder when dry, by hand pressure. (Transite is not friable asbestos material.)
6. Adequately wetted - Sufficiently coated with water or aqueous solution to prevent dust emissions.

B. GENERAL RULES

1. Each job involving the handling of asbestos must be thoroughly reviewed.
2. Insulation to be removed and discarded should be adequately wetted prior to and during removal. Material removed shall not be dropped or thrown to the ground, but shall be carefully lowered to ground level.
3. Each employee handling asbestos or exposed to the dust must wear an approved respirator where concentrations may be above the permissible exposure limits.
 - The 3M respirator, Type 8710 is approved for use, CTI-87-50-450. Contact the Safety Division for other approved respirators and filters.
4. Asbestos free insulation will be used on all new or altered facilities.
5. All hand operated or power operated tools which may produce or release asbestos fibers in excess of the permissible exposure limits shall be provided with a dust catching system.
 - Vacuum area daily to prevent accumulation of asbestos dust on ledges, shelves, floors, and machines. Air hoses or dry sweeping is not permitted.

DUP 6961324

DU 041500

Pg. 376

NOTES AND REFERENCESC. ASBESTOS - MATERIAL MIXING

1. Cement, mortar, coatings, grout, and plaster containing asbestos shall be mixed in closed bags or other containers.
2. Any dried out cement should be discarded. Do not attempt to re-work it.

D. WASTE DISPOSAL

1. Asbestos waste shall be collected and disposed of in sealed, impermeable bags or containers. .
CRI - 87-03-110
Caution labels shall be attached conforming to Figure 2.
2. The Area Mechanical Foreman following the job should prepare a purchase requisition and shipping notice (SR-630). The vendor is BFI. The requisition must include their Code No. PA#367.
3. Until the material is picked up by the vendor, it must be stored in a place where the bags will not be punctured or otherwise damaged.

When the material is shipped, the responsible Mechanical Foreman must fill out the Part I section of a TDWR Industrial Waste Shipping Control Ticket form, which the carrier truck driver will bring with him for each shipment or truck load.

- Asbestos contaminated clothing and throw away respirators shall be handled in sealed labeled bags with instructions for proper handling.

- The Shipping notice must bear the following: SRW Code-13
Description - Used Material,
Primarily insulation containing asbestos.

Class - I
TDWR Code - 170750
Disposition - Off-Site

ASBESTOS HANDLING

Page 4 of 6

P. 47

NOTES AND REFERENCESE. RESPIRATORY EQUIPMENT

1. Respiratory protection shall be provided and worn by all personnel in areas where exposure limits may be exceeded.
 2. Atmosphere supplying respirators (self-contained units) are to be worn when concentrations are expected to exceed 100 times the limit.
 3. Each employee who may use a respirator shall be instructed in its use and in testing it for proper fit.
- EXAMPLES:
 1. During time when local exhaust ventilation is not sufficient.
 2. During known period of over exposure.
 3. Emergencies.
 4. During the spraying of asbestos* and for the demolition and removal of asbestos insulation.
 - The respirator shall be cleaned and disinfected after each use or discarded in waste bags if they are the throw away type.
 - Exclusively assigned respirators should be cleaned at least after each days work.

F. HYGIENE

1. Separate lockers for work clothes and street clothes must be provided to prevent contamination for known exposure to high level concentrations.
2. Special clothing (coveralls) should also be provided for high concentrations such as spraying and demolition of asbestos insulation.
3. Food, gum, tobacco or any edibles shall not be consumed in areas where asbestos is being handled or fabricated.

G. SAMPLING

DU 041502

- ✓ Monitoring is required where employees might be exposed to asbestos dust to determine the amount of exposure.
- Intervals between monitoring of samples shall not exceed six months. Contact the Industrial Hygiene Monitoring Group, Bldg. 5 for assistance.

Form 0061326

NOTES AND REFERENCES

H. CAUTION SIGNS AND LABELS

1. Signs shall be at all approaches to areas where asbestos concentrations may be above permissible exposure limits. (See Figure 1)
 2. Labels conforming to Figure 2 shall be used to identify containers of raw materials, scrap, waste and other products containing asbestos.
- The signs shall be placed at a sufficient distance to permit an employee to read the signs and take necessary precautions before entering the area.

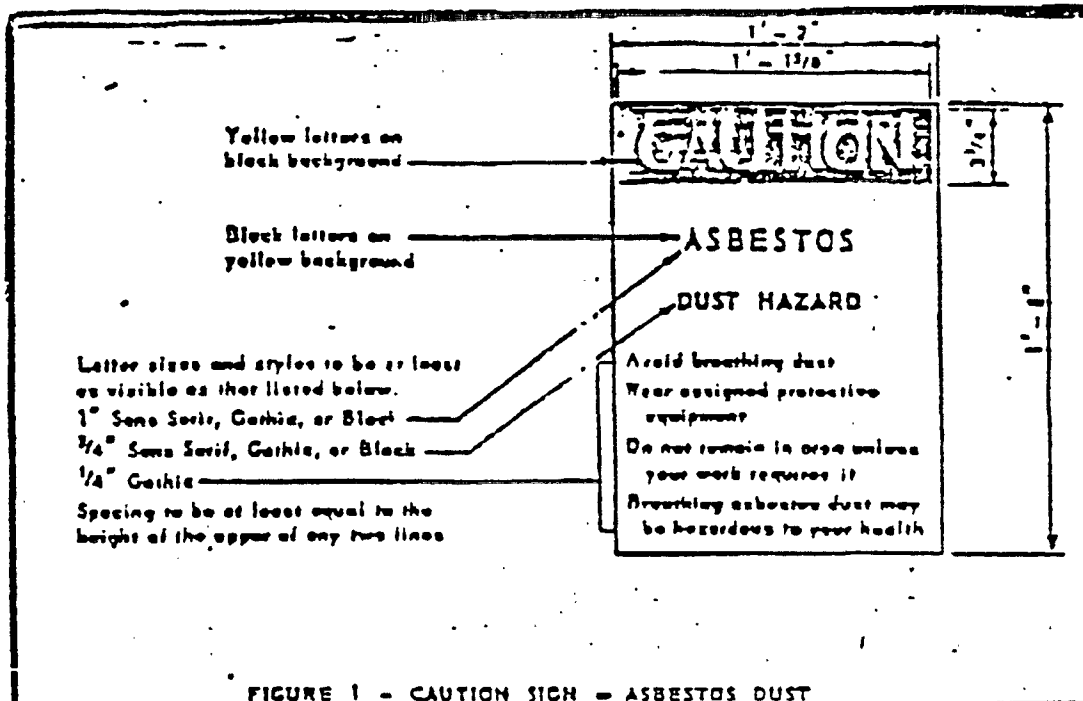
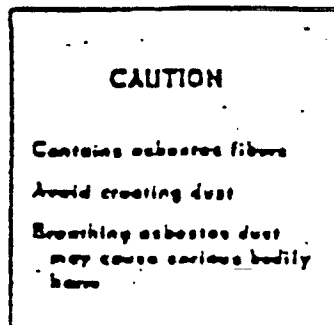


FIGURE 1 - CAUTION SIGN - ASBESTOS DUST



Label size and printing to be readily visible and legible.

DU 041503

FIGURE 2 - TYPICAL CAUTION LABEL

Pg. 6

NOTES AND REFERENCESI. EPA REGULATIONS ON ASBESTOS

1. The Environmental Protection Agency requires certain reporting procedures when operational facilities containing asbestos are being demolished. Reporting procedures are also required involving renovation of 80 meters (262.4 ft.) of pipe or more than 15 square meters (161.4 sq. ft.) of friable asbestos.
 - This requirement does not pertain to transite siding because transite is not considered "friable".
 - Reference Subpart B - National Emission Standard for asbestos.
2. It is the responsibility of the Mechanical Department to ascertain those locations where asbestos exists and to ensure notification prior to demolition or renovation.
 - The Industrial Hygiene Monitoring Group in Building #5, can assist identifying insulation that contains asbestos.
3. If demolition or renovation as outlined in Paragraph I, 1, above is to be done, notify the EPA Regional Administrator, Dallas, Texas twenty days prior to commencement of demolition or removal stating the measured or estimated amount present.
 - Provisions are made for emergency renovation and the Environmental Coordinator, Ext. 6421 can assist with this requirement.

DU 041504

DUP 0961308

Houston North Area Office
2525 LaBranch, P.O. 2118
Houston, Texas 77004

To: R. M. Shubert, G-12014

TYPE OF VIOLATION: SERIOUS

SERIOUS

From: W. K. Nace

Benjamin F. Shaw Company
P. O. Box 1089
Orange, Texas 77630

RECEIVED
FBI
HONOLULU
JUL 27 1978

INSPECTION DATE
6/28/78 - 8/27/78

INSPECTION SITE
DuPont Sabine River Works
Orange, Texas

THE LAW REQUIRES that a copy of this citation be posted immediately in a prominent place at or near the location of the violation cited below. The citation must remain posted until the violation cited below has been corrected to the satisfaction of the inspecting technician and Federal authorities, whichever is longer.

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This is
the only
citation

This citation describes violations of the Occupational Safety and Health Act of 1970. The penalties 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 assessed, unless within 15 working days, excluding weekends and Federal holidays, from your receipt of this citation you notify 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	PEA
10	29 CFR 1910.1001(f)(1)(i)	Proper samples were not collected from the breathing zones of employees when determining exposure to airborne asbestos fibers.	Immediately	
11	(a) at the north end of the 150 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.			
12	29 CFR 1910.1001(f)(1)(i)	Samples were not collected from areas of a work environment which were representative of the airborne concentrations of asbestos fibers which may reach the breathing zone of employees.	Immediately	
13	(a) at the north end of the 150 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.			
14	29 CFR 1910.1001(f)(1)(ii)	The employer did not provide or make available to each employee, within 30 days following his first employment in an occupation exposed to airborne levels of asbestos fibers, a comprehensive medical examination.	Immediately	
15	(a) at the north end of the 150 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.			

DU 041505

DUP 0961334

Houston Area Office
2520 LaBranch, Rm. 237
Houston, Texas 77021

47500
To: R. M. Shepherd
5-12014
From: W. K. Rice

STANDARD FORM NO. 64
SERIAL

INSPECTION DATE: 5/28/78 - 5/27/78
INSPECTION SITE: DuPont Sabine River Works
Orange, Texas

PENALTY ARE DUE WITHIN 15 DAYS OF RECEIPT OF THIS NOTICE UNLESS CONTESTED WITHIN 15 DAYS

TO: Benjamin F. Shaw Company
P. O. Box 1085
Orange, Texas 77630

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

This citation is subject to appeal.

A citation describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed below are based on these violations. It must correct the violations referred to in this citation by the dates listed below and pay the penalties proposed, within 15 working days, including weekends and Federal holidays, from your receipt of this citation and penalty. You must a notice of contest to the U.S. Department of Labor Area Office or the district court shown above. (See the enclosed booklet which outlines your responsibilities and courses of action and should be in consultation with this letter.)

CITATION NUMBER VIOLATION 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.		
14 29 CFR 1910.1001(c)(2)(i): Insofar as practicable, asbestos was not handled, mined, applied, removed, cut, scored, or otherwise worked in a wet state sufficient to prevent the emission of airborne fibers in excess of prescribed exposure limits for asbestos. (a) at the north end of the 258 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.	Immediately	\$564
15 29 CFR 1910.1001(c)(2)(iii): Employees engaged in the spraying of asbestos, the removal or demolition of pipes, structures, or equipment covered or insulated with asbestos, or the removal or demolition of asbestos insulation or coverings were not provided with respiratory equipment in accordance with paragraph (d)(2)(iii) of this section and special clothing in accordance with paragraph (d)(i) of this section: (a) at the north end of the 258 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.	Immediately	
16 29 CFR 1910.1001(f)(1): Initial monitoring was not conducted in such a manner to determine whether every employee's exposure to airborne asbestos fibers is below the prescribed limits: (a) at the north end of the 258 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.	Immediately	

DUP 0961335

INTERIM REPORT ON OSHA INSPECTION

Page 1 of 3
September 20, 1978

1. Date of Inspection 8-28-78 (START) Time 2:45 P.M.
2. Employment Unit (Name plant, laboratory, warehouse, construction)
SABINE RIVER WORKS, ENGR. DEPT., CONSTR. DIV. (B. F. SHAW CO.)
3. OSHA region in which your unit is located REGION 06 AREA 3200
Name(s) of Compliance Officer(s): BEVIL HART
4. What prompted the Inspection? SEE INTERIM REPORT DATED 9-1-78.

If a complaint, were you given written copy? YES Was it necessary request copy? NO

5. Was advance notice given? NO
6. Duration of Inspection RESUMED 9-6-78 & COMPLETED 9-7-78.
7. What did the Compliance Officer inspect? SEE INTERIM REPORT DATED 9-1-78

What measurements did he make (e.g. air sampling for toxic vapors, noise, etc.)? SEE INTERIM REPORT DATED 9-1-78.

8. What violations did he find? DISMANTLING PIPE LINES COVERED WITH INSULATION MATERIALS CONTAINING ASBESTOS.
 - a. DID NOT WET DOWN MATERIAL.
 - b. DID NOT WEAR PROTECTIVE CLOTHING.
 - c. DID NOT PROVIDE MEDICAL EXAMS.
 - d. DID NOT MONITOR AIR.

9. What citations did he issue? AT CLOSING CONFERENCE, COMPLIANCE OFFICE INDICATED HE WOULD RECOMMEND ONE CITATION TO COVER THE VIOLATIONS LISTED IN ITEM 8. NO OFFICIAL CITATION HAS BEEN RECEIVED AT THIS DATE.
10. Were the citations for specific standards or under the general duty clause? (Please identify the standards cited.) UNKNOWN AT THIS TIME.

DUP0961338

*The questions apply to the visit of a Compliance Officer, but if inspection was conducted by a different official, the questions should be modified accordingly.

DU 041507

September 20, 1978

Citations which might warrant contesting OWN

12. What time was allowed for abatement? UNKNOWN - AT CLOSING CONFERENCE, OSHA OFFICER INDICATED ABATEMENT PERIOD WOULD BE 15 TO 30 DAYS IF A CITATION IS ISSUED.

13. What penalties were assessed? UNKNOWN AT THIS DATE. OFFICER INDICATED HE WOULD RECOMMEND NO PENALTY BE ASSESSED.

14. How was the initial contact handled? SEE INTERIM REPORT DATED 9-1-78.

a. Compliance Officer first appeared at (Guardhouse, Main Office, etc.)

b. Asked to see

c. Presented credentials voluntarily upon request.

Was he state or federal employee?

d. Did your unit have an established protocol for this eventuality?

e. Miscellaneous remarks about ease or difficulty in handling initial contact.

Did officer talk with Safety Supervisor, Work's Engineer, Company Physician, or comparable people about overall safety and health program of installation either before or after inspection? (Give brief summary.)
SEE INTERIM REPORT DATED 9-1-78.

Did officer request to see any of the Company safety and health records or records of occupational hazard measurements (e.g., toxic vapors, dusts, noise, etc.)? NO YES. Remarks

LOOKED AT OSHA #200 LOG AND SUMMARY OF OCCUPATIONAL INJURIES & ILLNESSES.

DUP0961339

11-74

DU 041508

September 20, 1978

17. What representative(s) of employees accompanied officer on inspection?
UNION STEWARD
(Union Steward, complaine, etc.)
How was employee representative determined? _____
SEE INTERIM REPORT DATED 9-1-78.
18. What Company representative(s) accompanied officer on inspection?
A. O. WHITE (B. F. SHAW); W. CAMPBELL (DU PONT) W. E. THOMAS, JR. (DU PONT PLANT #1)
19. Were questions directed to employee representative(s) and Company representative(s) alike in presence of one another? XNO YES. Give some examples of what you consider to be most leading questions. _____

20. Did officer seem to be well versed in the various rules and regulations applicable to your operation? NO XYES. Was a copy of written rules and regulations taken along for instant reference? Any discussion of, comparison with Company standards, etc.? Remarks _____
OFFICER WAS VERY KNOWLEDGEABLE OF REGULATIONS PERTAINING TO ASBESTOS.

21. Were photographs deemed necessary? _____ Who took them? _____
SEE INTERIM REPORT DATED 9-1-78.
22. Comment on closing conference. COMPLIANCE OFFICER DISCUSSED HIS FINDINGS AND RECOMMENDATIONS TO BE INCLUDED IN HIS REPORT. CONFERENCE WAS CONDUCTED IN A BUSINESS LIKE MANNER.
23. Do you have any general comments to make in way of a summary? _____
GENERAL COMMENTS, IF ANY, WILL BE MADE WHEN OFFICIAL CITATION ON REPORT FROM OSHA IS RECEIVED.

DUP0961340

Signed F. H. Fowler Unit Head

F. H. FOWLER, CONSTRUCTION PROJECT MANAGER

11-74

DU 041509



E. I. DU PONT DE NEMOURS & COMPANY
WILMINGTON, DELAWARE 19898

PLASTIC PRODUCTS AND RESINS DEPARTMENT

J. T. SMITH
J. W. FINES
C. J. MEJELMEYER
L. F. PERCIVAL/RP-1

September 18, 1978

N. K. WALTERS
EMPLOYEE RELATIONS

REPORT ON OSHA INSPECTION - SABINE RIVER WORKS

The attached report from Arlon Fields, Safety Supt., covers OSHA's investigation of the plant's procedures for handling asbestos. The plant reported that, at the opening conference, the OSHA compliance officer told them that this investigation was officially separate from the just preceding investigation triggered by the complaint of a B. F. Shaw, Co. pipefitter. An interim report of earlier events was sent to you with my letter of September 11.

We will keep you informed of any communications received from OSHA. A report covering the B. F. Shaw closing conference is expected and will be forwarded when received.

The insulating material involved was asbestos per analysis by Marshall Laboratory of the duplicate sample sent to them.

R. M. SHEPHERD
ENERGY & ENVIRONMENTAL AFFAIRS
MANUFACTURING DIVISION

RMS:ldb
Attachment

DU 041510

DUP0961341

REPORT ON OSHA-HEW VISIT

1. Date of Visit AUG 31 -- SEPT 5 (1978) Time

2. Employment Unit (Name plant, laboratory, warehouse, construction)

SABINE RIVER - WORKS

3. OSHA region in which your unit is located DALLAS VI
(City) (Region No.)

Name(s) and Title(s) of Visitor(s):

BEVIL HART - COMPLAINT OFFICER MIKE SHOPENN - DIST SUP

4. Was the visitor(s) from OSHA

NIOSH , FEDERAL , STATE

5. What prompted the Inspection?

COMPLAINT OF CONST EMPLOYEE

If a complaint, were you given written copy? YES Was it necessary request copy? NO Note: Attach copy.

Had the complaint been discussed with management at your location

before being filed? X -- No -- Yes -- Remarks

6. Was advance notice given? NO

7. Duration of visit PARTS OF 3 DAYS

8. What was inspected?

PIPING WITH SUSPECTED ASBESTOS INSULATION

What measurements were made (e.g., air sampling for toxic vapors, noise, etc.)? NO

9. What violations were alleged?

UNBONDED ASBESTOS NOT PROPERLY IDENTIFIED

DU 041511

DUP0961342

10. Were citations issued? UNKNOWN AT THIS TIME Note: Attach co:

11. Citations which might warrant contesting _____

KNOWN WE KNOW OF

12. Were penalties assessed? NONE EXPECTED Note: Attach cop

13. How was the initial contact handled?

a. Officer first appeared at WAS ON PLANT INVESTIGATING PRACTICES
OF CONTRACTOR AND DECIDED TO
EXTEND INSPECTION TO PLANT
(Guardhouse, Main Office, etc.)

b. Asked to see ASST PLANT MANAGER FOR OPENING CONFERENCE

c. Presented credentials ✓ voluntarily ✓ upon request.

d. Did your unit have an established protocol for this eventuality

YES

e. Miscellaneous remarks about ease or difficulty in handling initial contact. _____

NO PROBLEM

14. Did officer talk with Safety Supervisor, Work's Engineer, Company Physician, or comparable people about overall safety and health program of installation either before or after inspection? (Give brief summary)

TALKED WITH SAFETY SUPT, OCCUPATIONAL HEALTH COORDINATOR,

AND PLANT DOCTOR. SEEM TO BE IMPRESSED WITH OUR EFFORTS

15. Did officer request to see any of the Company safety and health records or records of occupational hazard measurements (e.g., toxic vapors, dusts, noise, etc.)? NO ✓ YES. Remarks _____

LOOKED AT ASBESTOS MONITORING RESULTS

DU 041512

16. What other materials did he ask for and receive? _____

LOOKED AT ASBESTOS HANDLING PROCEDURE BUT WAS NOT GIVEN A CP

17. Was a representative(s) of the employees requested to accompany the officer on the inspection.No _____; Yes _____. If "yes", who was the employee?

(Union steward, complaine, etc.)

How was employee representative determined?

18. Did the officer have discussions with individual employees in the course of his inspection? Yes. Attach list of employees so contacted and subject matter of conversation if known.

See attachment

19. Names and titles of Company representative(s) who accompanied officer on inspection.

ARLUN FIELDS - SAFETY SUP C

BILL THOMAS - OCCUPATIONAL HEALTH COORDINATOR

20. Were questions directed to employee representative(s) and Company representative(s) alike in presence of one another? NO YES.
Give some examples of what you consider to be most leading questions:

21. Were photographs taken? Yes. Did company unit take or secure dupl
photographs? No. If so, attach copies.

22. Comment on closing conference. VERY COMPLIMENTARY OF PLANTS EFFORTS
FELT WE COULD DO A BETTER JOB OF IDENTIFYING ASBESTOS MATERIAL
(INSULATION) WHICH HAD BECOME UNBOUND DUE TO AGE

23. Do you have any general comments to make in way of a summary?

OFFICER APPEARED TO BE COMPETENT AND REASONABLE. I BELIEVE

WE SINCERELY APPRECIATED THE PLANT'S EFFORTS IN THE SAFETY +
FIELD

DU 041513

AD FIELDS

Signed *Alan Miller*

1. _____

SAFETY DIVISION ' 700961344

18. Bevil Hart talked in private with Ken Harvey and C.T. Gross, both of whom are laboratory analysts engaged in IH monitoring.

He also talked with Bob Hargrove, POD laboratory analyst who once wore a sampling pump and Jame DuBose, a plant mechanic.

* 21. Photographs of pipe loaded on farm wagon and the pipe bridge it was removed from were made.

*. There were involved in the original investigation of a pipefitter complaint involving B.F. Shaw Company. I understood from Bill Thomas that reporting of this will be by Construction Div.'s Supt. at Sabine River.

Ken Shepherd
9/8/78

DU 041514

DUP0961345



E. I. DU PONT DE NEMOURS & COMPANY

WILMINGTON, DELAWARE 19898

PLASTIC PRODUCTS AND RESINS DEPARTMENT

J. T. SMITH
J. W. JONES
C. J. KUELMMEYER
L. F. PERCIVAL/RP-1

September 11, 1978

N. K. WALTERS
EMPLOYEE RELATIONS

INTERIM REPORT ON OSHA INSPECTION - SABINE RIVER WORKS

The attached interim report was issued September 6 by
W. E. Thomas,

The complaint, by a B. F. Shaw Co. employee, alleged
improper procedures for removing asbestos insulation. Samples of
the insulation were taken by OSHA (and duplicates provided Du Pont)
for asbestos analysis.

OSHA subsequently initiated a separate inspection of
the plant's procedures for handling asbestos. More detailed re-
ports on the closing conferences of both investigations should be
received this week and will be forwarded.

R. M. SHEPHERD
ENERGY & ENVIRONMENTAL AFFAIRS
MANUFACTURING DIVISION

RMS:ldb
Attachment

DU 041515

DUP0961346

1. Date of Inspection. -28-78 (Still in progress) TFL 2:45 P.M.
2. Employment Unit (Name plant, laboratory, warehouse, construction)
Sabine River Works, Engr. Dept. Construction Division (B. F. Shaw Co.)
3. OSHA region in which your unit is located Region 06 Area 3280
Name(s) of Compliance Officer(s): Bevil Hart & Noah M. Shopenn
4. What prompted the Inspection? Specific complaint to OSHA. Complaint against
B. F. Shaw Company, a CPSC Contractor at this site.
If a complaint, were you given written copy? Yes Was it necessary
request copy? No
5. Was advance notice given? No
6. Duration of Inspection Began 8-28-78 and continuing.
7. What did the Compliance Officer inspect? An abandoned pipe line covered
with insulation material and area where pipe had been ^{stored.} ~~insulated.~~
- What measurements did he make (e.g., air sampling for toxic vapors,
noise, etc.)? Sample of insulation taken for identification.
8. What violations did he find? Investigation still in progress.
9. What citations did he issue? Investigation still in progress.
10. Were the citations for specific standards or under the general duty
clause? (Please identify the standards cited.) Investigation still in
progress.

DUPC961347

*The questions apply to the visit of a Compliance Officer, but if inspection is by a representative of Health, Education and Welfare Department, give

ations which might warrant contesting. Investigation still in progress.

12. What time was allowed for abatement? Investigation still in progress.

13. What penalties were assessed? Investigation still in progress.

14. How was the initial contact handled?

a. Compliance Officer first appeared at Plant Main Office
(Guardhouse, Main Office, etc.)

b. Asked to see B. F. Shaw Company representative.

c. Presented credentials X voluntarily upon request.

Was he state or federal employee? Federal

d. Did your unit have an established protocol for this eventuality?

Yes

e. Miscellaneous remarks about ease or difficulty in handling initial contact. Inspectors courteous. Refused to sign Visitor's Log.

Did officer talk with Safety Supervisor, Work's Engineer, Company Physician, or comparable people about overall safety and health program of installation either before or after inspection? (Give brief summary.)

Discussion limited to complaint.

Did officer request to see any of the Company safety and health records or records of occupational hazard measurements (e.g., toxic vapors, dusts, noise, etc.)? NO YES. Remarks X

No

DUP0961348

DU 041517

What representative(s) of employees accompanied officer on inspection?

Union Steward

(Union Steward, complainee, etc.)

How was employee representative determined? He was Building Trades Steward,
selected by 4 B. F. Shaw Stewards.

18. What Company representative(s) accompanied officer on inspection?

A. O. White (B. F. Shaw); N. J. Derrick (Du Pont); W. E. Thomas, Jr. (Du Pont Plant B)

19. Were questions directed to employee representative(s) and Company representative(s) alike in presence of one another? NO YES. Give some examples of what you consider to be most leading questions.

Investigation still in progress.

20. Did officer seem to be well-versed in the various rules and regulations applicable to your operation? NO YES. Was a copy of written rules and regulations taken along for instant reference? Any discussion thereof, comparison with Company standards, etc.? Remarks

Investigation still in progress.

21. Were photographs deemed necessary? Yes Who took them? Noah M. Shoppenn (OS)

22. Comment on closing conference. Investigation still in progress.

23. Do you have any general comments to make in way of a summary? No

DU 041518

Signed

[Signature]

Unit Head

DUP0961349

Houston, Texas 77004

STATE OF TEXAS (CITATION NO.)	
SERIOUS	1

NOV 9 1978

PRESIDENT'S OFFICE

to: E. I. DuPont De Nemours Sabine River Works
P. O. Box 3269
Beaumont, Texas 77704

Certified Mail No. 354529

Return receipt requested

INSPECTION DATE:

8/31/78 - 9/5/78

INSPECTION SITE:

FM 1006

Orange, Texas

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.

ARE YOU
WITHIN 15
DAYS OF
RECEIPT
OF THIS
NOTIFICATION
UNLESS
CONTESTE
(See enclosed
Booklet)

This Section
Be Detached
Before Post

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 1910.1001(g)(2)(i): Caution labels were not affixed to all raw materials, mixtures, scrap, waste, debris, or other products containing <u>asbestos fibers</u> , or to their containers, which during any reasonably foreseeable use, handling, storage, disposal, processing or transportation could release airborne concentrations of <u>asbestos fibers</u> exceeding prescribed exposure limits: (a) at the north end of the 258 area, insulation containing <u>asbestos</u> was removed from pipes in the overhead rack allowing the emission of airborne fibers. Further, the insulation was not collected and sealed in impermeable bags, properly labeled.	Immediately	\$560
1b	29 CFR 1910.1001(h)(1): Places of employment were not maintained free of accumulations of <u>asbestos fibers</u> which, if dispersed, could result in an excessive concentration: (a) at the north end of the 258 area, insulation containing <u>asbestos</u> was removed from pipes in the overhead rack allowing the emission of airborne fibers. Further, this insulation was not collected and sealed in impermeable bag, properly labeled.	Immediately	
1c	29 CFR 1910.1001(h)(2): <u>Asbestos</u> waste, scrap, debris, bags, containers, equipment, and asbestos-contaminated clothing, consigned for disposal, which may produce airborne levels of <u>asbestos fibers</u> in excess of prescribed limits was not collected and disposed of in sealed impermeable bags or other closed, impermeable containers: (a) at the north end of the 258 area, insulation containing <u>asbestos</u> was removed from pipes in the overhead rack allowing the emission of airborne fibers. Further, this insulation was not collected and sealed in impermeable bags, properly labeled.	Immediately	

* AREA DIRECTOR

Gerald A. Buty

G.A. Buty

\$56

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 employer of this citation and penalty.

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.

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.

TOTAL PENALTY FOR THIS CITATION
Make check or money order payable to "DOL C" Indicate on front

CITATION AND NOTICE OF PENALTY

DUP0961350

DU 041519

Houston North Area Office
2320 Lakewood, Rm. 2118
Houston, Texas 77021

TYPE OF VIOLATION	STANDARD
SERIOUS	

4-1520
To: R. M. Shepherd
L-12014
From: W. K. Hance

VIOLATION	DATE	PAGE
6	5/25/78	1 of 2
INSPECTION DATE: 5/25/78 - 5/27/78		
INSPECTION SITE: DuPont Sabine River Works Orange, Texas		

PENALTY
ARS OUR
WITHIN 1
DAY OF
RECEIPT
OF THIS
NOTICE
UNLESS
CONTEST
Can contest
within 15
days

This notice
is subject
to change
without
notice

TO: Benjamin F. Shaw Company
P. O. Box 1085
Orange, Texas 77633

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

In citation section, violations of the Occupational Safety and Health Act of 1970. The penalties 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
including weekends and Federal holidays from your receipt of this citation and permit you send a notice of contest to the U.S. Department of
Labor, Office of the Secretary, Washington, D.C. 20460. (See the enclosed booklet which outlines your responsibilities and course of action and protest as
to a contest with this notice.)

VIOLATION NUMBER STANDARD, REGULATION OR SECTION OF THE ACT VIOLATED	DESCRIPTION	DATE BY WHICH VIOLATION MUST BE CORRECTED	PENAL
	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.		
14	29 CFR 1910.1001(c)(2)(i): Insofar as practicable, asbestos was not handled, mined, applied, removed, cut, scored, or otherwise worked in a way that is sufficient to prevent the emission of airborne fibers in excess of prescribed exposure limits for asbestos: (a) at the north end of the 252 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.	Immediately	\$560
15	29 CFR 1910.1001(c)(2)(ii): Employees engaged in the spraying of asbestos, the removal or demolition of pipes, structures, or equip- ment covered or insulated with asbestos, or the removal or demolition of asbestos insulation or coverings were not provided with respira- tory equipment in accordance with paragraph (2)(2)(iii) of this section and special clothing in accordance with paragraph (2)(ii) of this section: (a) at the north end of the 253 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.	Immediately	
16	29 CFR 1910.1001(f)(1): Initial monitoring was not conducted in such a manner to determine whether every employee's exposure to airborne asbestos fibers is below the prescribed limits: (a) at the north end of the 252 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.	Immediately	

DUP 0961351

Houston North Area Office
2326 Lakewood, P.O. Box 1138
Houston, Texas 77001

To: R. M. [illegible] G-12014

TYPE OF VIOLATION (Circled)

SERIOUS

From: W. K. Trace

To: Benjamin F. Shaw Company
P. O. Box 1089
Orange, Texas 77630

SECTION	AREA	PAGE
1	2280	2 of 2

INSPECTION DATE:
8/22/78 - 8/23/78

INSPECTION SITE:
DuPont Sabine River Works
Orange, Texas

THE LAW REQUIRES that a copy of the citation be posted immediately at a prominent place in or near the location of the violation cited below. The citation must remain posted until the violation cited has been fully corrected. It is the employer's duty to keep the workplace free of asbestos and to keep the workplace free of asbestos.

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THIS IS
A COPY
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This citation contains violations of the Occupational Safety and Health Act of 1970. The penalties listed below are based on these violations. You must correct the violations referred to in this citation. In the event listed below are not the penalties described, within 15 working days, including weekends and Federal holidays, from your receipt of this citation and penalty you must notify in writing 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 request to be kept in compliance with this form.)

ITEM NUMBER	STANDARD, REGULATION OR SECTION OF THE ACT VIOLATED: DESCRIPTION	DATE BY WHICH VIOLATION MUST BE CORRECTED
16	29 CFR 1910.1001(f)(2)(1): Proper samples were not collected from the breathing zones of employees when determining exposure to airborne asbestos fibers.	Immediately
16	(a) at the north end of the 200 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.	Immediately
16	29 CFR 1910.1001(f)(2)(1): Samples were not collected from areas of a work environment which were representative of the airborne concentrations of asbestos fibers which may reach the breathing zone of employees.	Immediately
16	(a) at the north end of the 200 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.	Immediately
16	29 CFR 1910.1001(f)(2)(1): The employer did not provide or make available to each employee, within 30 days following his first employment in an occupation exposed to airborne levels of asbestos fibers, a comprehensive medical examination.	Immediately
16	(a) at the north end of the 200 area, insulation containing asbestos was removed from pipes in the over head rack allowing the emission of airborne fibers.	Immediately

DUP 0961352

DU 041521

LFH
HST
FILE

U.S. DEPARTMENT OF LABOR
OSHA
Houston North Area Office
2320 LaBranch, Rm. 2118
Houston, Texas 77004

DOCKET

(Oral)
LOCATION: SABINE RIVER WORKS (PP&R) Tx.
Case No. OSHRC DOCKET NO. 785871

E. I. DU PONT DE NEMOURS & CO.
Legal Department
Labor Law Division

OSHA No. H4681 9
Region 6 Area 3280

Department: R. M. Shepherd, PP&R, D-12014, x-46360

Issue: Alleges caution was not maintained during work with asbestos fibers in places of employment and collection and disposal of the fibers.

Address: see above

Representative: Gerald A. Baty
Area Director

Department
Representative: HASTINGS S. TRIGG, JR.

Date	Progress
11/6/78	Citation and Notification of Penalty issued of 1 serious violation with a penalty of \$560.00.
12/4/78	Notice of Intent to Contest mailed.
12/14/78	Notice of Receipt of Case and Docket No. assigned.
12/20/78	MOTION For Extension of Time to File Complaint filed by Barbara G. Septig, OSHRC, requesting additional 30 days.
12/28/78	Notice of Receipt of Case posted and card mailed to OSHRC.
1/1/79	Motion For Extension of Time to File Complaint granted by Ray H. Darling, Jr., Executive Secretary to January 25, 1979.
1/19/79	Proposed Settlement Agreement received for approval and signature plus payment of penalty of \$560.00.
1/26/79	Approved and signed Agreement mailed to Reg. Solicitor, US DC
1/29/79	Penalty check mailed to Reg. Solicitor.
2/1/79	Agreement transmitted to OSH Executive Secretary.
3/30/79	Order and Notice of Decision approving Settlement Agreement
4/30/79	Order becomes final
5/18/79	Case Closed

DU 041522

DUP 0961352.001

LFE
HST
FILE

U.S. DEPARTMENT OF LABOR
OSHA
Houston North Area Office
2320 LaBranch, Rm. 2118
Houston, Texas 77004

DOCKET

E. I. DU PONT DE NEMOURS & CO.
Legal Department
Labor Law Division

(Oral)
LOCATION: SABINE RIVER WORKS (PP&R) TX.
Case No. OSHRC DOCKET NO. 785871

OSHA No. H4681 9
Region 6 Area 3280

Department: R. M. Shepherd, PP&R, D-12014, x-46360

Issue: Alleges caution was not maintained during work with asbestos fibers in places of employment and collection and disposal of the fibers.

Address: see above

Representative: Gerald A. Baty
Area Director

Department
Representative: HASTINGS S. TRIGG, JR.

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1/1/79	Motion For Extension of Time to File Complaint granted by Ray H. Darling, Jr., Executive Secretary to January 15,
1/19/79	Proposed Settlement Agreement received for approval and signature plus payment of penalty of \$560.00.
1/26/79	Approved and signed Agreement mailed to Reg. Solicitor, US D
1/29/79	Penalty check mailed to Reg. Solicitor.
2/1/79	Agreement transmitted to OSH Executive Secretary.
3/30/79	Order and Notice of Decision approving Settlement Agreement
4/30/79	Order becomes final
5/18/79	Case Closed

DU 041523

DUP0961353