Hayward, CA
(Alameda County)
Review
(Cir. D. 43,161)
(Cir. S. 43,456)

MAR 19 1982

Allen's P C B Est. 1888

Suit lists violations by foundry

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HAYWARD — The Alameda County district attorney is suing a San Leandro foundry cited by the state last year for almost four dozen health and safety violations, including inadequate breathing gear near dangerous chemicals.

According to the lawsuit filed in Alameda County Superior Court, Precision Founders Inc., of 414 Hester St., San Leandro, has engaged in "unlawful, unfair and fraudulent business practices."

The lawsuit cited 42 violations of the Business and Professions Code, directly stemming from investigations conducted by the state Division of Occupational Safety and Health (CAL/OSHA).

CAL/OSHA's April probe resulted in 20 health citations, while a separate inspection in October led to 22 safety citations. Of the 42 citations, seven were considered serious, according to CAL/OSHA attorney Kay Kohler.

"I think the case is totally without merit," said foundry Vice President Frost Prioleau. "We've complied with just about all of the CAL/OSHA citations."

Ms. Kohler, however, said that the San Leandro company, which has been in business since 1957 and which manufactures metal castings, has appealed every citation issued. The state has not yet taken action on the appeal, a process that Ms. Kohler said only "a very small percentage of firms cited" resort to.

The state brought the case to the district attorney because officials were frustrated by what they felt to be a lack of cooperation by Precision.

"They have corrected a number of deficiencies," said Deputy District Attorney Harry Johnson of the county's Consumer Fraud Division.

Each of the 42 violations named in the lawsuit carries a maximum fine of $2,500, Johnson said. The county is seeking a permanent injunction that would put a halt to the practices alleged in the suit.

CAL/OSHA deemed seven citations to be "serious," or posing a "substantial probability that employees will suffer death or serious physical harm," according to Ms. Kohler.

The problems included failure to provide accessible safety equipment to employees working near ammonia tanks, failure to maintain the air purity required for respiration equipment and failure to provide written operating procedures for employees in the "bag house."

"The bag house is like the inside of an industrial vacuum cleaner," Ms. Kohler said. "The air is filled with toxic substances. The workers sent in weren't given proper training. It was a highly dangerous situation."

For instance, she said employees were supplied with single-strap paper masks rather than proper respiratory equipment.

"A foundry is potentially a very dangerous place," Ms. Kohler said. "You're dealing with all kinds of molten chemicals."

Toxic substances in the foundry air included chromium; nickel; cobalt; and cristobalite, a form of silicon that exceeded by 38 times the allowed limits set by the state.

Ms. Kohler said the lack of water near ammonia tanks also posed a serious health hazard.

"Ammonia is highly toxic," she said. "The most effective immediate remedy is flushing with water. If there's no source of water near the ammonia, it can mean the difference between someone being blind and someone not being blind."

She said several ammonia spills have occurred at the plant, the most recent last June.

Highly toxic PCB, or polychlorinated biphenyl, was also found in the plant after a capacitor exploded in fall of 1980, Ms. Kohler said.

The lawsuit alleges that the foundry failed to offer an accident prevention program or training plan to instruct workers in safe work practices and specific ways to handle hazards unique to their jobs.

The state was first alerted to problems after two workers sued the foundry last October because of alleged PCB exposure.

PCB-ARCH-EXT0378137