

U.S. Department of Labor

Rec'd 11 35 AM
4-7-89 BP
Occupational Safety and Health Administration

cc: Clay
4-7-89
BP



Jacksonville Area Office
Suite 303
3100 University Blvd., South
Jacksonville, Florida 32216
Reply to the Attention of: Area Director

April 6, 1989

Westinghouse PCS
8301 Scenic Hwy.
Pensacola, FL. 32504



Dear Mr. Smelstoys:

On 3/7/89, the Occupational Safety and Health Administration (OSHA) received a notice of health hazards at your worksite at 8301 Scenic Hwy., Pensacola, FL. 32504.

The specific nature of the alleged hazards is as follows:

1. Employees were exposed to asbestos materials while removing "wedges" from an electrical generator. 29 CFR 1910.1001 (c).
2. Employees were not provided personal protective equipment such as respirators, coveralls while removing "wedges" where asbestos was present. 29 CFR 1910.1001 (g) & (h).

We have not determined whether the hazards, as alleged, exist at your workplace; and we do not intend to conduct an inspection at this time. However, since allegations of violations have been made, you are requested to investigate the alleged conditions and make any necessary corrections or modifications. Within ten days of your receipt of this letter, please advise me in writing of the results of your investigation. Please provide any supporting documentation of your findings, including any applicable measurements or monitoring results, and photographs which you believe would be helpful, as well as a description of any corrective action you have taken or are in the process of taking, including photographs of the corrected condition.

The complainant involved has been advised of this preliminary response to the complaint of hazards and has been furnished a copy of this letter. Section 11(c) of the Occupational Safety and Health Act of 1970 provides that "No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint ... or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act."

This letter is not a citation or a notification of proposed penalty which, according to the OSH Act, may be issued only after an inspection or investigation of the workplace. If we do not receive a response from you within ten calendar days or less indicating that appropriate action has been taken or that no hazard exists and why, an inspection may be conducted.

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Please note, however, that OSHA selects for inspection a random sample of cases where we have received letters in which employers have indicated satisfactory corrective action. This policy has been established to ensure that employers have actually taken the action asserted in their letters.

Finally, any action taken by you in this matter will not automatically remove your workplace from the possibility of an unannounced inspection by duly authorized representatives of OSHA in accordance with routine scheduling procedures currently in effect.

In addition to its function of inspecting workplaces, the OSHA Area Office has been expanded to become a full service resource center, offering a wide range of safety and health related services in response to the needs of the working public, both employers and employees. These services include training and education, consultation, voluntary compliance programs and assistance in correcting hazards.

Your State offers OSHA consultation services, without charge, to assist you in resolving any occupational safety or health issue which you may face. To request the services, call or write your State consultation project at the following address:

Bureau of Industrial Safety and Health
2551 Executive Center Circle, W.
Suite 204, Lafayette Building
Tallahassee, Florida 32399
904-488-3044

You are requested to post a copy of this letter and your response to it where it will be readily accessible for review by all of your employees.

If you have any questions concerning this matter, please contact the Area Office at the address in the letterhead. Your personal support and interest in the safety and health of your employees is appreciated.

Respectfully,


RICHARD M. DAY
Area Director

:slg

6006577-10-11-84
IN RE: ABRAMS

DECEMBER 1992