U.S. Department of Labor

Occupational Safety and Health Administration
Nashville Area Office
2002 Richard Jones Road
Suite C-205
Nashville, TN 37215

Reply to the Attention of:

Jul 9 1991

Mr. G.T. Brady, Project Mgr.
Manager, Safety Environmental Control
Power Generation Service Division
Westinghouse
4400 Alafaya Trail
Orlando, FL 32826-2399

Dear Sir:

Please find enclosed the minutes taken at the informal conference held on July 2, 1991. We appreciate the business-like manner we were able to carry out at our meeting. After review of these notes along with any notes you may have taken, we invite you to advise us of your decision.

Remember you have (15) fifteen working days to decide if you want to contest any or all of the citations and/or the proposed penalties. After the fifteen working days each becomes a final order of the Commission.

We appreciate your interest in the safety and health of the working men and women in Tennessee.

Sincerely,

Cois Brown

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PLAINTIFF'S EXHIBIT
WH-273

INFORMAL CONFERENCE
Westinghouse Electric Corporation - July 2, 1991

ATTENDEES:
G.T. Brady, Safety Manager - Westinghouse
Terry Perkins, Project Manager - Westinghouse
Hank Pierce, Business Manager - Millwrights
Buford Carroll, steward - Pipefitters
Ron McNutt- attorney for employees
Cole Brown, Area Director - OSHA
Sharon Ratliff - Industrial Hygienist
Herb Snapp - Safety Specialist

Mr. Brady objected to Mr. McNutt being present and Mr. McNutt was asked to leave.

Mr. Brown opened the conference with a discussion of separate conferences, minutes of the meeting, 15 day period and posting. Mr. Brady stated that Westinghouse had been in business for 100 years, was the first or second company to have an IH program and they take pride in their safety and health performance. The company found it unique that the citations for the two inspections came separately and they felt we had not recognized their safety and health efforts in our penalty calculations. He also stated that this was a goodwill visit and they want to be sure what is cited so they can abate. Mr. Brown discussed repeat violations at construction sites. Penalty system was discussed and Mr. Snapp assured Westinghouse that appropriate consideration was given to their program during penalty calculations.

The following was discussed concerning the health inspection:

1. The Safety Manager, G.T. Brady said he contacted TVA at the initial construction meeting concerning the possibility of asbestos at the site. He said TVA officials said they did not know anything about any asbestos at the site. He said Westinghouse took approximately 12 samples which were asbestos free. He said the next samples taken showed positive results for some of the samples. Mr. Perkins said he thought they had encapsulated the asbestos around November 21, 1990. Mr. Brady said he could not agree that sampling was needed while moving the blanket. He said it would be time consuming and costly. Once the cover was removed, the asbestos would not be disturbed further. Mr. Brady presented a photo which showed unit 4 prior to disassembly. Further discussion was held concerning the asbestos cloth glued to the block and friable and nonfriable asbestos. Sharon stated she gave a low probability on penalty caculations due to the cloth.

2. Mr. Brady was concerned with the requirement to have duplicate copies of the MSDSs at the site. He said he felt the MSDSs were

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ELECTRIC CORPORATION V TVA

accessible to employees even though the employees were not permitted in the office trailer where the MSDSs were maintained by the secretary. Mr. Perkins said that employees and foremen were coming into the office trailer at the beginning of the job which disturbed the secretary and office staff. He said he implemented a policy which permitted only the foremen to enter the office trailer. Mr. Brady was concerned that the requirement by OSHA to have a duplicate copy of the MSDSs accessible to employees would cause distrust among the employees, unions, OSHA and Westinghouse. Mr. Perkins said he had already made up a duplicate copy and placed them where all employees had access to them.

3. A discussion was held on the maintenance and servicing of respirators. Mr. Brady said there is no excuse for the condition of the respirator. He said Westinghouse does not believe in cleaning and maintenance of respirators as they throw the respirator away and give the employee a new one. He said it is far cheaper to buy new respirators than pay employees to perform maintenance and cleaning. Mr. Perkins said he disposed of the old respirator and new respirators are available for all employees in need of them.

4. Mr. Perkins said a hazardous chemical list is now included in the Hazard Communication Program. He said the list was overlooked when the program was developed.

5. Mr. Perkins said the warning label is now installed on the container of kerosene.

6. A discussion was held concerning employee information and training. Sharon said that not all of the seven requirements were completed. She said employees were not trained on asbestos and other hazardous chemicals. A brief discussion was held concerning the HAZCOM Standard.

The following was discussed concerning the safety inspection:

Each of the safety violations were discussed with some discussion on GFI's and load charts. Westinghouse (Mr. Brady) stated that GFI's were on site, however, they did not use these inside buildings. Mr. Snapp informed him that extension cords are considered temporary wiring and GFI's are required. Mr. Brady was given some information concerning this along with the handout on penalty calculations.

Mr. Brady stated that a safety manual with load charts was available in the crane and that the employee used the computerized board. Mr. Snapp stated that the crane manufacturer had stated the computerized board is only to be used as an aid. Mr. Brady stated that self closing valves, storage for cylinders, and posting of the load chart had been corrected.