PLAINTIFF'S EXHIBIT

TEX-57

RECEIVED
FEB 20 1979
INDUSTRIAL HYGIENE
HOUSTON OFFICE

NOTE	NOTED
HLH	
ALL	
JDW	
KH	

File → F.6 Industrial Hygiene Puget Sound Plant

Anacortes, Washington, February 5, 1979

SAF-IH
TEXACO USA
PUDGET SOUND PLT
Pg 1 of 1
2/5/79

RESEARCH, ENVIRONMENT AND SAFETY DEPARTMENT
FEB 8 1979

JET	2/10
KCIB	
RKM	
ARV	
RDM	
VCS	
Hdl	

RTR 2/14

OSHA-WISHA
UNANNOUNCED COMPLIANCE
INSPECTION

PERSONAL AND CONFIDENTIAL

MEMORANDUM

Mr. T. L. Thompson (THT)
Los Angeles, CA

Attached is copy of "Citation and Notice" from WISHA Industrial Hygiene Survey which was completed on January 23, 1979, and also "Notification of Penalty Assessment" for one alleged serious violation.

All items have been complied with or are in stage of near completion.

PSP does not recommend appeal of this penalty assessment and we request approval for payment.

Signed: P. C. Templeton

P. C. TEMPLETON

JDD-LRR

JET
CTS-JRS-WDE

Attachments

cc: RTR to HLH 2/14

WA-TEX 006826

WA-TEX006826

ATTACH
SAF. EM
TEXACO INC
CUSTOMER NUMBER
PLANT NAME

DEPARTMENT OF LABOR AND INDUSTRIES
DIVISION OF INDUSTRIAL SAFETY AND HEALTH
300 - W. 15th AVE
P. O. BOX 207
OLYMPIA, WA. 98504

NOTIFICATION OF PENALTY ASSESSMENT

Texaco Inc. P. O. Box 622 Anacortes, WA 98221	Safety No. G 8002	Report No. 120921
	Company Skagit (29)	Date Citation & Notice of Penalty Assessment 11-79
		Penalty No. 6972
LAB AWC MAR SEC File No.	There is no relationship between this notification and	

NOTIFICATION OF PENALTY ASSESSMENT

This notification and the penalty(ies) assessed by the Director of the Department of Labor and Industries, or his authorized representative, shall be deemed to be the final order of the Department and not subject to review by any court or agency unless, within 15 working days from the communication of this notification, you submit a NOTICE OF APPEAL. The NOTICE OF APPEAL should be mailed or otherwise delivered to the Assistant Director for Industrial Safety and Health at the address shown at the top of this notification. If no NOTICE OF APPEAL is filed within the 15 working day period, the proposed penalty(ies) become final and is immediately payable. (RCW 49.17.140). The term "working day" means a calendar day, except Saturdays, Sundays and all legal holidays as set forth in RCW 1.16.050 (RCW 49.17.140).

Payment of all penalties shown is to be made by check or money order payable to the order of Department of Labor and Industries. Payment of penalties should be remitted to the Assistant Director of Industrial Safety and Health at the address shown above.

Section 18(b) of the Act (RCW 49.17.180). states: "Civil penalties imposed under this chapter shall be paid to the Director for deposit in the supplemental pension fund established by RCW 51.44.033. Civil penalties may be recovered in a civil action in the name of the department brought in the superior court of the county where the violation is alleged to have occurred, or the Department may utilize the procedures for collection of civil penalties as set forth in RCW 51.48.120 through 51.48.150.

On the 31 day of January, 19 79, a citation(s) was issued to you in accordance with the provision of Section 12 of the Washington Industrial Safety and Health Act (RCW 49.17.120) hereinafter referred to as the Act. That citation(s), or a copy thereof, accompanies this NOTIFICATION OF PENALTY ASSESSMENT. You are thus notified of certain alleged violations of the Act, as specified in that citation(s).

YOU ARE HEREBY NOTIFIED that pursuant to the provisions of Sections 14 and 28 of the Act, the penalty(ies) set forth below is/are being assessed based on the citation(s).

5A. Item No.	5B. Type of Violation	5C. Code Violation	5D. Penalty Assessment
1.	Serious	WAC 296-24-08811(2)(a)	150.00

1/26/79
Director of Industrial Safety and Health — DATE SIGNED

Total Penalty Assessed $ 150.00

WA-TEX 006827

WA-TEX006827

DEPARTMENT OF LABOR & INDUSTRIES
DIVISION OF INDUSTRIAL SAFETY AND HEALTH
OLYMPIA, WASHINGTON 98504

CITATION & NOTICE

FORM NO. [illegible]

SIC	ACTIVITY	REASON	REGION	COUNTY	IND. INSURANCE NO.		INSPECTION NO.	SIGN	REPORT NO.
2800	HEALTH SURVEY	SCHEDULED	1	29	37,020	002	01/31/79	29115	124921

LOCATION OF ESTABLISHMENT (SITE OF ACTIVITY): MARCH POINT — ANACORTES — 01/23/79 — 365 — 5

MANAGEMENT OFFICIAL CONTACTED AND TITLE: JACK DRUMMOND — SAFETY DIR

CLOSING CONFERENCE EMPLOYER REP.: JACK DRUMMOND — SAFETY DIR

EMPLOYER ADDRESS / CITY: TEXACO INC, P.O. BOX 622, ANACORTES — WA 98221

EMPLOYER WALK AROUND REP. TITLE: JACK DRUMMOND, SAFETY DIR

ASSISTANT DIRECTOR FOR DIVISION OF INDUSTRIAL SAFETY & HEALTH

WERE EMPLOYEE WALK AROUND PRIVILEGES EXERCISED? YES — WERE EMPLOYEES INTERVIEWED? YES

A copy of this Citation must be prominently posted immediately upon receipt at or near each place a violation referred to in the Citation occurred. (RCW 49.17.120) It must remain posted until all violations cited therein are corrected, or for three (3) working days, whichever period is longer.
Failure to correct alleged violations by the abatement date may result in a proposed penalty assessment. (RCW 49.17.140)

EMPLOYER: SEE REVERSE SIDE OF THIS FORM FOR NOTICE OF RIGHTS AND DUTIES REGARDING THIS CITATION

NATURE OF ALLEGED VIOLATIONS OBSERVED DURING INSPECTION UNLESS OTHERWISE NOTED ALL CITATIONS ARE TO TITLE 296 WAC

ALLEGED CODE VIOLATIONS	DESCRIPTION OF ALLEGED VIOLATIONS / LOCATION	ABATEMENT DATE
1 N 024 08107 G C	FAILURE TO MEET THE REQUIREMENTS OF WAC 296-24-08107 (3) IN SUPPLYING AIR FOR BREATHING PURPOSES. AIR SUPPLIED SAND BLASTING HELMETS LOCATED IN THE PAINT SHOP AREA RECEIVE AIR FROM THE PLANT AIR COMPRESSOR LOCATED IN THE BOILER HOUSE. THIS IS NOT A BREATHING AIR TYPE COMPRESSOR. THIS OIL LUBRICATED COMPRESSOR HAS A HIGH TEMPERATURE SHUT-OFF. HOWEVER FREQUENT AIR SAMPLES TO INSURE COMPLIANCE WITH 296-24-08107(1) ARE NOT TAKEN.	03/04/79
2 N 062 07005 G C	FAILURE TO CONTROL CHEMICAL AGENTS IN SUCH A MANNER TO REDUCE EMPLOYEE CONTACT OR EXPOSURE. MERCURY WAS SPILLED UNDER THE MANOMETER IN THE INSTRUMENT REPAIR SHOP LOCATED IN THE NUMBER ONE CONTROL ROOM.	COMPLIED
3 S 024 08111 G2 A C	FAILURE TO ASSURE THAT RESPIRATORS KEPT READY FOR EMERGENCY USE ARE IN SATISFACTORY WORKING CONDITION.	
	01. SCOTT PAK #39 FTU/ORU #1 HOLE IN HOSE BETWEEN TANK AND FACE PIECE	COMPLIED
	02. SCOTT PAK #37 FTU/ORU #1	COMPLIED

CONTINUED ON NEXT PAGE — PAGE 1

TYPE CODES: [illegible]

RIGHTS OF EMPLOYEES OR REPRESENTATIVES OF EMPLOYEES: The Washington Industrial Safety and Health Act, Chapter 49.17 RCW, provides that an employee or representative of employees may appeal any time period set for abatement of conditions cited as violations in this notice. Such Notice of Appeal must refer to this CITATION & NOTICE and include the name of the employer and the date of the inspection and specify the violation and the abatement date appealed. The Notice of Appeal must be received by the Assistant Director for Industrial Safety and Health, Department of Labor and Industries, P.O. Box 207, Olympia, Washington 98504, within 15 working days of communication of the notice. No person shall discharge or discriminate against any employee because such employee has exercised rights guaranteed him by the Act.

ORIGINAL — EXPIRY

WA-TEX 006828

WA-TEX006828

306

DEPARTMENT OF LABOR & INDUSTRIES
DIVISION OF INDUSTRIAL SAFETY AND HEALTH
OLYMPIA, WASHINGTON 98504

CITATION & NOTICE

FORM NO. LI-419 REV. 5/79

CITY ID	ACTIVITY	REASON	REGION	COUNTY	INSPECTOR NO.	ESTABLISHMENT NO.	INSPECTION DATE	REPORT NO.
C0002	HEALTH SURVEY	SCHEDULED	1	22	47,024	CC2	04/03/79	25115 .124921

LOCATION OF ESTABLISHMENT (SITE OR ADDRESS)

MANAGEMENT OFFICIAL CONTACTED AND TITLE

EMPLOYER ADDRESS, CITY

TEXACO INC

CONTINUED FROM PAGE 1

OPENING CONFERENCE: EMPLOYER REPRESENTATIVE

EMPLOYER WALK AROUND REPTITIVE

JACK DRUMMOND

ASSISTANT DIRECTOR FOR DIVISION OF INDUSTRIAL SAFETY & HEALTH

WERE EMPLOYEE WALK AROUND PRIVILEGES EXERCISED?

WERE EMPLOYEES INTERVIEWED?

A copy of this Citation must be prominently posted immediately upon receipt at or near each place a violation referred to in the Citation occurred. (RCW 49.17.120). It must remain posted until all violations cited therein are corrected, or for three (3) working days, whichever period is longer. Failure to correct alleged violations by the abatement date may result in a proposed penalty assessment. (RCW 49.17.140)

EMPLOYER: SEE REVERSE SIDE OF THIS FORM FOR NOTICE OF RIGHTS AND DUTIES REGARDING THIS CITATION

NATURE OF ALLEGED VIOLATIONS OBSERVED DURING INSPECTION UNLESS OTHERWISE NOTED. ALL CITATIONS ARE TO TITLE 296 WAC

ITEM NO.	ALLEGED CODE VIOLATIONS	DESCRIPTION OF ALLEGED VIOLATIONS / LOCATION	ABATEMENT DATE
		HOSE DETERIORATED AND SEPARATELY PROT REQUIRED	
		03-SCOTT BAK #2C-CAR PLANT FECO AIR CYLINDER EMPTY	COMPLIED
4 N	02 1910.134(C)(1) C	REFERENCE SHIPPING CONTAINER SPECIFICATION REGULATIONS, DEPARTMENT OF TRANSPORTATION 49 CFR PART 178.44(I), FAILURE TO MAINTAIN SEPARATE CONTAINER IN THAT COMPRESSED AIR CYLINDERS FOR SCOTT BREATHING APPARATUS CONTAINER WAS NOT BEEN HYDROSTATICALLY TESTED WITHIN 5 YEARS	
		01-SCOTT BAK #4C-GRUEL UNIT LAST TEST DATE 1962	03/04/79
		02-SCOTT BAK #2C-CATALICE LAST TEST DATE 1962	03/04/79
		03-SCOTT BAK #C-CLARK PLT LAST TEST DATE 1971	03/04/79
5 N	02 1910.134(C)(10) C	FAILURE TO SECURE A SUFFICIENT QUANTITY OF BREATHING AIR CYLINDERS OF SUFFICIENT CAPACITY IN THE NUMBER AND TYPE OF RESPIRATORS WORN TO ENABLE EACH EMPLOYEE TO LEAVE THE CONTAMINATED AREA BEFORE THE AIR SUPPLY IN HIS RESPIRATOR IS EXHAUSTED.	COMPLIED

THE NATURE OF VIOLATIONS IN THIS CITATION AND NOTICE ARE AS DEFINED IN RCW 49.17.180.

PAGE 2

TYPE CODES: C = Serious, NC = Non-Serious, U = Unclassified, R = Repeated (Any of the Above Can Be Suffixed With) W = Willful, or F = For Repeated Violation

ITEM: Sub-Division, Item, Rev. Emph. (See Publication Part 1910 or 1926 Administrative Standards)

SEC: Section (See Publication Part 1910 or 1926 Administrative Standards)

RIGHTS OF EMPLOYEES OR REPRESENTATIVES OF EMPLOYEES. The Washington Industrial Safety and Health Act, Chapter 49.17 RCW, provides that an employee or representative of employees may appeal any time period set for abatement of conditions, cited as violations in this notice. Such Notice of Appeal must refer to this CITATION & NOTICE and include the name of the employer and the date of the inspection and specify the violation and the abatement date appealed. The Notice of Appeal must be received by the Assistant Director for Industrial Safety and Health, Department of Labor and Industries, P.O. Box 207, Olympia, Washington 98504, within 15 working days of communication of the notice." No person shall discharge or discriminate against any employee because such employee has exercised rights guaranteed him by the Act.

ORIGINAL - EMPLOY

WA-TEX 006829

WA-TEX006829