BASF Wyandotte Corporation

PLAINTIFF'S EXHIBIT BASF-27 PENGAD-Bayonne, N.J.

BASF

INTER-OFFICE MEMORANDUM

TO T. R. Kovacevich

CITY & DATE Geismar - October 10, 1975

FROM J. O. Philley/S. D. Herron

SUBJECT OSHA Inspection Report

COPIES GJMelanson, MOTackney, AJBowling, JJRonayne, MEChandler, EJKerfoot

REFERENCE

OCT 13 1975

Cost Center 3116

Account

Two OSHA compliance officers visited the Geismar Works on September 30 and October 1 in response to an employee complaint involving asbestos handling procedures in the G-1 chlorine plant cell room. The OSHA personnel investigated asbestos handling, took samples, and conducted a general inspection in the vicinity of the cell renewal building and the G-1 and G-3 cell rooms. A citation is anticipated in 3-4 weeks and corrective action has been initiated.

Alleged violations involving asbestos:

1. Required warning signs were posted in asbestos handling areas but not where asbestos was stored. This was done by the end of the day on September 30, 1975.

   Note - This may not be a violation due to the wording in paragraph 1910.93a(g)(1)(i) in the OSHA law. The wording in question is this: "Caution signs shall be provided and displayed at each location where airborne concentrations of asbestos fibers may be in excess of exposure limits." This is a poorly worded "gray area" of the standard and allows some room for interpretation. The outcome of this possible violation will depend on the airborne asbestos dust concentration samples taken at these storage locations. If the concentrations are very low, as expected, this will not be included as an apparent violation on the citation. If the concentrations are low and it is included on the citation, we should contest the citation and exercise our rights to an informal conference with the area director.

2. Empty bags of asbestos had accumulated below the work desk by the G-1 diaphragming tank. This apparently is a violation of 1910.93a, section h,2. As per our discussions with OSHA during the closing conference, all empty bags will immediately be placed in an airtight and labeled container for disposal. Our current practice of using an empty asbestos bag to collect, hold and dispose of the other empty bags is acceptable if the bag is kept closed up.

3. Medical surveillance records are apparently not adequate. It is OSHA's opinion that all cell renewal and cell room operators must be given the opportunity (at BWC expense) for a yearly physical examination. This examination must include a chest x-ray and pulmonary function test.

Recently published BWC Corporate Medical Standards also require this exam plus several additional tests. Compliance action with the new BWC standard was underway, but apparently did not satisfy the OSHA representatives.

Full compliance with OSHA and BWC medical requirements can logically be divided into three phases:

a. Phase 1 would be pulmonary function testing for all workers with a possible asbestos exposure. This group would include all cell renewal personnel and all cell room operators (G-1 and G-3) who perform on-line asbestos slurrying of cells. This phase should be completed by October 17. The majority of this group have already received pulmonary function tests since October 3, 1975 and essentially only the G-1 cell room operators remain to be tested.

b. Phase 2 would involve chest x-rays of this same group of employees. This work must be done off-site and will require a concentrated scheduling effort plus the expenditure of approximately $25/employee. This phase should be completed by the end of November, 1975, or 30 working days from receipt of the OSHA citation, whichever occurs first.

c. Phase 3 involves full compliance with all BWC Medical Standards regarding asbestos, mercury and chlorine. This phase would affect approximately 150 employees (80 Electrolytics, 50 Maintenance and 10 Misc.). Target date for completion should be December 31, 1975. It is estimated that the cost would be approximately $70/employee ($10,500) for this year, plus a recurring cost of approximately $4,000/year thereafter. In order to complete these medical surveillance procedures, additional temporary medical staffing will be needed.

4. The OSHA inspectors were of the opinion that personal monitoring is not a substitute for environmental or area monitoring even when the employee's work station does not change throughout the day. We had recently performed a complete personal monitoring program performed by Kem-Tech Labs. No area samples were taken because at that time we felt that with our operations, personal monitoring would also satisfy the area monitoring requirements. Our simultaneous sampling during the OSHA inspection will fulfill the sampling requirements for the next six months.

Alleged violations not concerning asbestos:

The OSHA personnel conducted a general inspection in the immediate vicinity of the cell renewal building and cell rooms in G-1 and G-3 chlorine. The following items were pointed out by the inspectors, were discussed at the closing conference, and may or may not result in citations and/or penalties. Immediate corrective action should be initiated on these items.

1. One electrical outlet cover plate was missing from a receptacle in the DSA assembly area in cell renewal. This was immediately corrected on September 30, 1975.

2. A drum of varsol was equipped with an improper type valve. The drum should be equipped with a spring-loaded self-closing valve. The drum was moved from the east door inside the cell renewal building to a position outside the building on September 30, 1975. This item should be completed by October 15, 1975.

3. Protective guards on two fans in the cell renewal building had openings in excess of 1/2". This apparently is a violation of OSHA 1910.212, part a,5. This item should be completed by October 30, 1975.

4. Chain slings in cell renewal and cell rooms at G-1 and G-3 chlorine are apparently not in compliance with OSHA regulation 1910.84. This is a recently published standard and requires among other things, that every chain sling be plainly identified as to load rating and that all slings must be regularly inspected and records of such inspections be maintained.

   Compliance with this regulation can be divided into three parts:

   a. Part 1 would be to have the chain slings in cell renewal and the G-1 and G-3 cell rooms inspected then marked with the load rating. This should be done by October 15, 1975.

   b. Part 2 would be to have all other chain slings in the Geismar Works inspected and marked.

   c. Part 3 would be for the Maintenance Department to review the new standard 1910.84 with the Safety Department to identify any other areas where corrective action is needed.

J. O. Philley/S. D. Herron

JOP/SDH/d