

PLAINTIFF'S
EXHIBIT
GF-2191

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
Jonnet Building, Room 802
4099 William Penn Highway
Monroeville, Pennsylvania 15146

Cite no.	OSHA-1 no.
5-1682	001
AREA	REGION
6600	3

AMENDED CITATION COVER LETTER

TO: Mr. J. C. Anderson, Plant Manager
C.A.P. Corporation - Building Products Division
Foot of Sassafras Street
P.O. Box 1128
Erie, Pennsylvania 16512
Date February 1, 1973
Subject: Citation for Alleged Occupational Safety and Health Violation(s)

An inspection of a workplace under your operation, ownership, or control has revealed conditions which we believe do not comply with the provisions of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651. The nature of such alleged violation(s) is described in the enclosed citation with references to applicable standards, rules, regulations, and provisions of the said Act. These conditions must be corrected on or before the date shown to the right of each violation therein.

The Act requires that a copy of the enclosed citation(s) be prominently posted "in a conspicuous place upon receipt" at or near each place a violation referred to in the citation occurred. It must remain posted until all violations cited therein are corrected, or for 3 working days, whichever period is longer. A sufficient number of copies of the attached citation(s) should be prepared to permit posting in accordance with the requirements of the Act.

If you contest the citation you may post a notice to this effect near the citation contested. The Act contains penalties for violation of the posting requirements.

You will soon be notified by certified mail whether or not a proposed penalty will be assessed as a result of the cited violation(s). You have the right to contest the citation(s), the proposed penalties, or both, before the Occupational Safety and Health Review Commission. The Review Commission is an independent quasi-judicial agency with authority to issue decisions regarding citations and proposed penalties. If you do contest, you must so notify the Area Director within 15 working days after receipt of the certified mail notice regarding proposed penalties. If you fail to contest within the 15 working day period, the citation and the proposed assessment of penalties shall be deemed to be a final order not subject to review by any court or agency.

An employee or representative of employees may file a notice to contest the time stated in the citation for the abatement of the alleged violation(s).

Alleged violations that are not contested shall be corrected within the abatement period specified in the citation. Failure to correct an alleged violation within the abatement period may result in a further proposed assessment of penalties.

As to alleged violations with an abatement period of 30 days or less, you are directed to promptly advise the Area Director as to the specific corrective action on each such violation and the date of such action.

Alleged violations having a longer abatement period will require a progress report at the end of each 30-day period. The progress report should detail what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, the Area Director shall be so advised.

A followup inspection may be made for the purpose of ascertaining that you have posted the citations as required by the Act and corrected the alleged violations as you have reported. The Act provides that whoever knowingly gives false information is subject to a fine up to \$10,000, imprisonment up to 6 months, or both.

If you wish additional information, you may direct such request to the undersigned at the address listed above.

* Notification of Proposed Penalty is enclosed herewith.

SEE ATTACHED SHEET

U.S. Department of Labor

By Area Director Harry G. Lacey
HARRY G. LACEY

OSHA 10-100

Form OSHA-2C
Aug. 1971

GAFF 15307

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
Jonest Building, Room 802
4099 William Penn Highway
Monroeville, Pennsylvania 15146

CASE NO.	OSHA-1 NO.
S-1482	001
AREA	RECORD
6600	3

AMENDED CITATION FOR SERIOUS VIOLATION*

Citation Number 1 Date Issued February 1, 1973
EMPLOYER G.A.P. CORPORATION - Building Products Division
(Street) Foot of Sasassafras Street
ADDRESS (P.O. Box 1128
(City) Erie State Pennsylvania Zip 16512

An inspection of a workplace under your ownership, operation, or control located at Foot of Sasassafras
Erie, Pennsylvania and described as follows
Roofing Paper and Paint Manufacturer
has been conducted. On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, in the following respects:

Standard or regulation allegedly violated	Description of alleged violation	Date on which alleged violation must be corrected
29 C.F.R. 1910.93(a)(3), (c) (1)(i), (ii) AMENDED	-----DELETED-----	

Area Director's Signature HARRY G. LACEY
HARRY G. LACEY

The issuance of a citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to correct as provided for in the Act or, if corrected, unless the citation is affirmed by the Occupational Safety and Health Review Commission.

RIGHTS OF EMPLOYEES

Any employee or representative of employees who believes that any period of time fixed in this citation for the correction of a violation is unreasonable has the right to contest such time for correction by filing a notice with the U.S. Department of Labor at the address shown above within 15 working days of the receipt by the employer of notice of proposed penalty or notice that no penalty is being proposed.

"No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. 11 (c)(1) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651.

The law requires that a copy of the enclosed citation(s) "shall be prominently posted" in a conspicuous place "at or near each place a violation referred to in the citation occurred." It must remain posted until all violations cited therein are corrected, or for 1 working days, whichever period is longer.

* A serious violation, according to the Act "shall be deemed to exist in a place of employment if there is a substantial probability that the use of any physical force could result from a condition which exists, or from one or more practices, means, methods, operations or processes which have been adopted or are in use, in such place of employment unless the employer did not and could not with the exercise of reasonable diligence, know of the presence of the violation." Sec. 10(a).

OSHA 3-70-100

Form OSHA-3a
AUG. 1971

GAF 15308

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
Jonnet Building, Room 802
4099 William Penn Highway
Monroeville, Pennsylvania 15146

CASE NO.	OSHA-148
S-1482	001
TYPE	STATION
6600	3

AMENDED CITATION

Citation Number 1 Date issued February 1, 1973
 EMPLOYER G.A.F. Corporation - Building Products Division
 (Street) Foot of Sassafras Street
 ADDRESS (P.O. Box 1128
 (City) Erie State Pennsylvania Zip 16512
 An inspection of a workplace under your ownership, operation, or control located at Foot of Sassafras Street
Erie, Pennsylvania and described as follows:
Roofing Paper and Paint Manufacturer

has been conducted. On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, in the following respects:

Item number	Standard or regulation alleged to be violated	Description of alleged violation	Date on which alleged violation must be corrected
1 AMENDED	29 C.F.R. 1910.134(a)(1)(2)	-----DELETED-----	
2 AMENDED	29 C.F.R. 1910.93(a)(c)(1)	Engineering controls were not used to reduce employees exposure to asbestos fibers at the mixing operation in the Paint Department to below the ceiling concentration of 10 fibers, longer than five micrometers, per cubic centimeter.	March 5, 1973

Area Director's Signature *Harry G. Eacey*
 HARRY G. EACEY

The issuance of a citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to correct as provided for in the Act or, if corrected, unless the citation is affirmed by the Occupational Safety and Health Review Commission.

RIGHTS OF EMPLOYEES

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"No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in any proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. 12 (c) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651.

The law requires that a copy of the enclosed citation(s) "shall be prominently posted" in a conspicuous place "in or near" each place a violation referred to in the citation occurred." It must remain posted until all violations cited therein are corrected, or for 1 working day, whichever period is longer.

"Serious" violations covered by this citation are those which are not serious violations within the meaning of the Act but which are a direct or immediate relationship to occupational safety and health.

U.S. DEPARTMENT OF LABOR Occupational Safety and Health Administration		S-1482 AREA 6600	001 REGION 3									
AMENDED NOTIFICATION OF PROPOSED PENALTY												
TO: G.A.F. Corporation - Building Products Division Foot of Sassafras Street P.O. Box 1125 Erie, Pennsylvania 16512 On the <u>1st</u> day of <u>February</u>, 19 <u>73</u> a Citation(s) was/were issued to you in accordance with the provisions of section 9(a) of the Occupational Safety and Health Act of 1970 (42 Stat. 1501; 29 U.S.C. 651, et seq.) hereinafter referred to as the Act. You were 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 section 10(a) of the Act, the penalty/ies set forth below is/are being proposed, based on the above Citation(s): SERIOUS VIOLATIONS <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 60%;"><u>Citation No.</u></th> <th style="text-align: left;"><u>Proposed Penalty</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">-----DELETED-----</td> </tr> </tbody> </table>				<u>Citation No.</u>	<u>Proposed Penalty</u>	1	-----DELETED-----					
<u>Citation No.</u>	<u>Proposed Penalty</u>											
1	-----DELETED-----											
OTHER VIOLATIONS* <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left; width: 30%;"><u>Citation No.</u></th> <th style="text-align: left; width: 30%;"><u>Item No.</u></th> <th style="text-align: left;"><u>Proposed Penalty</u></th> </tr> </thead> <tbody> <tr> <td style="text-align: center;">1</td> <td style="text-align: center;">1 AMENDED</td> <td style="text-align: center;">---DELETED---</td> </tr> <tr> <td></td> <td style="text-align: center;">2 AMENDED</td> <td style="text-align: center;">\$-0-</td> </tr> </tbody> </table>				<u>Citation No.</u>	<u>Item No.</u>	<u>Proposed Penalty</u>	1	1 AMENDED	---DELETED---		2 AMENDED	\$-0-
<u>Citation No.</u>	<u>Item No.</u>	<u>Proposed Penalty</u>										
1	1 AMENDED	---DELETED---										
	2 AMENDED	\$-0-										
Total for All Alleged Violations <u>\$-0-</u>												
* In the case of each "other violation," the proposed penalty reflects a 50 percent adjustment factor for successive action taken within the period prescribed in the citation. If a particular alleged violation is not corrected within this period, an excessive additional penalty of 50 percent will be proposed for each violation. However, if you commit an alleged violation in good faith before the Review Commission, the period for correction does not begin to run until the entry of a final order by the Review Commission affirming the citation. The proposed penalty is subject to such other additional penalty as may subsequently be proposed for failure to correct a violation within the prescribed period.												

GAF 15310

The payment of penalties is to be made by certified check or money order, payable to the order of "Occupational Safety and Health-Labor." Remit to the Area Director whose address appears below.

YOU ARE FURTHER NOTIFIED that the aforesaid Citation(s), this Notification, and the proposed assessment shall be deemed to be the final order of the Occupational Safety and Health Review Commission and not subject to review by any court or agency, unless, within 15 working days from the date of receipt of this notice, you notify the official named herein in writing that you intend to contest the Citation or this Notification of Proposed Penalties before the Review Commission. The Review Commission is an independent quasi-judicial agency with authority to issue decisions regarding citations and proposed penalties.

There is no requirement that this Notification be posted.

Dated at Monroeville, Pennsylvania this 1st day
of February, 19 73.

John J. [Signature]
Area Director
Occupational Safety and Health Administration
U. S. Department of Labor
Jennet Building, Room 602
4099 William Penn Highway
Monroeville, Pennsylvania 15146

GAF 15311

CITATION and NOTIFICATION OF PENALTY

Balle Mead Area Office
GSA Balle Mead Depot, Bldg. T-3
Balle Mead, NJ 08902

ISSUANCE DATE	OSHA NUMBER	
2/17/77	14648	103
REGION	AREA	PAGE
2	2140	1 of 1

TYPE OF VIOLATION	CITATION
OTHER	1

CERTIFIED MAIL RNR

TO:

GAF Corporation
35 Main Street
South Bound Brook, NJ 08880
ATTN: Mr. John Andrea
Personnel Manager

INSPECTION DATE:
12/7/76-2/9/77

INSPECTION SITE
35 Main Street
South Bound Brook, NJ

THE LAW REQUIRES that a copy of this Citation be posted immediately in a prominent place at or near the location of the violation cited below. The Citation must remain posted until the violations cited below have been corrected, or for 3 working days (including weekends and Federal holidays) whichever is longer.

PENALTIES ARE DUE WITHIN 15 DAYS OF RECEIPT OF THIS NOTIFICATION UNLESS CONTESTED (See enclosed booklet)

This Citation is to be Displayed Before Posting

This citation describes violations of the Occupational Safety and Health Act of 1970. The penalty/fine listed below are based on these violations. You must correct the violations referred to in this citation by the dates listed below and pay the penalties imposed, unless within 15 working days (including weekends and Federal holidays) from your receipt of this citation and penalty you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. (See the enclosed booklet which outlines your responsibilities and courses of action and should be read in conjunction with this form.)

ITEM NUMBER	STANDARD, REGULATION OR SECTION OF THE ACT VIOLATED: DESCRIPTION	DATE BY WHICH VIOLATION MUST BE CORRECTED	PENALTY
	The violations described in this citation are alleged to have occurred on or about the day the inspection was made unless otherwise indicated within the description given below.		
1	29 CFR 1910.1001(j)(3): The employer did not provide or make available, to each employee engaged in occupations exposed to airborne levels of asbestos, a comprehensive annual medical examination: Including pulmonary function tests for forced vital capacity (FVC) and forced expiratory volume at one second (FEV1.0) at the following locations: a) Bester Room. b) Asphalt Line. c) Crusher. d) Warehouse.	5/18/77	\$0
2	29 CFR 1910.1001(j)(4): The employer did not provide or make available, within 30 days before or after termination of employment of an employee engaged in an occupation exposed to airborne levels of asbestos fibers, a comprehensive medical examination: In the following locations: a) Bester Room. b) Asphalt Line. c) Crusher. d) Warehouse.	3/18/77	0
			\$0



AREA DIRECTOR

JAMES V. CONLON

NOTICE TO EMPLOYEES - The law gives an employee or his representative the opportunity to object to any enforcement date set for a violation if he believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above within 15 working days (including weekends and Federal holidays) of the receipt by the employer of this citation and penalty.

EMPLOYER RESPONSIBILITIES AND COURSES OF ACTION - The enclosed booklet outlines employer responsibilities and courses of action and should be read in conjunction with this notification.

EMPLOYER DISCRIMINATION UNLAWFUL - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he has been discriminated against may file a complaint no later than 30 days after the discrimination with the U.S. Department of Labor Area Office at the address shown above.

TOTAL PERAL FOR THIS CITATION
None due at this time
Order Penalties
DO NOT OSHA
Indicate OSHA
on Remittance

CITATION AND NOTIFICATION OF PENALTY

OSHA-2 REV. 9/75

GAF 15312