

CITATION and NOTIFICATION OF PENALTY

Tyler Area Office
208 Federal Building
Tyler, TX 75702

1 ISSUANCE DATE 05/08/78		2 OSHA NUMBER R5407-027	
3 REGION 06	4 AREA 7070	5 PAGE 1 OF 1	

6 TYPE OF VIOLATION(S) SERIOUS	7 CITATION NO. 1
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INSPECTION DATE:

11/15/77

INSPECTION SITE:

Hwy 69 N
Tyler, TX

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

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

This Section May
Be Detached
Before Posting

TO: Tyler Pipe Industries, Inc.
P. O. Box 2027
Tyler, TX 75710

Attn: J. Warner, President

This citation describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) 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 proposed, 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 or 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.)

8 NUMBER STANDARD, REGULATION OR SECTION OF THE ACT VIOLATED: DESCRIPTION	9 DATE BY WHICH VIOLATION MUST BE CORRECTED	10 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 1910.132(a): Protective equipment was not used where it was necessary by reason of hazards encountered in a manner capable of causing injury or impairment in the function of any part of the body: Muller operator, North Plant, exposed to a chemical family of tertiary amine (hexamethylenetetramine) and phenolic flake resin via a. Whole body skin contact through his clothing. b. Eye contact through safety glass by-pass. c. Hand contact through poor glove maintenance and/or work without gloves.	Immediately	\$1,000.00
AREA DIRECTOR ROBERT B. SIMMONS <i>R. B. Simmons</i>		\$1,000.00

PLAINTIFF'S
EXHIBIT

TPI-18

RIGHT TO EMPLOYEES — The law gives an employee or his representative the opportunity to object to any abatement date for a violation if he believes the date to be unreasonable. A 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 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 PENALTY
FOR THIS
CITATION

Make check or Money
Order Payable To:
"DOL-OSHA"
Indicate OSHA N
on Remittance

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION
ROOM 208, FEDERAL BUILDING
211 W. FERGUSON STREET

(214) 595-2438

Tyler, Texas 75701

May 24, 1978



Mr. J. Warner, President
Tyler Pipe Industries, Inc.
P. O. Box 2027
Tyler, TX 75710

Dear Mr. Warner:

The enclosed Amended Citation and Notification of Proposed Penalty is being issued in order to change Serious Citation to Other. Please note the new proposed penalty.

You are required to post the Amended Citation and Notification of Proposed Penalty in the same manner as the original citation, and you will have a period of 15 working days from the receipt of the enclosed Amended Citation and Notification of Proposed Penalty to contest the violation, the proposed penalty or both.

If you have any questions, please feel free to contact this office.

Sincerely,


ROBERT B. SIMMONS
Area Director

Enclosure

CITATION and NOTIFICATION OF PENALTY

Tyler Area Office
208 Federal Building
Tyler, TX 75702

ISSUANCE DATE	OSHA NUMBER		
05/24/78	R5407+027		
REGION	AREA	PAGE	
06	7070	1 OF 1	

TYPE OF VIOLATION(S)	CITATION NO
SERIOUS	1

Citation issued on 5-8-78 is amended:

TO: Tyler Pipe Industries, Inc.
P. O. Box 2027
Tyler, TX 75710

Attn: J. Warner, President

INSPECTION DATE:

11/15/77

INSPECTION SITE:

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NUMBER	DATE BY WHICH VIOLATION MUST BE CORRECTED	PENALTY
STANDARD, REGULATION OR SECTION OF THE ACT VIOLATED: DESCRIPTION		

Serious citation issued on 5-8-78 is amended to Other.

AREA DIRECTOR

ROBERT B. SIMMONS

NEW TOTAL

0

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

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TOTAL PENALTY FOR THIS CITATION
Make check or Money Order Payable To "DOL OSHA"
Indicate OSHA No on Remittance

CITATION and NOTIFICATION OF PENALTY

Tyler Area Office
208 Federal Building
Tyler, TX 75702

ISSUANCE DATE 05/08/78	OSHA NUMBER R5407-027
REGION 06	AREA 7070
PAGE 2	OF 3

TYPE OF VIOLATION (SPECIFY IN COMMENTS)	REPEAT	2
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INSPECTION DATE:

11/15/77

INSPECTION SITE:

Hwy 69 N

Tyler, TX

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

This Section Be Detached Before Posting

TO: Tyler Pipe Industries, Inc.
P. O. Box 2027
Tyler, TX 75710

Attn: J. Warner, President

This citation describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) 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 proposed, 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.)

EM NUMBER AND/OR REGULATION OR SECTION OF THE ACT VIOLATED: DESCRIPTION if necessary:	DATE BY WHICH VIOLATION MUST BE CORRECTED	PENALTY
29 CFR 1910.134(b)(6): Respirators were not stored in a convenient, clean and sanitary location:		
29 CFR 1910.134(b)(7): Respirators used routinely were not inspected during cleaning and worn or deteriorated parts replaced:		
29 CFR 1910.134(b)(9): There were no regular inspections and evaluations to determine the continued effectiveness of the respirator program.		
29 CFR 1910.134(b)(10): Persons were assigned to tasks requiring use of respirators and it had not been determined that they were physically able to perform the work and use the equipment, and the respirator user's medical status was not reviewed periodically (for instance annually):		
Muller operator in the North plant who is overexposed to Quartz (silica).		
1C. 29 CFR 1910.1000(e): Feasible administrative or engineering controls were not determined and implemented to reduce employee exposure(s):		
Quartz (silica) for operators of the following machines or lines of machines in the North Plant:		
a. Hub core		
b. Core machine		
c. Muller		
STEP 1 - Effective respiratory protection shall be provided and used by employee(s) as an interim protective measure.	Immediately	
STEP 2 - A written detailed plan of abatement leading to the complete abatement of this item shall be submitted to the Area Director. Such a plan shall: a) employ the use of qualified engineering personnel; b) include detailed engineering	06/30/78	

AREA DIRECTOR

ROBERT D. SENECHES

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

TOTAL PENALTY FOR THIS CITATION
Make check or Order Payable to DOL
Indicate On Remittance

CITATION and NOTIFICATION OF PENALTY

Tyler Area Office
203 Federal Building
Tyler, TX 75702

ISSUANCE DATE 05/01/77	OSHA NUMBER T5407-027	
REGION 06	AREA 7070	PAGE 3 OF 3

TYPE OF VIOLATION(S) CITATION NO.	
REPEAT	2

INSPECTION DATE:

11/15/77

INSPECTION SITE:

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Tyler, TX

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Attn: J. Warner, President

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ITEM NUMBER	STANDARD, REGULATION OR SECTION OF THE ACT VIOLATED: DESCRIPTION	DATE BY WHICH VIOLATION MUST BE CORRECTED	PENALTY
	studies and their results; c) outline the ordering of equipment and materials and completion of the design phase; and d) outline dates for the anticipated implementation of the plan.		
	STEP 3 - Feasible engineering controls and/or administrative controls shall be determined.	08/30/78	
	STEP 4 - Abatement shall be completed by implementation of feasible engineering and/or administrative controls and its effectiveness at achieving compliance verified. 90-day progress letters are requested during the abatement period.	05/01/79	

AREA DIRECTOR

ROBERT B. SIMMONS

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\$2,000.
TOTAL PENALTY
FOR THIS
CITATION

Make check or
Order Payable to
"DOL OSHA"
Indicate Use of
on Remittance

EMPLOYER RESPONSIBILITIES AND COURSES OF ACTION - The employer must take prompt and effective action to correct violations and prevent recurrence.

No. 431233
RECEIPT FOR CERTIFIED MAIL
 NO INSURANCE COVERAGE PROVIDED—
 NOT FOR INTERNATIONAL MAIL
 (See Reverse)

SENT TO		Tyler Pipe	
STREET AND NO.		P O Box 2027	
P.O. STATE AND ZIP CODE		Tyler, TX 75710	
POSTAGE		\$	
CERTIFIED FEE		\$	
SPECIAL DELIVERY		\$	
RESTRICTED DELIVERY		\$	
SHOW TO WHOM AND DATE DELIVERED		\$	
SHOW TO WHOM DATE DELIVERED		\$	
SHOW TO WHOM AND DATE DELIVERED WITH RESTRICTED DELIVERY		\$	
SHOW TO WHOM DATE AND ADDRESS OF DELIVERY WITH RESTRICTED DELIVERY		\$	
TOTAL POSTAGE AND FEES		\$	
POSTMARK OR DATE		5-30-78	

PS Form 3800, Apr. 1976

● SENDER Complete items 1, 2, and 3 And your address in the "RETURN TO" space on reverse	
1 The following service is requested (check one) ☒ Show to whom and date delivered ☐ Show to whom, date, and address of delivery ☐ RESTRICTED DELIVERY ☐ Show to whom and date delivered ☐ RESTRICTED DELIVERY ☐ Show to whom, date, and address of delivery \$ (CONSULT POSTMASTER FOR FEES)	
2 ARTICLE ADDRESSED TO Tyler Pipe Industries, Inc. P O Box 2027 Tyler, TX 75710	
3. ARTICLE DESCRIPTION REGISTERED NO 431233 INSURED NO	(Always obtain signature of addressee or agent) I have received the article described above. SIGNATURE ☐ Addressee ☐ Authorized agent
4 DATE OF DELIVERY 5/4/78	POSTMARK 5/4/78
5 ADDRESS (Complete only if requested)	
6 UNABLE TO DELIVER BECAUSE: 5-30-78	
CLERK'S INITIALS	

R5407-027

PS Form 1917-0-249 505

U.S. DEPARTMENT OF LABOR

WORKSHEET

CSHO No. R5402	2. Report No. 27	3. Date/Time 2/14/78 All Day	4a. Type GR	4b. Number .1	Page 1	of 5
5. Instance 1a	6. Instance a	7. Standard Allegedly Violated 1000 C	8. Abatement Period see below	9. No. of Inst. 10	10. RE C	

1. SAVE ID Code 1-473 Tape Ref. No. L80f b. AVO/Variable Information:

Quartz (silica), located in the following areas of the North Plant a) Hub core machine operators, b) core machine operators (Adjacent to wheel area), c) Muller operator.

Con

INSTANCE DESCRIPTION (a. Hazards-Oper./Cond.-Acc.; b. Equip.; c. Location; and d. Injury/Ill.):

The Hub Core, Core Machine, and Muller operators in the North Plant are overexposed to silica (Quartz). These persons are subject to sand (quartz) while loading, unloading and/or mixing the core machines and/or loading the muller. The personnel are subject to pneumonary diseases to include silicosis and pneumoconiosis.

A system of man cooler blower ducts were installed over many work stations. The blowers were described as being an engineer control device designed to blow a stream of contained fresh air into the workers breathing zone. The system was ineffective. During the winter this air was not heated; therefore, the workers blocked the ducts.

Cor

Measurements: see IH sample/lab sheets

13. PHOTO

(Y)

14. EMPLOYEE EXPOSURE	a. Occupation (& Employer)	b. No.	c. Total Duration	d. Frequency	e. Exposed Employee - Name, Address & Phone
		10	over 6 months	10 hr/dy 4 dy/wk	
		6	over 3 years	"	

Co

LOYER KNOWLEDGE:

6. COMMENTS (Employer, Employee, Closing Conf.):