

CITATION and NOTIFICATION OF PENALTY

Tyler Area Office
 208 Federal Building
 Tyler, TX 75702

ISSUANCE DATE 6/3/81		OSHA NUMBER M8099-123	
REGION 6	AREA 7070	PAGE 1 OF 2	

TYPE OF VIOLATION(S) OTHER	CITATION NO. 1
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INSPECTION DATE
3/26 - 4/7/81
 INSPECTION SITE
Hwy 69 N
 Tyler, TX

PENALTIES
 ARE DUE
 WITHIN 15
 DAYS OF
 RECEIPT
 OF THIS
 NOTIFICAT
 UNLESS
 CONTESTE
 (See enclosed
 Booklet)

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

Attn: Mr. John C. Warner, President

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.

This Section
 Be Detached
 Before Posti

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 (excluding 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.		
1A. 29 CFR 1910.1000(c): Employee(s) were exposed to material(s) in excess of the 8-hour time weighted average limit(s) listed for that material(s) in Table Z-3 of subpart Z of 29 CFR part 1910:	11/03/81	<div style="border: 2px solid black; padding: 5px; text-align: center;"> PLAINTIFF'S EXHIBIT <hr/> TPI-59 </div>
a. Employee exposed to dust containing crystalline silica while operating the sand slinger on the "234" pipe mold line in the north plant on April 7, 1981. b. Employee exposed to dust containing crystalline silica while operating the sand slinger on the "456" pipe mold line in the north plant on May 6, 1981.		
B. 29 CFR 1910.1000(e): Feasible administrative or engineering controls were not determined and implemented to reduce employee exposure(s):	Step 1 08/03/81	
a. Employee exposed to dust containing crystalline silica while operating the sand slinger on the "234" pipe mold line in the north plant on April 7, 1981. b. Employee exposed to dust containing crystalline silica while operating the sand slinger on the "456" pipe mold line in the north plant on May 6, 1981.	Step 2 11/03/81	
Step 1 - Submit to the Area Director a written detailed plan of abatement outlining a schedule for the implementation of engineering and/or administrative measures to control employee exposures to hazardous substances as referenced in this citation. This plan shall include at a minimum, target dates for the following actions which should be consistent with the dates required by this citation.		
a. Evaluation of the extent and location of the hazard source; b. Evaluation of control measure options; c. Selection of optimum control measure(s); d. Determination of control measure design;		

AREA DIRECTOR
 C. R. HOLDER *[Signature]*

NOTICE TO EMPLOYEES - The law gives an employee or his representative the opportunity to object to any abatement 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 (excluding weekends and Federal holidays) of the receipt by the employer of this citation and penalty.

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.

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.

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 Make check or
 Order Payal
 "DOL 95
 Indicate OSH
 on Rem. 11

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

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6	7070	2 of 2	

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ITEM NUMBER	STANDARD, REGULATION OR SECTION OF THE ACT VIOLATED: DESCRIPTION	DATE BY WHICH VIOLATION MUST BE CORRECTED	PENA
e.	Ordering and delivery of equipment and materials;		
f.	Installation of control measures;		
g.	Training of employees in the proper operation and maintenance of the newly implemented control measures; and		
h.	Assurance of effective performance of control measures.		

All proposed control measures shall be approved for each particular use by a competent industrial hygienist or other technically qualified person. Ninety (90) day progress reports are required during the abatement period.

Step 2 - Correction shall be completed by the implementation of feasible engineering and/or administrative controls and their effectiveness at achieving compliance verified.