

LARRY

Walker Brothers Millworks, Inc., Winter Garden, Fla., is contesting a \$180 penalty for an eight-item nonserious citation, including 1910.37 (q) for failure to mark exits with readily visible signs, 1910.107 (d) (2) for failure to provide ventilation for a spraying area, and 1910.107 (c) (6) for failure to prohibit the use of non-explosion proof electrical wiring and portable equipment in a hazardous area (No. 13275).

Westchester Designs, Inc., Yonkers, N.Y., is contesting a serious citation and a \$650 penalty for 1910.213 (d) (1) for failure to guard table saws.

The company is contesting also a nonserious citation and a \$70 penalty for 1910.213 (m) (1) for failure to adjust a guard on a shaper properly, 1910.213 (b) (3) for failure to provide an adjustable stop for a radial saw, 1910.213 (h) (1) for failure to provide a bottom guard for a radial saw, and 1910.219 (d) (1) for failure to guard a pulley on a compressor (No. 13295).

Wheeling Corrugating Company, Beech Bottom, W.Va., is contesting a 31-item nonserious citation and a \$640 penalty, including 1910.212 (h) (1) for failure to guard radial saws, 1910.179 (c) (2) for failure to provide convenient access to overhead crane cabs, and 1910.179 (e) (4) for failure to provide rail sweeps for overhead bridge cranes (No. 13320).

White Marble Company, Houston, Tex., is contesting a serious citation and a \$500 penalty for 1926.28 (a) for failure to provide and assure the use of personal protective equipment (No. 13277).

MONTHLY STATISTICS

The commission received 13,051 cases as of April 30, and 11,034 were disposed of as of that date. The commission and its judges issued 4,434 decisions. Of these, 3,913 judges' decisions were affirmed without review, and of 520 judges' decisions reviewed by the full commission, 265 were affirmed, 65 vacated, 43 affirmed in part and vacated in part, and 145 were modified.

The commission has disposed also of 5,200 petitions for modification of abatement, of which 4,778 were granted, 11 were denied, and 411 were classified as "other dispositions."

A total of 2,017 cases were pending before the commission as of April 30. Of these, 540 were awaiting assignment to judges, 815 were assigned to judges and awaiting decisions, 179 were subject to commission review during the period, and 440 were pending before the commission after review has been directed. Also pending were 43 petitions for modification of abatement.



Full Text

FIRESTONE PLASTICS COMPANY APPLICATION FOR VARIANCE FROM VINYL CHLORIDE STANDARD REQUIREMENTS; INTERIM ORDER GRANT

Occupational Safety and Health Administration

FIRESTONE PLASTICS COMPANY

Application for Variance and Interim Order; Grant of Interim Order

I. Notice of application. Notice is hereby given that Firestone Plastics Company, A Division of the Firestone Tire and Rubber Co., P.O. Box 699, Pottstown, Pa. 19464 has made application pursuant to section 6(b)(6)(A) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1594; 29 U.S.C. 655) and 29 CFR 1905.10 for a variance and interim order pending a decision on the application for a variance from the standards prescribed in 29 CFR 1910.1017(g)(4) (formerly § 1910.93q; see 40 FR 23072) concerning respirators and § 1910.1017(g)(5)(ii) concerning continuous monitoring and alarm system required for protection from vinyl chloride.

The addresses of the places of employment that will be affected by the application are as follows:

Firestone Plastics Co.
Pottstown Pilot Plant
Pottstown Chemical Plant
Box 699
Pottstown, Pa. 19464

Firestone Plastics Co.
Plants No. 1 and No. 2
Box 98
Perryville, Md. 21903

The applicant certifies that employees who would be affected by the variance have been notified of the application by giving a copy of it to their authorized employee representative, and by posting a copy at all places where notices to employees are normally posted. Employees have also been informed of their right to petition the Assistant Secretary for a hearing.

Regarding the merits of the application, the applicant contends that it is unable to comply by the effective date with the requirements of § 1910.1017(g)(4) which sets respirator requirements for different levels of exposure and with § 1910.1017(g)(5)(ii) which requires a continuous monitoring and alarm system where exposures might reasonably exceed concentrations allowable for the devices in use.

All of Firestone Plastics Company's facilities are in compliance with the respiratory requirements of § 1910.1017(g)(4)(v) for exposures to 25 ppm.

The pressure demand air line respirators and accessories which have been ordered for exposures of 25-100 ppm at

the Pottstown Chemical Plant are scheduled for delivery May 31, 1975. The Pottstown Pilot Plant and both Perryville Plants are in compliance with the respiratory requirements to 100 ppm. In order to provide protection for exposure levels of 100-3600 ppm, 174 pressure demand air line respirators with auxiliary air supplies and accessories have been ordered. The promised delivery date for these respirators is June 27, 1975. In order to provide protection at exposure levels of 3600 to 36,000 ppm, 37 self-contained breathing units have been received. Kits to convert additional self-contained breathing units to the type required by the standard have been ordered with a promised delivery date of May 31, 1975.

In the meantime the applicant will protect its employees by providing all who may be exposed to vinyl chloride up to 25 ppm with gas masks complying with § 1910.1017(g)(4)(v)(B). The applicant also proposes to comply with the requirements contained in the Emergency Temporary Standard of April 5, 1974 (39 FR 12342). Among other things, this standard requires that where sampling shows vinyl chloride over 50 ppm, or an accident indicates the likelihood of such a reading, all employees in the area shall

be evacuated and shall not be permitted to return unless equipped with either self-contained breathing apparatus or Type C air supplied respirators or until concentrations are reduced.

Concerning the continuous monitoring and alarm systems required under § 1910.1017(g) (6) (ii) in areas where concentrations might exceed permissible limits for the devices being used, the applicant states as follows:

High level (3600-36,000 ppm) continuous sequential monitoring systems have been purchased for the Pottstown Pilot Plant and Pottstown Chemical Plant. These will be installed and operational by July 31, 1975. A combined high and low level (1-36,000 ppm) continuous sequential monitoring system has been ordered for the Perryville Plant #2. This system will be installed and operational by October 31, 1975. The alarm portion of the monitoring system will be operational in both Pottstown Plants and in Perryville Plant #1 by September 30, 1975. The alarm system will be operational in both Pottstown Plants and in Perryville Plant #1 by September 30, 1975. The alarm system will be operational in the Perryville Plant #2 by August 31, 1975.

In the interim the employees will be protected by the low level (1-100 ppm) continuous sequential monitoring systems which are presently operational in both Pottstown Plants and in Perryville Plant #1, and by a high level (3600-36,000 ppm) system in Perryville Plant #1. In addition, personnel monitoring through the use of suitable devices worn by employees shall be continued on a routine basis.

A copy of the application will be made available for inspection and copying upon request at the Office of Compliance Programming, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-3603, Washington, D.C. 20210, and at the following Regional and Area Offices:

REGIONAL OFFICE

U.S. Department of Labor, Occupational Safety and Health Administration, Gateway Building, Suite 15220, 3535 Market Street, Philadelphia, Pennsylvania 19104.

AREA OFFICES

U.S. Department of Labor, Occupational Safety and Health Administration, Federal Building, Room 1110A, Charles Center, 31 Hopkins Plaza, Baltimore, Maryland 21201.

U.S. Department of Labor, Occupational Safety and Health Administration, Room 4456, William J. Green Jr., Federal Building, 600 Arch Street, Philadelphia, Pennsylvania 19106.

All interested persons, including employers and employees, who believe they would be affected by the grant or denial of the application for a variance are invited to submit written data, views and arguments relating to the pertinent application no later than June 30, 1975.

In addition, employers and employees who believe they would be affected by a grant or denial of the variance may request a hearing on the application no later than June 30, 1975 in conformity with the requirements of 29 CFR 1905.15. Submission of written comments and requests for a hearing should be in quadruplicate, and must be addressed to the Office of Compliance Programming at the above address.

II. *Interim Order.* It appears from the application for a variance and Interim order, that an interim order is necessary to prevent undue hardship to the applicant and its employees pending a decision on the variance. Therefore it is ordered, pursuant to authority in section 6(b) (6) (A) of the Williams-Steiger Occupational Safety and Health Act of 1970, and 29 CFR 1905.10(c) that Firestone Plastics Company be, and it is hereby, authorized to operate its plants utilizing personnel monitoring and the presently installed continuous sequential monitoring systems pending the installation of the remainder of the systems meeting the monitoring and alarm requirements of § 1910.1017(g) (6) (ii); and to utilize the presently available respirators until such time as the respirators required by the standard have been delivered, provided that an evacuation plan is in effect.

Firestone Plastics Company had originally proposed to comply with the Emergency Temporary Standard by evacuating the employees when vinyl chloride

levels reach 50 ppm. This was found to be unacceptable in that employees would not be adequately protected. Contact was made with the applicant and it was agreed that evacuation would occur when levels reached 25 ppm. The authorized employee representative had objected to granting the variance. They were informed of the agreement to evacuate employees at 25 ppm and found this acceptable. It has been determined that the availability of sufficient respirators for exposures to 25 ppm and the evacuation of employees when levels exceed 25 ppm will provide protection to employees.

Firestone Plastics Company shall comply with the following conditions:

1. Sufficient respirators for use to 100 ppm shall be available at the Pottstown Chemical Plant on May 31, 1975, sufficient respirators for use to 3600 ppm at all plants shall be available June 27, 1975, sufficient respirators for use to 36,000 ppm shall be available May 31, 1975.

2. The high level monitoring system shall be operational at the 2 Pottstown plants by July 31, 1975; the high and low level monitoring system shall be operational at Perryville Plant #2 by October 31, 1975; the alarm systems shall be operational in both Pottstown Plants and in Perryville Plant #1 by September 30, 1975 and in Perryville Plant #2 by August 31, 1975.

3. All employees who are not properly protected shall be evacuated when exposure levels exceed, or are likely to exceed 25 ppm. A written evacuation plan shall be posted and employees trained in its implementation.

Firestone Plastics Company shall give notice of this interim order to employees affected thereby, by the same means required to be used to inform them of the application for a variance.

Effective date. This interim order shall be effective as of May 30, 1975, and shall remain in effect until a decision is rendered on the application for variance.

Signed at Washington, D.C., this 23rd day of May, 1975.

JOHN STENDER,

Assistant Secretary of Labor.

[FR Doc. 75-14093 Filed 5-29-75; 8:45 am]

[40 FR 23551, May 30, 1975]

KEYSOR-CENTURY CORPORATION APPLICATION FOR VARIANCE FROM VINYL CHLORIDE STANDARD REQUIREMENTS; GRANT OF INTERIM ORDER

KEYSOR-CENTURY CORP.

Application for Variance and Interim Order

I. *Notice of application.* Notice is hereby given that Keysor-Century Corp., 26000 Springbrook Rd., Saugus, Calif. 91350 has made application pursuant to section 6(b) (6) (A) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1594; 29 U.S.C. 655) and 29 CFR 1905.10 for a variance and interim order pending a decision on the application for a variance, from the standards prescribed in 29 CFR 1910.1017 (g) (4) and (6) (formerly § 1910.93q; see 40 FR 23072, May 28, 1975) concerning

the respiratory protection and monitoring requirements for vinyl chloride.

The address of the place of employment that will be affected by the application is as follows:

Keysor-Century Corporation
26000 Springbrook Road
Saugus, Calif. 91350

The applicant certifies that employees who would be affected by the variance have been notified of the application by giving a copy of it to their authorized employee representative, and by posting a copy at all places where notices to employees are normally posted. Employees have also been informed of their

right to petition the Assistant Secretary for a hearing.

Regarding the merits of the application, the applicant contends that it is unable to completely comply with the requirement for respirators and for a continuous monitoring and alarm system before June 15, 1975.

The applicant utilizes four types of respirators in its plant, but does not have a sufficient number on hand to protect all employees. Orders have been placed for additional gas masks and for units to be used in conjunction with the gas masks to form a continuous flow type supplied air respirator with full face mask, good