From Jerry Brady - MC 640
Ext. 439-3495
Date June 19, 1991
Subject TVA Gallatin

To Paul Palmieri
Manager, Westinghouse Safety
Gateway 1519

Enclosed find the O.S.H.A. citation PGSD received on June 17, following a two-day inspection of our TVA job site in Gallatin, Tennessee. We are upgrading four gas turbines for TVA and the inspection was a result of an employee complaint concerning asbestos.

I have instructed the job site lead engineer to post the citation and, following your review, we will give him instructions on further action. Please review and contact me.

I am also enclosing a letter we received from a millwright who was laid off from the TVA job. This individual is requesting information and a review. I sent it to Louise Symons in the Law Department for guidance.

G. T. Brady
Manager, Safety & Environmental
Power Generation Service Division

GTB/gg

Enclosure

cc: L. E. Vickers

91G-107

DOCUMENT PRODUCED BY WESTINGHOUSE
DALLAS COUNTY PLAINTIFF V. TVA
ELECTRIC CORP. CASES 3/18/92

PLAINTIFF'S EXHIBIT
WH-270

U.S. Department of Labor

Occupational Safety and Health Administration

Nashville Area Office
2002 Richard Jones Road
Suite C-205
Nashville, TN 37215

Reply to the Attention of:

DOCUMENT PRODUCED IN WESTINGHOUSE
DALLAS COUNTY PROJECT
RAINER V. TVA

Jun 17 1991

Westinghouse Electric Corp
500 W. Madison Suite 2900
Chicago, IL 60606

Dear Westinghouse Electric Corp:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet which explains your rights and responsibilities under the Act. If you have any questions about the enclosed citations and penalties, I would welcome further discussion in person or by telephone.

You will note on page 9 of the booklet that, for violations which you do not contest, you must (1) notify this office promptly by letter that you have taken appropriate corrective action within the time set forth on the citation; and (2) pay any penalties assessed. Please inform me of the abatement steps you have taken and of their dates together with adequate supporting documentation; e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results. This information will allow us to close the case.

As indicated on page 10 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of the citation. The running of this contest period is not interrupted by an informal conference. You must take care to schedule it early enough to allow time to contest after the

informal conference, should you decide to do so.

If you decide to request an informal conference, please complete the attached notice at the bottom of this letter and post it next to the citations as soon as the time, date, and place of the informal conference have been determined.

Be sure to bring to the conference with you any and all supporting documentation of existing conditions as well as of any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Sincerely,

Cole M. Brown
Area Director

Enclosures

PRODUCED BY WESTINGHOUSE ELECTRIC CORP. PRODUCED IN CASES 3/18/92
DOCUMENTS PRODUCED
FALLAS COUNTY, RAINER V. NA

30028500

NOTICE TO EMPLOYEES

An informal conference has been scheduled with OSHA to discuss the citations issued on 06-17-91. The conference will be held at the OSHA office located at Occupational Safety and Health Admin., Nashville, TN 37215 on _____ at _____

DOCUMENTS PRODUCED BY WESTINGHOUSE
DALLAS COUNTY CASES 3/18/92
ELECTRIC CORP. RAINEY, TVA

30028501

DOMESTIC HOUSE
DAILY DOCUMENT PRODUCTION
PRODUCED IN MDL 1169 IN RE: TVA
COLLECTED 6/18/92

NOTICE

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the Department of Labor (29 CFR Part 20), effective March 8, 1985, the Occupational Safety and Health Administration is required to assess interest, penalties, and fees to cover the administrative costs of collecting delinquent penalties for violations of the Occupational Safety and Health Act.

Interest charges are assessed at an annual rate determined by the Secretary of the Treasury. This rate is currently 8 %.

Interest shall accrue from the date on which the citation and penalty (as proposed or adjusted) became a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the citation and proposed penalty, unless you file a notice of contest). Interest charges shall be waived if the full amount owed is paid within 30 days of the final order.

After 30 calendar days, the debt shall be delinquent unless a satisfactory payment arrangement has been made. Agencies of the Department of Labor are required to assess the administrative costs of recovering delinquent debts. If the debt remains delinquent for more than 90 calendar days, an additional penalty of six percent (6%) per annum shall be assessed accruing from the date that the debt became delinquent.

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties shown on the citation. Make your check or money order payable to: "DOL- OSHA." Please indicate OSHA's Inspection Number and Reporting ID (see citation) on the remittance.

Sincerely,

Cois M. Brown
Area Director

Date: Jun 17 1991

30028802

U.S. Department of Labor
Occupational Safety and Health Administration

Citation and Notification of Penalty

US Department of Labor
Occupational Safety and Health Admin.
2002 Richard Jones Rd., Suite C-205
Nashville, TN 37215

3. Issuance Date	4. Inspection Number
06/17/91	017396185
5. Reporting ID 0620100	6. CSHO ID [illegible]
7. Complaint/Referral No. [illegible]	8. Page No. 1of 2

Serious	01

The violation(s) 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.

10. Inspection Dates: 5/30/91 - 6/5/91

11. Inspection Site:
1499 Steam Plant Road
Callatin, TN 37066

9. To:
Westinghouse Electric Corp
and its successors
500 W. Madison Suite 2900
Chicago, IL 60606

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 abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

This Citation describes violations of the Occupational Safety and Health Act of 1970. The penalties listed below are based on these violations. You must abate the violations referred to in this Citation by the abatement 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 explains your rights and responsibilities and should be read in conjunction with this form.) You are further notified that unless you inform the Area Director in writing that you intend to contest the Citation or proposed penalties within 15 working days after receipt, this Citation and the proposed penalties will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Commission.

12. Item Number / 13. Standard, Regulation or Section of the Act Violated	14. Description	15. Date by Which Violation Must Be Abated	16. Penalty
1 29 CFR 1926.304(d):	The lower guard of portable, power-driven circular saw(s) would not automatically and instantly return to the covering position when the tool was withdrawn from the work: a) The guard for the portable skill saw used with the shop made table located at the carpentry fabrication shop did not automatically and instantly return to the blade covering position due to the inappropriate use of the saw, exposing employees to the hazard of being struck by the blade.	06/21/91	1300.0
2 29 CFR 1926.404(b)(1)(ii):	Employer did not use either ground-fault circuit interrupters as specified in paragraph (b)(1)(ii) of this section, or an assured equipment grounding conductor program as specified in paragraph (b)(1)(iii) of this section to protect employees on construction sites: a) External circuits located throughout the construction site where portable electric equipment was used were not protected by ground fault circuit interrupters, exposing employees to the hazard of	06/21/91	1625.0

17. Area Director: Cole M. Brown

18. Last Pg

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 RIGHTS AND RESPONSIBILITIES — The enclosed booklet outlines employer rights and responsibilities and should be read in conjunction with this notification.

ORIGINAL

DATE DOCUMENT PRODUCED BY WESTINGHOUSE TO EPA IN RESPONSE TO EPA'S REQUEST FOR INFORMATION DATED 3/1/96

U.S. Department of Labor
Occupational Safety and Health Administration

Citation and Notification of Penalty

US Department of Labor
Occupational Safety and Health Admin.
2002 Richard Jones Rd., Suite C-205
Nashville, TN 37215

3. Issuance Date	4. Inspection Number
06/17/91	017396185
5. Reporting ID 0804400	6. Citation ID 03001
7. Category/Report No. C-01	8. Page No. 2 of 2

Type	Classification
Serious	01

The violation(s) 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.

10. Inspection Dates: 5/30/91 - 6/3/91

11. Inspection Site:
1499 Steam Plant Road
Callatin, TN 37066

9. To:
Westinghouse Electric Corp
and its successors
500 W. Madison Suite 2900
Chicago, IL 60606

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

This Citation describes violations of the Occupational Safety and Health Act of 1970. The penalties listed below are based on these violations. You must abate the violations referred to in this Citation by the dates listed below and pay the proposed penalties, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and notification of 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 explains your rights and responsibilities and should be read in conjunction with this form.) You are further notified that unless you inform the Area Director in writing that you intend to contest the Citation and/or proposed penalties within 15 working days after receipt, this Citation and the proposed penalties will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless this Citation is affirmed by the Review Commission.

12. Item Number	13. Standard, Regulation or Section of the Act Violated	14. Description	15. Date by Which Violation Must Be Abated	16. Penalty
		contacting energized parts.		

17. Area Director: Cois M. Brock

18. $ 2925.

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 RIGHTS AND RESPONSIBILITIES — The enclosed booklet outlines employer rights and responsibilities and should be read in conjunction with this notification.

ORIGINAL

Total Penalty for This Citation

How Check or Money Order Payable: U.S. DOL/OSHA

Instructions on Reverse

DATA DOCUMENT PRODUCED BY WESTINGHOUSE ELECTRIC CORP. PRODUCED IN CASES 3/18/92

U.S. Department of Labor
Occupational Safety and Health Administration

Citation and Notification of Penalty

US Department of Labor
Occupational Safety and Health Admin.
2002 Richard Jones Rd., Suite C-205
Nashville, TN 37215

Other	02

3. Issuance Date	4. Inspection Number
06/17/91	017396185
5. Reporting ID	6. CSHO ID
[illegible]	[illegible]
7. Optional Report No.	8. Page No.
[illegible]	1 of 3

The violation(s) 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.

10. Inspection Dates: 5/30/91 - 6/5/91

11. Inspection Site:
1499 Steam Plant Road
Gallatin, TN 37066

9. To:
Westinghouse Electric Corp
and its successors
500 W. Madison Suite 2900
Chicago, IL 60606

THE LAW REQUIRES that a copy of this Citation be posted immediately in a prominent place at or near the location of the violations cited below. The Citation must remain posted until the violations cited below have been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.
This Citation describes violations of the Occupational Safety and Health Act of 1970. The penalties cited below are based on these violations. You must abate 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 rights and responsibilities and should be read in conjunction with this form.) You are further notified that unless you inform the Area Director in writing that you intend to contest the Citation or proposed penalties within 15 working days after receipt, this Citation and the proposed penalties will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless the Citation is affirmed by the Review Commission.

Penalties Are Due Within 15 Days of Receipt of This Notification Unless Contested (See enclosed Section)

This Section May Be Detached Before Posting

30028505

12. Item Number / 13. Standard, Regulation or Section of the Act Violated	14. Description	15. Date by Which Violation Must Be Abated	16. Penalty
1		06/27/91	0.(

29 CFR 1926.152(a)(3): Flammable or combustible liquids were not drawn from or transferred into vessels, containers, or tanks within buildings or outside through closed piping systems, from safety cans, by means of devices drawing through the top, or from containers, or portable tanks, by gravity or pump, through approved self-closing valves:

a) Self-closing valves were not installed on the 55 gallon containers of combustible liquids located at the east side of the office trailer and tool room, exposing employees to the hazard of fire.

17. Area Director: Cois M. Brown

18. Last Pg

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.

Total Penalty for This Citation

Make Check or Money Order Payable to DOL-OSHA

Indicate Inspection Number on Remittance

EMPLOYER RIGHTS AND RESPONSIBILITIES — The enclosed booklet outlines employer rights and responsibilities and should be read in conjunction with this notification.

ORIGINAL

CITATION AND NOTIFICATION OF PENALTY

DOCUMENT BY WESTINGHOUSE ELECTRIC CORP. PRODUCED IN DALLAS, NEW YORK, PROJECT 3/18/92

U.S. Department of Labor
Occupational Safety and Health Administration

Citation and Notification of Penalty

US Department of Labor
Occupational Safety and Health Admin.
2002 Richard Jones Rd., Suite C-205
Nashville, TN 37215

Other	02

The violation(s) 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.

5. Issuance Date	6. Inspection Number
06/17/91	017396185
7. Reporting ID 0250100	8. Citation ID [illegible]
9. Optional Report No. [illegible]	10. Page No. 3 of 3

10. Inspection Dates: 5/30/91 - 6/5/91

11. Inspection Site:
1499 Steam Plant Road
Cleveland, TN 37311

9. To:
Westinghouse Electric Corp
and its successors
500 W. Madison Suite 2900
Chicago, IL 60606

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 violation cited below has been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

The Citation describes violations of the Occupational Safety and Health Act of 1970. The penalties listed below are based on these violations. You must abate the violations referred to in this Citation by the date(s) listed and pay the proposed penalties, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and proposed notification of penalty, you mail a letter of contest to the U.S. Department of Labor Area Office at the address shown above. (See the enclosed booklet which outlines your rights and responsibilities and should be read in conjunction with this form.) You are further notified that unless you inform the Area Director in writing that you intend to contest the Citation and/or proposed penalties within 15 working days after receipt, this Citation and the proposed penalties will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless the Citation is affirmed by the Review Commission.

12. Item Number	13. Standard, Regulation or Section of the Act Violated	14. Description	15. Date by Which Violation Must Be Abated	16. Penalty
2	29 CFR 1926.350(j) Section 3.2.4.2 American National Standards Institute Z49.1-1967 as adopted by 29 CFR 1926.350(j).	Oxygen cylinders in storage were not separated from fuel-gas cylinders, reserve stocks of carbides, or highly combustible materials (especially oil or grease) by a minimum distance of 20 feet or by a noncombustible barrier at least five feet having a fire-resistance rating of at least 1/2 hour: a) Oxygen and fuel gas cylinders located at the west side of the tool room were not separated in storage by a distance of 20 feet or by a non-combustible barrier at least 5 feet in height having a fire-resistance rating of at least 1/2 hour.	07/08/91	0.

17. Area Director: Cole M. Brown

18. Last Pa

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.

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EMPLOYER RIGHTS AND RESPONSIBILITIES — The enclosed booklet outlines employer rights and responsibilities and should be read in conjunction with this notification.

Total Penalty for This Citation

ORIGINAL

DATA DOCUMENT PRODUCED BY ELECTRICAL WORKERS IN WESTINGHOUSE V. IUE ELECTRIC CORP. ET AL. 11/18/92

U.S. Department of Labor
Occupational Safety and Health Administration

Citation and Notification of Penalty

US Department of Labor
Occupational Safety and Health Admin.
2002 Richard Jones Rd., Suite C-205
Nashville, TN 37215

Other	02

3. Issuance Date	4. Inspection Number
06/17/91	017396185
5. Reporting ID	6. CSHO ID
[illegible]	53449
7. Optional Report No.	8. Page No.
[illegible]	3 of 3

The violation(s) 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

10. Inspection Dates: 5/30/91 - 6/5/91

11. Inspection Site:
1499 Steam Plant Road
Gallatin, TN 37066

9. To:
Westinghouse Electric Corp
and its successors
500 W. Madison Suite 2980
Chicago, IL 60606

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 abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.
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12. Item Number / 13. Standard, Regulation or Section of the Act Violated	14. Description	15. Date by Which Violation Must Be Abated	16. Penalty
3 29 CFR 1926.550(a)(2): Rated load capacities, recommended operating speeds, special hazard warnings, or instructions, were not conspicuously posted on equipment: a) The Grove mobile crane, RT745, in use at the construction site did not have rated load capacities conspicuously posted in the crane, exposing employees to the hazard of being struck by the crane and/or load.		08/02/91	0.0

17. Area Director: Cois M. Brown

18. $ 0.0

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.

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EMPLOYER RIGHTS AND RESPONSIBILITIES — The enclosed booklet outlines employer rights and responsibilities and should be read in conjunction with this notification.

ORIGINAL

CITATION AND NOTIFICATION OF PENALTY

Penalties Are Due Within 15 Days of Receipt of This Notification Unless Contested (See enclosed Booklet)

This Section May Be Detached Before Posting

30028507

Total Penalty for This Citation

Make Check or Money Order Payable to Secretary

Indicate Inspection Number on Remittance

DOCUMENT PRODUCED BY WESTINGHOUSE DALLAS CITY PROCUREMENT PROJECT ELECTRIC CORP. V. TVA
PRODUCED BY WESTINGHOUSE ELECTRIC CORP. PROCUREMENT PROJECT DATE 3/18/92

3 June 1991

Route 6, Box 327
Columbia, Tennessee 38401

CERTIFIED MAIL WITH RETURN RECEIPT REQUESTED

Mr. Robert T. Werner
Safety and Security Administrator
Westinghouse Electric Corporation
Power Generation Service Division
The Quadrangle
4400 Aldafaya Trail
Orlando, Florida 32826-2399

In Re: Freedom Of Information Act Request

Dear Mr. Werner:

This is a request for information made pursuant to the Freedom Of Information Act. I hereby request all records, notes, electronic information, or other information described as follows:

1. The original specifications in the bid put out by the Tennessee Valley Authority for the TVA Gallatin Steam Plant gas-fired trubines bearing on the composition of the pipe insulation and block insulation.

2. Any and all documents reflecting the presence of asbestos in any of the coverings for the turbines.

3. Any air pollution, OSHA inspection, or other documents of inspection that refer to the presence of asbestos at the Gallatin Steam Plant in Gallatin, Tennessee.

4. Any documents bearing on reported cases of asbestosis of people who work at the Galltin Steam Plant.

5. Any maintenance manuals for the gas-fired turbines that refer to the presence of asbestos in any of the insulation.

I am requesting this information for my individual use, insofar as I and other co-workers have been exposed to asbestos

DOCUMENTS PRODUCED
DALLAS COUNTY CASES 7/1/92
WESTINGHOUSE
RAINER V. TVA

in a job recently completed through contract with the Westinghouse Corporation which made the turbines.

Please obtain approval from me before incurring any expense in excedes of $40.00. However, I request a waiver of fees. My interest in the records is not a commercial interest, and disclosure of the information to me will contribute significantly to public understanding of the operations and activities of our government. Specifically, my co-workers and I wish to determine whether in fact information about the hazard was available to the Westinghouse Corporation prior to placing us on that job.

If you have any pamphlets or material which will help explain your documents, or the symbols used thereon, I would appreciate a copy.

I would appreciate a response within the 10 working days prescribed by law. If for any reason your decision is to deny me any of the requested information, I request precise information as to why the requested information has been denied, as well as an explanation of my appeal procedure.

Thank you for your assistance.

Sincerely,

Bobby Wayne Rainer
Route 5, Box 237
Columbia, Tennessee 38401

PRODUCED BY WESTINGHOUSE ELECTRIC CORP. RECEIVED 3/18/92

DOCUMENTS PRODUCED
PAGE COUNTS RECEIVED