

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

1. 5760 I-55 North
Jackson, Mississippi 39211

CITATION

CSHO NO.	OSHA-1 NO.	FY
M7143	297	74
AREA	REGION	
1220	IV	

TO: 2. Conoco Plastics
A Division of Continental Oil
Company, Incorporated
P. O. Box 91
Aberdeen, Mississippi 39730

3. Citation Number 1

4. Page 1 of 5. 1

6. TYPE OF ALLEGED VIOLATION(S): NON-SERIOUS

An inspection was made on June 26, 1974 of a place of employment located at:

8. Mississippi Highway 25, Aberdeen, Mississippi, 39730 and described as follows:

9. Petrochemicals

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 *et seq.*, in the following respects:

10. Item number	11. Standard, regulation or section of the Act allegedly violated	12. Description of alleged violation	13. Date by which alleged violation must be corrected
1	29 CFR Sec. 1910.22(d)(1)	Failure to post a standard floor load limit sign about the elevated storage deck above the Purchasing Department.	July 31, 1974
2	29 CFR Sec. 1910.179	Failure to maintain required standard inspections for the "3,000 pound" overhead, floor operated, crane in the Maintenance Shop, in that: (a) No standard monthly inspections of load chains were recorded, (See Subparagraph 1910.179(j)(2)(iv)) (b) No annual magnetic particle examination of crane hook for cracks was recorded. (See Subparagraph 1910.179(j)(3)(ix))	July 31, 1974
3	29 CFR Sec. 1910.213(h)(1)	Failure to provide a lower blade guard for the "SEARS" ten inch, Radial Saw, located in the Boiler House.	July 31, 1974

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near each place that an alleged violation referred to in the citation occurred. The citation must remain posted until all alleged violations cited therein are corrected, or for 3 working days*, whichever period is longer.

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 submitting a letter to the U.S. Department of Labor at the address shown above within 15 working days* of the issuance of this citation.

"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, 660(c)(1).

*Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, or Federal Holidays.

14. Area Director's Signature JAMES E. BLOUNT Issuance Date June 28, 1974

VAB.0001003678

The issuance of a 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 Occupational Safety and Health Review Commission.

DESCRIPTIONS OF TYPES OF VIOLATIONS

NONSERIOUS violation is one which is not a serious violation within the meaning of the Act but which has a direct or immediate relationship to occupational safety and health.

SERIOUS violation, according to the Act, "shall be deemed to exist in a place of employment if there is a substantial probability that death or serious physical harm 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."

WILLFUL violation exists under the Act where the evidence shows (1) that the employer committed an intentional and knowing violation of the Act and the employer is conscious of the fact that what he is doing constitutes a violation of the Act, or (2) even though the employer was not consciously violating the Act, he was aware that a hazardous condition existed and made no reasonable effort to eliminate the condition.

REPEATED violation exists where the employer has abated an earlier violation, for which a citation was issued, and, upon later inspection, is found to have committed the same violation.

Correspondence, or other forms of communication, relative to this citation should be directed to the office shown at the top of front page of this form. In correspondence, please refer to the OSHA-1 No. which appears in the upper right-hand corner of front page of this citation.

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

5760 I-55 North
Jackson, Mississippi 39211

CSHO NO.	OSHA-1 NO.	FY
M7143	297	74
AREA	REGION	
1220	IV	

TO: Conoco Plastics
2. A Division of Continental Oil
Company, Incorporated
P. O. Box 91
Aberdeen, Mississippi 39730

Subject: Citation(s) for Alleged Occupational Safety and Health Violation(s)

An inspection of a place of employment 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 *et seq.*). The nature of such alleged violation(s) is described in the enclosed citation(s) 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 alleged 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. The Act provides for penalties for violation of the posting requirements.

You are hereby notified, or will soon be notified, whether or not penalty(ies) will be proposed as a result of the cited violation(s). You have the right to contest any or all parts of either the citation(s) or the proposed penalty(ies) before the Occupational Safety and Health Review Commission. The Review Commission is an independent agency with authority to issue decisions regarding citation(s) and proposed penalty(ies). If you do contest, you should submit a letter to the Area Director at the address shown above within 15 working days* after receipt of the certified mail notice regarding proposed penalty(ies). If you fail to contest within the 15 working day period, the citation(s) and the penalty(ies) as proposed, shall be deemed to be a final order of the Review Commission and not subject to review by any court or agency.

If an employer contests the citation, the abatement period specified therein does not begin to run until the date of the Commission's final order in the case *PROVIDED* the employer initiated his contest in good faith and not solely for delay or avoidance of penalties.

You have a right to request a discussion with the Area Director concerning any results of the inspection (abatement dates, citations, penalties, etc.). Please direct correspondence to, or call, the Area Director at the address shown at the top of this letter. A request for an informal discussion cannot extend the 15 working day period allowed for filing a notice of contest. Therefore, a request for an informal discussion should be brought to the attention of the Area Director prior to the end of the 15 working days allowed for filing a notice of contest, preferably as soon as possible.

An employee or representative of employees may file a notice (letter) to contest the reasonableness of 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. A followup inspection may be made for the purpose of ascertaining that the employer has posted the citation(s) as required by the Act and corrected the alleged violations. Failure to correct an alleged violation within the abatement period may result in further proposed penalties for each day the alleged violation has not been corrected. Timely correction of an alleged violation does not affect the initial proposed penalty.

Correction of alleged violations which have an abatement period of 30 days or less should be reported in writing to the Area Director promptly upon correction. Reports of corrections should show specific corrective action on each such alleged violation and the date of such action. On alleged violations having an abatement date of more than 30 days, a written progress report should be submitted each 30 days. 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 should be so advised.

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 shown above.

*Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, or Federal Holidays.

3.	Citation(s) Enclosed	
	Quantity	Pages
	1 Nonserious	1
	Serious	
	Willful	
	and/or	
	Repeated	
4.	Notification of Proposed Penalty enclosed	
	☒ Yes ☐ No	

U.S. Department of Labor
by Area Director

5. JAMES E. BLOUNT

Date June 28, 19 74

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
1. 5760 I-55 North
Jackson, Mississippi 39211

CSHO NO.	OSHA-1 NO.	FY
M7143	297	74
AREA	REGION	
1220	IV	

TO: Conoco Plastics
2. A Division of Continental Oil
Company, Incorporated
P. O. Box 91
Aberdeen, Mississippi 39730

3. Date June 28, 1974
THERE IS NO REQUIREMENT THAT
THIS NOTIFICATION BE POSTED.

NOTIFICATION OF PROPOSED PENALTY

This notification and the penalty(ies) proposed by the Secretary of Labor shall be deemed to be the final order of the Occupational Safety and Health Review Commission (*an independent agency with authority to issue decisions respecting citations and proposed penalties*) and not subject to review by any court or agency unless, within 15 working days from the date of receipt of this notification, you submit a letter of contest. The letter of contest should be mailed or otherwise delivered to the Area Director named below at the address shown at the top of this notification. If no notice of contest is filed within the 15 working day period the proposed penalty(ies) becomes final and is immediately payable.

Payment of all penalties shown is to be made by check or money order payable to the order of "Occupational Safety and Health-Labor". Payment of penalties should be remitted to the Area Director at the address shown above.

Section 17(1) of the Act states: "Civil penalties owed under this Act shall be paid into the Treasury of the United States and shall accrue to the United States and may be recovered in a civil action in the name of the United States brought in the United States district court for the district where the violation is alleged to have occurred or where the employer has its principal office."

4. On the 28th day of June, 1974, a citation(s) was issued to you in accordance with the provisions of Section 9(a) of the Occupational Safety and Health Act of 1970 (84 Stat. 1601; 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 citation(s).

5. VIOLATIONS			6. NON-SERIOUS VIOLATIONS		
5A. Citation No.	5B. Item No.	5C. Proposed Penalty	6A. Citation No.	6B. Item No.	6C. Proposed Penalty
			1	1	None
				2	None
				3	None
			7. Total Proposed Penalty for All Alleged Violations		
			None		
			Area Director <u>James E. Blount</u>		
			8. JAMES E. BLOUNT		
			Date June 28, 19 74		

The proposed penalty for Nonserious Violations of safety and health standards reflects a 50 percent adjustment factor for corrective action to be taken within the period prescribed in the citation. If a particular alleged violation is not corrected within this period, the 50 percent adjustment will be added to such other penalty as may subsequently be proposed for failure to correct a violation within the abatement period. No abatement credit is allowed for violations of recordkeeping or posting requirements.

VAB.0001003681

Conoco Chemicals
Continental Oil Company
P.O. Box 91, New Highway 25
Aberdeen, Mississippi 39730

c: JVL

July 26, 1974

James E. Blount, Area Director
U. S. Department of Labor
Occupational Safety and Health Administration
5760 I-55 North
Jackson, Mississippi 39211

Dear Mr. Blount:

The following actions have been taken to abate the three violations for which we were cited during an inspection (OSHA-1 No. 297) of our plant conducted by Mr. Carl McCoy, Jr. on June 26, 1974.

1. "Failure to post a standard floor load limit sign about the elevated storage deck above the Purchasing Department"

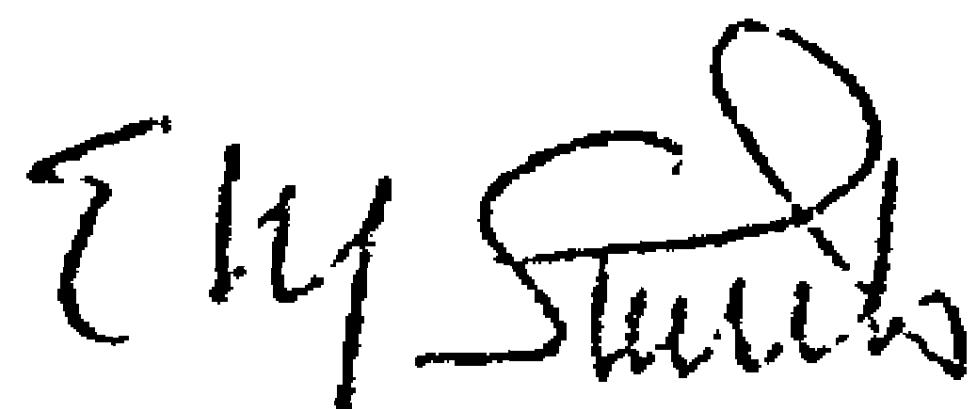
Two, floor load limit signs were placed at the deck on July 8th, indicating a maximum permissible loading of 60 pounds per square foot.

2. "Failure to maintain required standard inspections for the '3,000 pound' overhead floor operated crane in the Maintenance Shop..."

Record keeping of standard, monthly inspections of load chains and annual inspections of crane hooks for cracks was established on June 30, 1974.

3. "Failure to provide a lower blade guard for the 'Sears' ten inch, Radial Saw, located in the Boiler House"

A proper guard is on order, but delivery may be delayed until after August 1st. Because of this, we have taken the saw out of service and it will so remain until the guard has been installed at which time we will so advise you.



E. M. Smith
Plant Manager

c: C. H. Klunick - Houston
L. N. Vernon - Saddle Brook

VAB.0001003682

Interoffice Communication

To : R. Debs Gamblin

From : Frank Willson

Date : November 19, 1974

Subject : OSHA Inspection

Mr. D. Harvey, the OSHA compliance officer who inspected our plant on 11/5/74, telephoned on 11/18/74 with the results of his VCM personnel monitoring. His results compared with ours are:

<u>Job/Area</u>	<u>OSHA carbon tube(ppm)</u>	<u>Plant air bag(ppm)</u>
Utility, V-12	2.0	1.0
Charge Operator, V-12	1.0	2.0
Recovery Operator, V-11	7.0	4.0
Mechanic, Large Reactor	5.0	7.0
Yard Operator, Tank Cars	13.0	7.0
Yard Operator, Tank Cars	12.0	
Lab Tech.	2.0	2.0
Dry Blend Operator	1.0	1.0

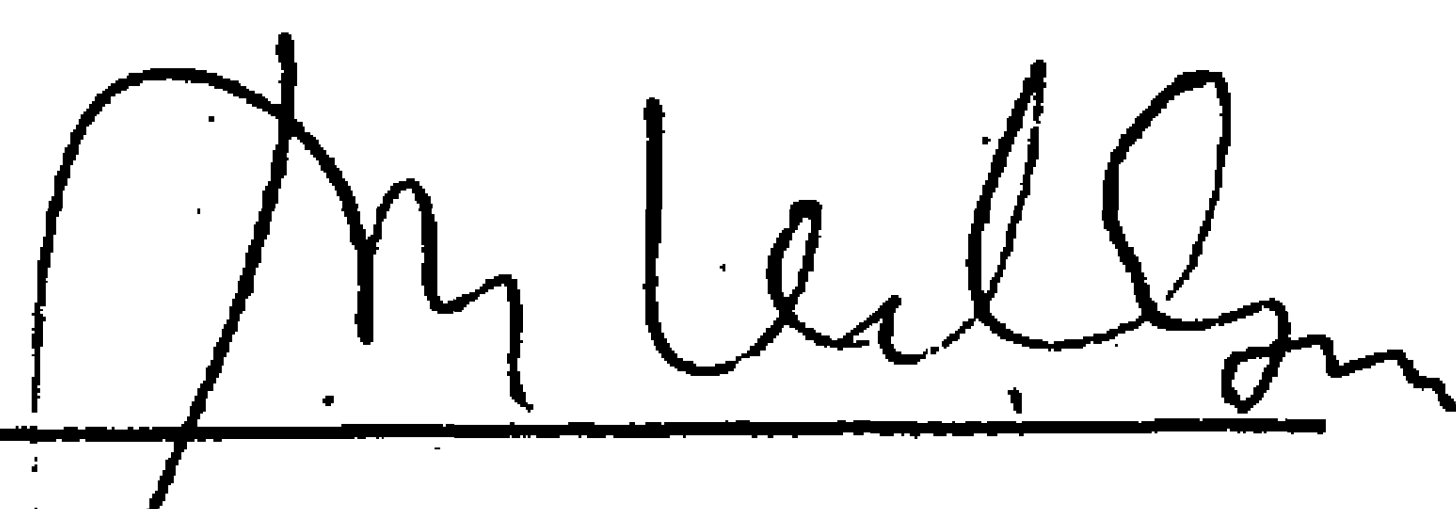
All the results are within + 50%. In addition to the different air sampling methods some of the variation is due to different sampling zones and slightly different sampling times.

Since all his results are below the temporary standard there will be no citation.

Mr. Harvey also contacted Flo Ryer, OSHA Standards Division, and asked her for answers on the three questions we posed to him. Her answers via Mr. Harvey are:

- (1) What is an Emergency?
Answer: Where an employee is exposed to greater than 100 ppm without breathing protection.
- (2) How should the situation where an employee refuses to wear breathing protection up to 25 ppm be handled?
Answer: Employee cannot be forced to wear protection. But protection must be available to him; such as wall mounted box containing masks in the work area. Also we should obtain in writing the employee's rejection.

- (3) Can we enter 3600 + ppm where life is not immediately threatened but where the situation could deteriorate to where life is immediately threatened?
Answer: Yes



Frank Willson
Safety Director

cc: C. Klunick - Houston
J. Alex - Saddle Brook
R. T. Ferrell - Oklahoma City
L. Vernon
J. A. DeBernardi - VCM West Lake
All Department Heads

CITATION and NOTIFICATION OF PENALTY

5760 I-55 North
East Frontage Road
Jackson, Mississippi 39211

1 ISSUANCE DATE	2 OSHA NUMBER	
8/14/79	B2709	509
3 REGION	4 AREA	5 PAGE
04	1220	1 OF 1

TYPE OF VIOLATION	CITATION NO
SERIOUS	1

INSPECTION DATE:
7/25-27/79

INSPECTION SITE:
Highway 25, South
Aberdeen, MS 39730

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: CONOCO, Inc.
P. O. Box 91
Aberdeen, Mississippi 39730

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
1	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. 29 CFR 1910.309(a) Section 110-17(a), National Electrical Code, NFPA 70-1971, as adopted by 29 CFR 1910.309(a): Live part(s) of electrical equipment operating at 50 volts or more were not guarded against accidental contact by approved cabinet(s) or other form(s) of approved enclosure(s) or any other approved means: (a) The 440 V electrical control panel on Line 1, #PP2, West of South entrance to Maintenance Shop contained openings left by removed circuit breakers. (b) The 110 V electrical control Panel at the tool bench in The Maintenance Shop with the circuit breakers missing. (c) The electric light control panel (110 V) and the switch gear electric panel (110 V) in the V-10 Switch Gear Room. (d) The 110 V electrical control panels in the Refrigeration and Switch Gear Room where the circuit breakers had been removed.	Abated 7/25/79 Abated 7/25/79 8/17/79 8/17/79	\$360. \$360.
" AREA DIRECTOR	A. de JEAN KING, SR.		\$360.

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.

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

CITATION and NOTIFICATION OF PENALTY

5760 I-55 North
East Frontage Road
Jackson, Mississippi 39211

¹ ISSUANCE DATE	² OSHA NUMBER	
8/14/79	B2709	509
³ REGION	⁴ AREA	⁵ PAGE
04	1220	1 OF 1

TYPE OF VIOLATION(S)	CITATION NO.
OTHER	2

TO: CONOCO, Inc.
P. O. Box 91
Aberdeen, Mississippi 39730

INSPECTION DATE:
7/25-27/79

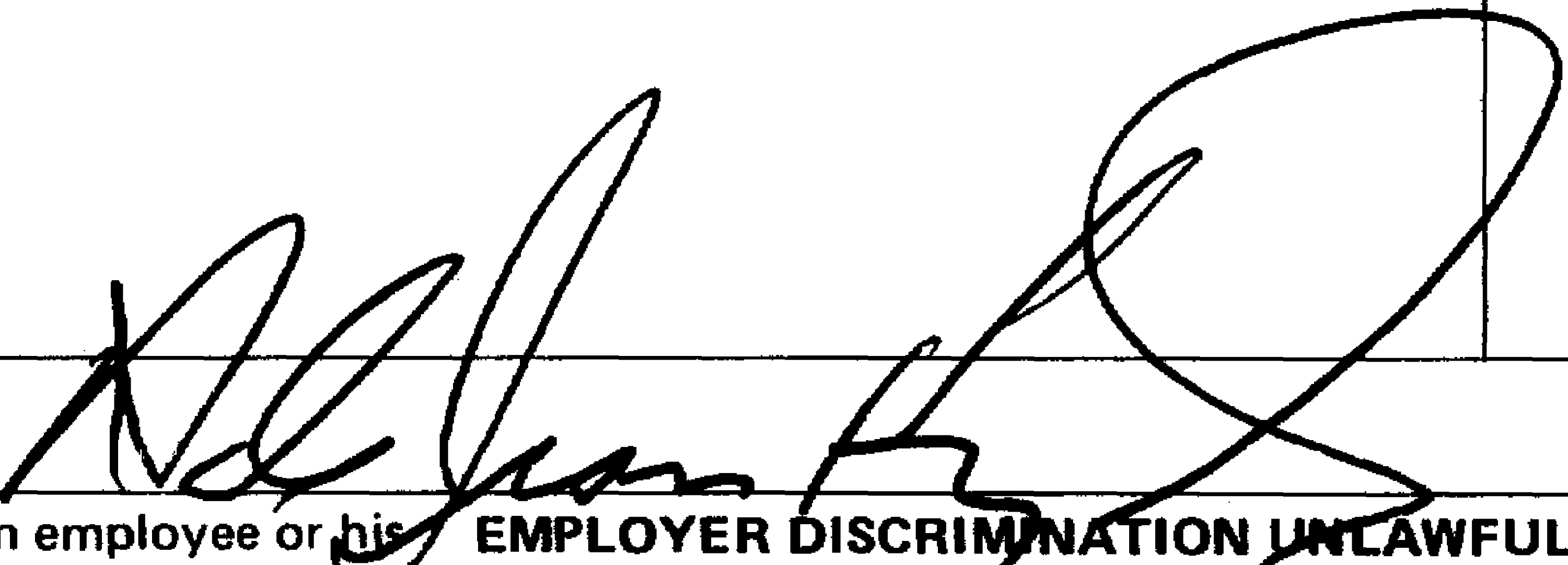
INSPECTION SITE:
Highway 25, South
Aberdeen, MS 39730

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.

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

This Section May Be Detached Before Posting

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.)

⁸ ITEM 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 1910.212(a)(1): Machine guarding was not provided to protect operator(s) and other employees from hazard(s) created by: (a) End going nip points created by the four trunnion rollers on the #1 and #2 V-10 dryers.	9/7/79	0
² 29 CFR 1910.242(b): Compressed air used for cleaning purposes was not reduced to less than 30 p.s.i.: (a) In the Maintenance Shop, air guns (4) used for cleaning purposes.	8/17/79	0
¹⁴ AREA DIRECTOR A. de JEAN KING, SR. 		Total Penalty for Citations 1 and 2 is: \$360.

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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.

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