

Ashtabula

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Diamond Shamrock

RECEIVED

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Diamond Shamrock was fined \$52,000 by OSHA over violations at their Delaware City PVC facility.

The sequence of events were as follows:

1. A female OSHA inspector of child bearing age stopped at Stauffer PVC plant for a brief inspection and was turned away.
2. She had a complaint over lead dust to investigate at Diamond, so she went there next. They would not let her in. She became upset and said she would get the paperwork (court order?) to get in and left.
3. OSHA District Director called Diamond. Diamond said if she'd sign a release of responsibility, they would let her in. OSHA refused. Finally Diamond agreed to let her in under conditions of constant monitoring and respiratory protection.
4. After they entered the plant, the inspection went on and off for nine (9) months.
5. Three (3) days before OSHA's deadline to cite, she and District Chief came to Diamond and laid the following citations on them - three (3) serious citations and five (5) willful. (I am not sure which of these are serious and which willful except the first.)
 - a. Employees exposed to +1 ppm and/or +5 ppm for 15 minutes. Workers did wear respirators in all cases except one.
 - b. Area monitoring system:
 - (1) Alarm levels too high - set at 10, 25, & 100 ppm. ~~Should be~~ 1, 5 ppm per OSHA. (Ours are +1 & +5)
 - (2) Monitoring results not adequate to protect workers.
 - (3) Monitor points not located adequately.
 - (4) Alarm system did not prevent an employee from being exposed.

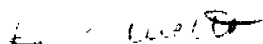
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- c. No beard policy and poor control of testing respirator fit.
Also training on respirators inadequate.
- d. Lead dust exposure.
- e. Gate on work platform not closed to prevent worker from falling.
Repeated open after warned by OSHA inspector.
- f. Breathing air system analysis and air processing (lack of carbon filter?) (We have one.)
- g. Not labeling PVC waste containers per Standard.
- h. Policy of Engineering compliance and getting to lowest possible level was not emphasized and current. Diamond's policy of complying with Standard and not doing Engineering is a violation of Standard. (This one tends to confuse me) I think really the citation was because they did not have a working engineering plan to reduce levels in work areas. I conclude levels in work areas have been increasing at Diamond which is what caused this problem. Ours is decreasing. Our engineering plan needs to be updated.

Interesting Sidelines:

- 1. Bingham told District to "get tough again on VCI."
- 2. Diamond did get all willful violations except #1 above reduced to serious, and fine reduced to approximately \$5,000.
- 3. Used plant records as proof of her findings.
- 4. Took word of workers on Company violations of Standard.
- 5. Obvious vendetta on her part to get Diamond because of their position.

Any questions, please call.


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Plant Manager

HEJ/ikb

cc: R. W. Laundrie ✓
Staff

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