PLAINTIFF'S EXHIBIT

CT-514

RAC Investigate FC

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Form Approved OMB No. 044R1449

RECEIVED
DEPARTMENT OF LABOR
AREA DIRECTOR - OSHA
NOV 16 1972
ST. LOUIS, MISSOURI

For Official Use Only		
Area	Date Received	Time
Region	Received By	

COMPLAINT

This form is provided for the assistance of any complainant and is not intended to constitute the exclusive means by which a complaint may be registered with the U.S. Department of Labor.

The undersigned *(check one)*

☐ Employee ☒ Representative of employees ☐ Other *(specify)* _____

believes that a violation at the following place of employment of an occupational safety or health standard exists which is a job safety or health hazard.

Does this hazard(s) immediately threaten death or serious physical harm? ☒ Yes ☐ No

Employer's Name Certain-teed Products Corporation

Address (Street 600 St. Cyr Road Telephone 867-6567

(City St. Louis State Missouri Zip Code 63137

1. Kind of business Manufacturer of Asbestos Cement Pipe

2. Specify the particular building or worksite where the alleged violation is located, including address. St. Louis County, Missouri Plant address same as above.

3. Specify the name and phone number of employer's agent(s) in charge.
Mr. Sam Leyshock, Plant Manager Phone Number same as above

4. Describe briefly the hazard which exists there including the approximate number of employees exposed to or threatened by such hazard.

A dust hazard exists, which means the breathing of air by the approximately 140 employees which contains asbestos fibre and cement dust particles.

CTD017622

(Continue on reverse side if necessary)

Sec. 8(f)(1) of the Williams-Steiger Occupational Safety and Health Act, 29 U.S.C. 651, provides as follows: Any employees or representative of employees who believe that a violation of a safety or health standard exists that threatens physical harm, or that an imminent danger exists, may request an inspection by giving notice to the Secretary or his authorized representative of such violation or danger. Any such notice shall be reduced to writing, shall set forth with reasonable particularity the grounds for the notice, and shall be signed by the employees or representative of employees, and a copy shall be provided the employer or his agent no later than at the time of inspection, except that, upon request of the person giving such notice, his name and the names of individual employees referred to therein shall not appear in such copy or on any record published, released, or made available pursuant to subsection (g) of this section. If upon receipt of such notification the Secretary determines there are reasonable grounds to believe that such violation or danger exists, he shall make a special inspection in accordance with the provisions of this section as soon as practicable, to determine if such violation or danger exists. If the Secretary determines there are no reasonable grounds to believe that a violation or danger exists he shall notify the employees or representative of the employees in writing of such determination.

(Continued on reverse side)

5. List by number and/or name the particular ~~standard~~ *(or standards)* issued by the Department of Labor which you claim has been violated, if known.

1. [1910.93 (b) (1)(2)(3)]— 2. [1910.93 (f) (1)(2)(3)(4)]— 3. [1910.93 (d) (1)]

4. [1910.93 (d) (3)(4)(5)] — 5. [1910.93 (j)]

6. (a) To your knowledge has this violation been considered previously by any Government agency? No

(b) If so, please state the name of the agency —

(c) and, the approximate date it was so considered. —

7. (a) Is this complaint, or a complaint alleging a similar violation, being filed with any other Government agency?
No

(b) If so, give the name and address of each. —

8. (a) To your knowledge, has this violation been the subject of any union/management grievance or have you *(or anyone you know)* otherwise called it to the attention of, or discussed it with, the employer or any representative thereof? Yes, during numerous grievance meetings. Also, grievances have been voiced.

(b) If so, please give the results thereof, including any efforts by management to correct the violation. Company made a token effort to stop leaks in dust collection lines.

9. Please indicate your desire:

☐ *I do not want my name revealed to the employer.*

☒ My name may be revealed to the employer.

Continue Item 4 here, if additional space is needed.

COMPLAINANT'S NAME

Signature Bernard Martinez Date November 14, 1972

Typed or Printed Name Bernard Martinez

Address (Street 420-A Chambers Road Telephone 314-868-8400

(City St. Louis State Missouri Zip Code 63137

If you are a representative of employees, state the name of your organization United Cement, Lime and Gypsum Workers District Council No. 6

CTD017623

GPO 924-910

5. b' Fact Sheet

Subject: C..ati n for Alleged Occupational Safety and Health Violation(s)

An inspection of a workplace under your operation, ownership, or control 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. The nature of such alleged violation(s) is described in the enclosed citation 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 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.

If you contest the citation you may post a notice to this effect near the citation contested. The Act contains penalties for violation of the posting requirements.

You will soon be notified by certified mail whether or not a proposed penalty will be assessed as a result of the cited violation(s). You have the right to contest the citation(s), the proposed penalties, or both, before the Occupational Safety and Health Review Commission. The Review Commission is an independent quasi-judicial agency with authority to issue decisions regarding citations and proposed penalties. If you do contest, you must so notify the Area Director within 15 working days after receipt of the certified mail notice regarding proposed penalties. If you fail to contest within the 15 working day period, the citation and the proposed assessment of penalties shall be deemed to be a final order not subject to review by any court or agency.

An employee or representative of employees may file a notice to contest 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. Failure to correct an alleged violation within the abatement period may result in a further proposed assessment of penalties.

As to alleged violations with an abatement period of 30 days or less, you are directed to promptly advise the Area Director as to the specific corrective action on each such violation and the date of such action.

Alleged violations having a longer abatement period will require a progress report at the end of each 30-day period. 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 shall be so advised.

A followup inspection may be made for the purpose of ascertaining that you have posted the citations as required by the Act and corrected the alleged violations as you have reported. 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 listed above. Informal conf. within 15 day period. Explain all contraventions.

CTD017624

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
210 North 12th Blvd., Room 554
St. Louis, Missouri 63101

CSHO NO.	OSHA-1 NO
H-7968	19
AREA	REGION
7080	7

CITATION COVER LETTER

TO: Certain-Teed Products Corporation
600 St. Cyr Road
Bellefontaine Neighbors, Missouri 63137

Date February 15, 1973

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

An inspection of a workplace under your operation, ownership, or control 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. The nature of such alleged violation(s) is described in the enclosed citation 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 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.

If you contest the citation you may post a notice to this effect near the citation contested. The Act contains penalties for violation of the posting requirements.

You will soon be notified by certified mail whether or not a proposed penalty will be assessed as a result of the cited violation(s). You have the right to contest the citation(s), the proposed penalties, or both, before the Occupational Safety and Health Review Commission. The Review Commission is an independent quasi-judicial agency with authority to issue decisions regarding citations and proposed penalties. If you do contest, you must so notify the Area Director within 15 working days after receipt of the certified mail notice regarding proposed penalties. If you fail to contest within the 15 working day period, the citation and the proposed assessment of penalties shall be deemed to be a final order not subject to review by any court or agency.

An employee or representative of employees may file a notice to contest 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. Failure to correct an alleged violation within the abatement period may result in a further proposed assessment of penalties.

As to alleged violations with an abatement period of 30 days or less, you are directed to promptly advise the Area Director as to the specific corrective action on each such violation and the date of such action.

Alleged violations having a longer abatement period will require a progress report at the end of each 30-day period. 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 shall be so advised.

A followup inspection may be made for the purpose of ascertaining that you have posted the citations as required by the Act and corrected the alleged violations as you have reported. 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 listed above.

U. S. Department of Labor
By Area Director A. F. Castranova

cc: Certain-Teed Products Corporation
Valley Forge, Pennsylvania 19481

CTD017625

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
210 North 12th Blvd., Room 554
St. Louis, Missouri 63101

CSHO NO.	OSHA-1 NO.
H-7968	19
AREA	REGION
7080	7

CITATION FOR SERIOUS VIOLATION*

Citation Number 1-Page 1 of 7 Date Issued February 15, 1973

EMPLOYER Certain-Teed Products Corporation

(Street

ADDRESS (

(City Valley Forge State Pennsylvania Zip 19481

An inspection of a workplace under your ownership, operation, or control located at 600 St. Cyr Road, Bellefontaine Neighbors, Missouri 63137 and described as follows

has been conducted. 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, in the following respects:

Standard or regulation allegedly violated	Description of alleged violation	Date on which alleged violation must be corrected
29 CFR Section 1910.93a(b)(3), page 22142, column 2.	Employee exposure to airborne concentrations of asbestos fibers exceeded 10 fibers, longer than 5 micrometers, per cubic centimeter of air at the following locations: (a) West dock of no. 3 plant during hand unloading of type CCC asbestos fiber packed in burlap with open mesh. (b) Elbow blanks fitting saw in the north central section of no. 3 plant. (c) Coupling saw area in the west central section of no. 3 plant.	Immediately upon receipt of this Citation and during the time period necessary to install engineering controls and institute work practices personal protective equipment shall be selected and used in accordance with section 1910.93a (d)(2) to reduce the concentrations of airborne asbestos fibers in the respirator below the exposure limits prescribed in paragraphs (b)(1) and (b)(3) of section

Area Director's Signature A. F. Castleanova

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.

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 filing a notice with the U.S. Department of Labor at the address shown above within 15 working days of the receipt by the employer of notice of proposed penalty or notice that no penalty is being proposed.

"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.

The law requires that a copy of the enclosed citation(s) "shall be prominently posted" in a conspicuous place "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 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." Sec. 17(k).

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
210 North 12th Blvd., Room 554
St. Louis, Missouri 63101

CSHO NO.	OSHA-1 NO.
H-7968	19
AREA	REGION
7080	7

CITATION FOR SERIOUS VIOLATION*

Citation Number 1-Page 2 of 7 Date Issued February 15, 1973

EMPLOYER Certain-Teed Products Corporation

(Street

ADDRESS (

(City Valley Forge State Pennsylvania Zip 19481

An inspection of a workplace under your ownership, operation, or control located at 600 St. Cyr Road, Bellefontaine Neighbors, Missouri 63137 and described as follows

has been conducted. 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, in the following respects:

Standard or regulation allegedly violated	Description of alleged violation	Date on which alleged violation must be corrected
	(d) Fiber feed area of the no. 1 pipe machine in the south west section of plant no. 9, level 1. (e) West dust collection area, outside no. 3 plant during emptying and checking.	1910.93a. Handling of asbestos fiber in burlap bags with open mesh shall be performed only with powered air purifying or supplied air type respirators, and with special clothing, and separate lockers as prescribed in sections 1910.93a(d)(3) and (d)(4)(ii). Air purifying type respirators, as a minimum, shall be used to control exposures at the following locations: elbow blanks fitting saw area, coupling saw area

Area Director's Signature A. F. Castranova

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RIGHTS OF EMPLOYEES

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The law requires that a copy of the enclosed citation(s) "shall be prominently posted" in a conspicuous place "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.

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AREA	REGION
7080	7

CITATION FOR SERIOUS VIOLATION*

Citation Number 1-Page 3 of 7 Date Issued February 15, 1973

EMPLOYER Certain-Teed Products Corporation

(Street

ADDRESS (

(City Valley Forge State Pennsylvania Zip 19481

An inspection of a workplace under your ownership, operation, or control located at 600 St. Cyr Road, Bellefontaine Neighbors, Missouri 63137 and described as follows

has been conducted. 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, in the following respects:

Standard or regulation allegedly violated	Description of alleged violation	Date on which alleged violation must be corrected
29 CFR Section 1910.93a(b)(1), page 22142, column 2.	Employee exposure for an 8 hour work shift to airborne concentrations of asbestos fiber exceeded five fibers, longer than 5 micrometers, per cubic centimeter of air at the following locations: (a) Coupling saw area in the west central section of no. 3 plant. (b) Fiber feed area of the no. 1 pipe machine in the south west section of plant no. 9. (c) Saw and crusher area of the pipe recovery operation in the northeast section of no. 9 plant.	no. 3 plant dust collector during emptying and filter checking, no. 1 pipe machine fiber feed area, no. 2 pipe machine fiber feed and mixing area, pipe recovery saw and crusher area. These areas and operations shall also be posted with caution signs as described in section 1910.93a(g)(1). By April 17, 1973, install engineering controls and institute work practices required by section 1910.93a(c)

Area Director's Signature A. F. Castranova

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.

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 filing a notice with the U. S. Department of Labor at the address shown above within 15 working days of the receipt by the employer of notice of proposed penalty or notice that no penalty is being proposed.

"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.

The law requires that a copy of the enclosed citation(s) "shall be prominently posted" in a conspicuous place "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.

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GPO 918-199

Form OSHA-2A
AUG. 1971

CTD017628

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
210 North 12th Blvd., Room 554
St. Louis, Missouri 63101

CSHO NO.	OSHA-1 NO.
H-7968	19
AREA	REGION
7080	7

CITATION FOR SERIOUS VIOLATION*

Citation Number 1-Page 4 of 7 Date Issued February 15, 1973

EMPLOYER Certain-Teed Products Corporation

(Street _____

ADDRESS (

(City Valley Forge State Pennsylvania Zip 19481

An inspection of a workplace under your ownership, operation, or control located at 600 St. Cyr Road, Bellefontaine Neighbors, Missouri 63137 and described as follows

has been conducted. 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, in the following respects:

Standard or regulation allegedly violated	Description of alleged violation	Date on which alleged violation must be corrected
29 CFR Section 1910.93, page 22139, column 3.	Employee cumulative exposure for an 8 hour work shift to airborne concentrations of the mixture of asbestos fibers, longer than 5 micrometers, and quartz exceeded the limit for the mixture when computed as prescribed by paragraph (d)(2)(i) of this section, at the fiber feed and mixing area of the no. 2 pipe machine in the south east section, level 1, of plant no. 9.	to comply with exposure limits of 1910.93a(b) for the handling of packaged raw asbestos fiber. By April 17, 1973, provide special clothing prescribed in section 1910.93a(d)(3), and two separate clothes lockers prescribed in section 1910.93a(d)(4)(ii) for each employee exposed as follows: in the dust collector area west of no. 3 plant during emptying and

Area Director's Signature A. F. Castranova

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RIGHTS OF EMPLOYEES

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The law requires that a copy of the enclosed citation(s) "shall be prominently posted" in a conspicuous place "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.

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Occupational Safety and Health Administration
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CSHO NO.	OSHA-1 NO.
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CITATION FOR SERIOUS VIOLATION*

Citation Number 1-Page 5 of 7 Date Issued February 15, 1973

EMPLOYER Certain-Teed Products Corporation

(Street

ADDRESS (

(City Valley Forge State Pennsylvania Zip 19481

An inspection of a workplace under your ownership, operation, or control located at 600 St. Cyr Road, Bellefontaine Neighbors, Missouri 63137 and described as follows

has been conducted. 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, in the following respects:

Standard or regulation allegedly violated	Description of alleged violation	Date on which alleged violation must be corrected
		filter checking, in the elbow blanks fitting saw operation, in the coupling saw operation, and in the no. 1 pipe machine fiber feed operation. By August 9, 1973, install engineering controls and institute work practices required by section 1910.93a(c) to comply with the exposure limits of section 1910.93a(b) at the following operations: elbow blanks fitting

Area Director's Signature A. F. Castranova

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RIGHTS OF EMPLOYEES

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CITATION FOR SERIOUS VIOLATION*

Citation Number 1-Page 6 of 7 Date Issued February 15, 1973

EMPLOYER Certain-Teed Products Corporation

(Street

ADDRESS (

(City Valley Forge State Pennsylvania Zip 19481

An inspection of a workplace under your ownership, operation, or control located at 600 St. Cyr Road Bellefontaine Neighbors, Missouri 63137 and described as follows

has been conducted. 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, in the following respects:

Standard or regulation allegedly violated	Description of alleged violation	Date on which alleged violation must be corrected
		saw no. 3 plant west dust collector dumping, coupling saw, no. 1 pipe machine fiber feed, no. 2 pipe machine fiber feed and mix, pipe recovery saw and crusher. Engineering controls at the no. 2 pipe machine fiber feed and mix operations shall effectively control the air contaminants to comply with the limit for the mixture of asbestos fiber and quartz.

Area Director's Signature A. F. Castranova

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.

RIGHTS OF EMPLOYEES

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CITATION FOR SERIOUS VIOLATION*

Citation Number 1-Page 7 of 7 Date Issued February 15, 1973

EMPLOYER Certain-Teed Products Corporation

(Street

ADDRESS (

(City Valley Forge State Pennsylvania Zip 19481

An inspection of a workplace under your ownership, operation, or control located at 600 St. Cyr Road, Bellefontaine Neighbors, Missouri 63137 and described as follows

has been conducted. 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, in the following respects:

Standard or regulation allegedly violated	Description of alleged violation	Date on which alleged violation must be corrected
	The above violation was cited from the Federal Register, dated October 18, 1972, Volume 37, Number 202. A progress report will be forwarded to the Area Director at the end of each 30-day period. The progress report should detail what has been done, what remains to be done, and the time needed to abate the violation.	

Area Director's Signature A. F. Castranova

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.

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 filing a notice with the U. S. Department of Labor at the address shown above within 15 working days of the receipt by the employer of notice of proposed penalty or notice that no penalty is being proposed.

"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.

The law requires that a copy of the enclosed citation(s) "shall be prominently posted" in a conspicuous place "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 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." Sec. 17(k).

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
210 North 12th Blvd., Room 554
St. Louis, Missouri 63101

CSHO NO.	OSHA-1 NO.
H-7968	19
AREA	REGION
7080	7

CITATION*

Citation Number 1-Page 3 Date Issued February 15, 1973

EMPLOYER Certain-Teed Products Corporation

ADDRESS (Street

(City Valley Forge State Pennsylvania Zip 19481

An inspection of a workplace under your ownership, operation, or control located at 600 St. Cyr Road, Bellefontaine Neighbors, Missouri 63137 and described as follows

has been conducted. 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, in the following respects:

Item number	Standard or regulation allegedly violated	Description of alleged violation	Date on which alleged violation must be corrected
1	29 CFR Section 1910.93a(f)(1), page 22143, column 2.	Every place of employment where asbestos fibers were released had not been monitored in such a way as to determine whether every employee's exposure to asbestos fibers was below, or exceeded the limits prescribed in paragraph (b) of this section.	May 15, 1973

Area Director's Signature A. F. Castronova

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.

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 filing a notice with the U.S. Department of Labor at the address shown above within 15 working days of the receipt by the employer of notice of proposed penalty or notice that no penalty is being proposed.

"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.

The law requires that a copy of the enclosed citation(s) "shall be prominently posted" in a conspicuous place "at or near each place a violation referred to in the citation occured." It must remain posted until all violations cited therein are corrected, or for 3 working days, whichever period is longer.

* Alleged violations covered by this citation are those which are not serious violations within the meaning of the Act but which have a direct or immediate relationship to occupational safety and health.

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
210 North 12th Blvd., Room 554
St. Louis, Missouri 63101

CSHO NO.	OSHA-1 NO.
H-7968	19
AREA	REGION
7080	7

CITATION*

Citation Number 1-Page 2 of 3 Date Issued February 15, 1973

EMPLOYER Certain-Teed Products Corporation

(Street _____

ADDRESS (

(City Valley Forge State Pennsylvania Zip 19481

An inspection of a workplace under your ownership, operation, or control located at 600 St. Cyr Road,

Bellefontaine Neighbors, Missouri 63137 and described as follows

has been conducted. 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, in the following respects:

Item number	Standard or regulation allegedly violated	Description of alleged violation	Date on which alleged violation must be corrected
2	29 CFR Section 1910.93a(h)(2), page 22144, column 1.	Asbestos waste is handled in a manner which could reasonably be forseen to produce airborne concentrations of asbestos fibers in excess of the exposure limits prescribed in paragraph (b)(3) of this section, in that, dust in the collectors on the east side of no. 9 plant is dumped to open hoppers and transferred to a hauling container for disposal.	Immediately upon receipt of this Citation maintain external surfaces in the area free of accumulations of asbestos fibers which would be excessive concentrations, if dispersed. By August 9, 1973, collect and dispose of the generated asbestos waste in closed containers.

Area Director's Signature A. F. Castranova

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.

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 filing a notice with the U.S. Department of Labor at the address shown above within 15 working days of the receipt by the employer of notice of proposed penalty or notice that no penalty is being proposed.

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The law requires that a copy of the enclosed citation(s) "shall be prominently posted" in a conspicuous place "at or near each place a violation referred to in the citation occured." It must remain posted until all violations cited therein are corrected, or for 3 working days, whichever period is longer.

* Alleged violations covered by this citation are those which are not serious violations within the meaning of the Act but which have a direct or immediate relationship to occupational safety and health.

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
210 North 12th Blvd., Room 554
St. Louis, Missouri 63101

CSHO NO.	OSHA-1 NO.
H-7968	19
AREA	REGION
7080	7

CITATION*

Citation Number 1-Page 3 of 3 Date Issued February 15, 1973

EMPLOYER Certain-Teed Products Corporation

(Street

ADDRESS (

(City Valley Forge State Pennsylvania Zip 19481

An inspection of a workplace under your ownership, operation, or control located at 600 St. Cyr Road,

Bellefontaine Neighbors, Missouri 63137 and described as follows

has been conducted. 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, in the following respects:

Item number	Standard or regulation allegedly violated	Description of alleged violation	Date on which alleged violation must be corrected
	The above violations were cited from the Federal Register, dated October 18, 1972, Volume 37, Number 202.		
	A progress report will be forwarded to the Area Director at the end of each 30-day period. The progress report should detail what has been done, what remains to be done, and the time needed to abate the violation.		

Area Director's Signature A. F. Castranova

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.

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 filing a notice with the U. S. Department of Labor at the address shown above within 15 working days of the receipt by the employer of notice of proposed penalty or notice that no penalty is being proposed.

"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.

The law requires that a copy of the enclosed citation(s) "shall be prominently posted" in a conspicuous place "at or near each place a violation referred to in the citation occured." It must remain posted until all violations cited therein are corrected, or for 3 working days, whichever period is longer.

* Alleged violations covered by this citation are those which are not serious violations within the meaning of the Act but which have a direct or immediate relationship to occupational safety and health.

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
210 North 12th Blvd., Room 554
St. Louis, Missouri 63101
NOTIFICATION OF PROPOSED PENALTY

CSHO NO.	OSHA-1 NO.
H-7968	19
AREA	REGION
7080	7

TO: Certain-Teed Products Corporation

600 St. Cyr Road

Bellefontaine Neighbors, Missouri 63137

On the 15th day of February, 1973, a Citation(s) was (were) 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 above Citation(s):

SERIOUS VIOLATIONS

Citation No.	Proposed Penalty
1	$600.00

OTHER VIOLATIONS*

Citation No.	Item No.	Proposed Penalty
1	1	$ 75.00
1	2	35.00

CTD017636

Total for All Alleged Violations $710.00

* In the case of each "other violation," the proposed penalty reflects a 50 percent adjustment factor for corrective action taken within the period prescribed in the citation. If a particular alleged violation is not corrected within this period, an automatic additional penalty of 50 percent will be proposed for each violation. However, if you contest an alleged violation in good faith before the Review Commission, the period for correction does not begin to run until the entry of a final order by the Review Commission affirming the citation. The proposed penalty is exclusive of such other additional penalty as may subsequently be proposed for failure to correct a violation within the abatement period.

(Continued on reverse side)

The payment of penalties is to be made by certified check or money order, payable to the order of "Occupational Safety and Health-Labor." Remit to the Area Director whose address appears below.

YOU ARE FURTHER NOTIFIED that the aforesaid Citation(s), this Notification, and the proposed assessment shall be deemed to be the final order of the Occupational Safety and Health Review Commission and not subject to review by any court or agency, unless, within 15 working days from the date of receipt of this notice, you notify the official named below in writing that you intend to contest the Citation or this Notification of Proposed Penalty before the Review Commission. The Review Commission is an independent quasi-judicial agency with authority to issue decisions regarding citations and proposed penalties.

There is no requirement that this Notification be posted.

Dated at St. Louis, Missouri this 15th day of February, 1973.

A. F. Castranova

Area Director
Occupational Safety and Health Administration
U. S. Department of Labor
210 North 12th Blvd., Room 554
St. Louis, Missouri 63101

CTD017637

GPO 916-418