

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

U. S. Department of Labor
Occupational Safety & Health
2156 Wooddale Blvd.
Hoover Annex
Suite 200
Baton Rouge, Louisiana 70806

CSHO NO.	OSHA-I NO.	FY
M0079	018	76
AREA	REGION	
0150	06	

CC: L Baton Rouge, Louisiana

70806 ORIGINAL

TO:
2. Certain-Teed Products Corporation
P. O. Box 860
Valley Forge, PA 19482

Attn: Mr. Willaim Krivshy, President

Certain-Teed Products Corporation
Old Parish Road
P. O. Box 253
Sulphur, LA 70663

Attn: Mr. C. A. Gellner, Plant Mgr

Subject: Citation(s) 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 Act. These conditions must be corrected on or before the date shown to the right of each violation therein, *unless you exercise in good faith your right to contest as described below. The timely and good faith filing of a notice of contest suspends the requirement to abate by the date set forth in the citation, or the payment of the proposed penalty until the issuance of a final order by the Occupational Safety and Health Review Commission.*

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 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 *are required under the rules of the Commission* to post a notice to this effect near the citation contested. The Act contains penalties for violation of the posting requirements.

You are hereby notified, or will soon be notified by certified mail whether or not a proposed penalty will be assessed as a result of the cited violation(s). *In order to clarify the citation or proposed penalty, you may request an informal conference with the Area Director no later than 15 working days after you receive the "Notification of Proposed Penalty."* You also 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 in writing 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.

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 further proposed assessment of penalties. *However, if the 15-day contest period has expired and you have made a good faith effort to comply with the abatement requirements of the citation, but abatement has not been completed because of factors beyond your control, then you may file a petition for modification of abatement date with the Area Director, requesting more time to comply and explaining why abatement has not been achieved.*

As to alleged violations which are not contested, 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.

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.

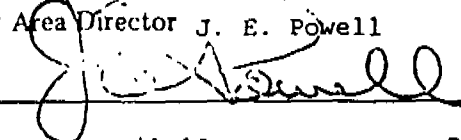
If you wish additional information, you may direct such request to the undersigned at the address listed above.

*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 Other	1
1 Serious	
1 Willful	
1 and/or	
1 Repeated	
4. Notification of Proposed Penalty enclosed	
☒ Yes	☐ No

CTL002980

U.S. Department of Labor
by Area Director J. E. Powell

5. 
Date April 13 19 76

Pasted 4-14-76 3:30 pm:qf

CITATION

1. U. S. Department of Labor
Occupational Safety & Health
2156 Wooddale Blvd.
Hoover Annex
Suite 200
Baton Rouge, Louisiana 70806

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CC:

TO: 2.

Certain-Teed Products Corporation
P. O. Box 860
Valley Forge, PA 19482

Attn: Mr. William Krivsky, President

3. Citation Number 14. Page 1 of 5. 1

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

7. An inspection was made on April 1 19 76 of a place of employment located at:

8. Old Parish Road, Sulphur, Louisiana and described as follows:

9. PVC Plant

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 1910.1017(N) (2)	Failure to report within 24 hours, a vinyl chloride emergency, and the facts obtainable at that time to the OSHA Area Director.	Immediately upon receipt of this citation.

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 J. E. Powell Issuance Date April 13 19 76

CTL002981

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.

CTL002982

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

☒ New ☐ Amended

U. S. Department of Labor
Occupational Safety and Health
2156 Wooddale Blvd.
Hoover Annex Bldg.
Suite 200
Baton Rouge, LA 70806

2. CSHO NO.	3. OSHA - NO.
M0079	018
0150	06
4. AREA	5. REGION

CC:

TO:

6. Certain-Teed Products Corporation
P. O. Box 860
Valley Forge, PA 19482

7. Page 1 of 1

8. Date April 13, 1976

Attn: Mr. William Krivsky, President

NOTIFICATION OF PROPOSED PENALTY

THERE IS NO REQUIREMENT THAT THIS NOTIFICATION BE POSTED

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 it is 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.

Citation 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."

On the 13 day of April, 1976, a citation(s) was issued to you in accordance with the provisions of Section 10(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 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).

10. Citation Number	11. Item Number	12. Standard, Regulation or Section of the Act allegedly violated	13. Date by which alleged violation must be corrected	14. Proposed Penalty
1	1	1910.1017(N) (2)	Immediately	0

CTL002983

Area Director

J. E. Powell

Date

April 13, 1976

16. Total Proposed Penalty for all alleged violations. \$

0

Rev. 8/75 OSHA-3