

Memorandum

Date: 4 August 1977

To: Mr. J. W. Roper

Unit:

From: T. E. Anderson

Unit: Plant Manager - ICD - Philadelphia

Subject:

RECEIVED

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JEFFREY E. SILVER

Attached is a letter which I received from the OSHA Regional Administrator on 8/1/77 relative to our current petition for modification of abatement of our lead-in-air citation.

Information is sought in four specifically listed areas. Regarding Item 1, the Philadelphia Plant Respirator Program was mailed to Ms. Eileen Crenshaw on 7/11/77. Regarding Items 2 and 3, the inspector did not request that we submit these data after the closing conference. Item 4 is a repetition of their request for urine porphyrin and blood lead data, which the inspector indicated was their sole basis for denying our petition.

OSHA presently has until 8/19/77 to file objection to our petition.

Thomas E. Anderson

TEA/tle

cc: Messers: W. E. Blair, D. W. Hurley, J. Jacobs, J. H. Paraskevas
J. Silver J. M. Stark, P. Warenski

N 27300

NL 000041367

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
REGIONAL OFFICE—SUITE 2100
3535 MARKET STREET
PHILADELPHIA, PA. 19104



July 27, 1977

Mr. Thomas Anderson, Plant Manager
NL Industries
2607 E. Cumberland Street
Philadelphia, Pa. 19125

Dear Mr. Anderson:

Enclosed are the copies you requested of photographs taken 5/19/77 and 7/1/77 during our inspection for evaluation of your 3/22/77 Petition for Modification of Abatements (PMA).

We have received the letter of 7/12/77 from your counsel, Jeffrey E. Silver. We understand your impatience with the length and depth of our evaluation. Nevertheless we must continue to pursue all the relevant information in this case.

Accordingly, we are once again reiterating our request for the following information:

1. A copy of the latest respirator program for the Philadelphia plant, shown to our Industrial Hygienist on 7/6/77 and promised to her by you.
2. Raw data for personal and area lead monitoring samples for Building 42, 2, 16 and 18 for June 1976 to date, refused our Industrial Hygienist on 7/6/77.
3. Copies of any written protocol used by your plant physician in determining those procedures to follow in providing medical surveillance and biological monitoring to lead workers, promised our Industrial Hygienist on 7/1/77 if they were found to exist.
4. Results of urine porphyrin and blood lead measurement for lead workers in Buildings 42, 2, 16 and 28 for June, 1976 to date, again refused our Industrial Hygienist on 7/6/77.

*MAILED
7-11-77*
*we gave them
averages
but not each
sample - other*
*plant knows
if none -
but longer
was guideline*

We base our right to this information on 29 CFR 1903.14 a(b)(4) which requires an employer requesting a PMA to outline "all available interim steps being taken to safeguard the employees against the cited hazard during the abatement period."

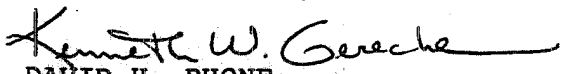
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In your PMA you list use of respirators, air monitoring and "Compliance with OSHA's administration's published recommended lead control guidelines" as your interim steps. We remind you that our published "Guidelines for Controlling Occupational Exposures to Lead" include requirements for medical surveillance and biological monitoring.

Our intent is to assure that no employee will suffer harm due to our granting of an extension of your abatement date. We enlist your cooperation in achieving this goal.

Sincerely yours,


DAVID H. RHONE
Regional Administrator for
Occupational Safety and Health