

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

U. S. Department of Labor, OSHA
Room 514 Petroleum Building
420 South Boulder
Tulsa, Oklahoma 74103

PLAINTIFF'S
EXHIBIT

RMC-139h

CSHO NO.	OSHA-1 NO.
R-6073	10
AREA	REGION
4780	6

CITATION FOR SERIOUS VIOLATION*

Citation Number 1, Page 1 of 1 Date Issued February 21, 1973

EMPLOYER Reynolds Metals Company

(Street) 6600 West Broad Street

ADDRESS (

(City) Richmond State Virginia Zip 23230

An inspection of a workplace under your ownership, operation, or control located at Arkadelphia, Arkansas, betw
4:00-5:30 pm on 12/18/72 and 8:00 am - 12:00 Noon, 12/19/72 and described as follow
Aluminum reduction (electrolytic)

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 1910.93a (b) (3)	Two employees in the carpenter shop were exposed to airborne concentrations of asbestos fibers in excess of 10 fibers, longer than 5 micrometers, per cubic centimeter of air; i.e., employees, Mr. J. K. Jones and Mr. J. C. Suggs.	Immediately upon receipt of citation.

Area Director's Signature

J. T. Knorpp
J. T. KNORPP

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).