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San Leandro foundry na

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OAKLAND — A former employee of a San Leandro foundry that has received almost two dozen citations for health and safety violations filed a lawsuit Friday charging the company negligently exposed him to PCB contamination.

Michael D. Boles and his wife, Rebecca, filed the suit seeking unspecified damages against Precision Founders Inc. in Alameda County Superior Court.

Precision Founders, which manufacturers metal castings for aircraft engines and nuclear power plants, earlier this year was the subject of an investigation by the state Division of Occupational Safety and Health after an anonymous employee complained of PCB exposure.

A state spokeswoman said Friday the investigation has resulted in 21 citations for health and safety violations, seven of them labeled "serious." The company also was fined $5,325.

State safety and health information officer Diane Deinstein and company vice president H. Frost Prioleau said the citations and fine are being appealed.

While the citations stem from conditions for handling toxic materials, none of the violations involved PCB, according to Ms. Deinstein.

It was not clear if Boles was the same employee whose complaint triggered the state investigation, although Prioleau said he suspects Boles may have been the employee who filed the complaint.

Neither Boles nor his attorney, Paul C. Jess of Sonoma, could be reached for comment.

The lawsuit, in addition to Precison, also names as defendants Monsanto Co. and Westinghouse Electric Co. Monsanto manufactured PCB before the substance was banned, and Westinghouse made electric capacitors containing PCB.

Boles charges that while employed as a maintenance mechanic for Precison in 1980 he was exposed to PCB while working on a leaky capacitor. He claims he has suffered health problems as a result.

The lawsuit alleges Precison is liable for damages because Boles was neither told of the dangers of working with PCB nor provided proper safety equipment and working conditions.

Prioleau, however, said the company was not aware of PCB in capacitors at the time of Boles' exposure.

"It was a capacitor that was part of a melting unit," he said. "We had no idea at the time there was PCB in the unit. We had no idea that there was anything wrong. As far as I know there was no damage."

Precision's case with state safety and health division came to light in April when the state agency sought a superior court search warrant after company officials refused to allow inspectors inside the foundry. The subsequent inspection turned up the violations for which Precision has been cited.

Among the violations now under appeal, according to Ms. Deinstein, are the following:

- Excessive toxic metal dust — cobalt, nickle and chromium — in the work place.
- Inadequate accident prevention programs.
- Overexposure of workers to certain forms of silica.
- Failure to have eyewash and shower facilities near worksites.
- Failure to have written operating and rescue procedures in one confined work area.
- Failure to have appropriate respiratory equipment in the same work area.

Ms. Deinstein said the company also has been served with a special order requiring medical monitoring of workers overexposed to silica dust.

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