U.S. Department of Labor

Occupational Safety and Health Administration
1726 Charleston National Plaza
Charleston, West Virginia 25301
Reply to the Attention of: Area Director

May 12, 1980

Cleveland Wrecking Company
c/o Union Carbide
437 MacCorkle Avenue, SE
South Charleston, West Virginia 25303

Dear Sir:

On April 30, 1980, the Occupational Safety and Health Administration (OSHA) received a complaint concerning a health hazard at your worksite at Union Carbide, Island Powerhouse, Building 151, South Charleston, West Virginia. The specific nature of the complaint involves: employees exposed to asbestos during rip out of insulation: inadequate personal protective equipment and no wet methods used.

We have not determined whether a hazard, as alleged, exists at your workplace, and we are not conducting an inspection at this time. However, since allegations of a violation have been made, you should immediately investigate the alleged condition and make necessary corrections or modifications. Within thirty (30) calendar days of receipt of this letter, please advise me in writing of your findings and of the action you have taken. Your response should be detailed, stating specifically what action you have taken to abate any hazards. You should enclose any supporting documentation on the action you have taken such as monitoring results, ordering of equipment, and the like.

The complaint has been advised of our response to the complaint and furnished a copy of this letter.

This letter is not a citation, nor is it a notification of proposed penalty, which according to the OSHA Act may only be issued after an inspection or investigation of the workplace. If we do not receive a response from you within thirty (30) calendar days indicating that appropriate action has been taken, an inspection will be conducted.

In addition, OSHA's policy is to randomly follow up with an inspection in a sample of cases in which we receive letters of satisfactory abatement action from an employer. Finally, any action taken by you in this matter cannot remove your workplace from the possibility of an unannounced inspection by duly authorized representatives of OSHA.

If you have any questions concerning this matter, please contact our office. Your personal support and interest in the safety and health of your employees is appreciated.

Sincerely,

Stanley H. Elliott
Area Director

PLAINTIFF'S EXHIBIT
UC-4267