FILE NAME: Georgia Pacific (GP)

DATE: 1975 July 31

DOC#: GP034

DOCUMENT DESCRIPTION: Government Violations Report

PLAINTIFF'S EXHIBIT GP-137

AREA	REGION
0280	04

TO: 2.

Georgia Pacific Corporation
P. O. Box 776
Marietta, Georgia 30060

3. Citation Number 1

4. Page 1 of 8. 1

6. TYPE OF ALLEGED VIOLATION(S): Non-Serious

7. An inspection was made on July 31 1975 of a place of employment located at:

8. 1466 White Circle Court, Marietta, Ga. and described as follows:

9. Manufacturing

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, regulations or section of the Act allegedly violated	12. Description of alleged violation	13. Date by which alleged violation must be corrected
1	29 CFR 1910.22(a)(1)	Failed to keep place of employment clean, orderly, and in a sanitary condition exposing employees to hazard of tripping and slipping at Ready or Wet Mix Area.	3 Working Days from receipt of Citation
2	29 CFR 1910.1001(f)(1)	Failed to perform initial determination of asbestos within six (6) months of the publication of section 1910.1001, exposing employees to the hazard of asbestos in the: a. Railcar unloading area b. Bagging Machine Operator c. Bag Stacker at Bagging Machine.	October 7, 1975
3	29 CFR 1910.1001(f)(2)	Failed to take asbestos samples for the determination of the 8 hour time-weighted average airborne concentration of asbestos fibers, exposing employees to the hazard of asbestos in the Dry Mixer.	October 7, 1975
4	29 CFR 1910.1001(g)(1)(i)	Failed to display caution signs at each location where airborne concentrations of asbestos fibers may be in excess of the exposure limits.	September 1, 1975
5	29 CFR 1910.1001(h)(2)	Failed to dispose asbestos bags and containers in sealed impermeable bags, or other closed impermeable containers.	3 Working Days from receipt of Citation
6	29 CFR 1910.1001(j)	Failed to provide employees exposed to asbestos a medical examination which shall include as a minimum a chest X-ray, history and pulmonary functions tests to include forced vital capacity (FVC) and forced expiratory volume at one second (FEV 1.0).	October 7, 1975

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 his representative of employees who believes that any period of time fixed in a citation for the correction of a violation is unreasonable may request a modification of such period by submitting a letter to the U.S. Department of Labor [illegible] Any employee or representative of employees who believes that the Secretary has failed to issue any citation [illegible] may request a review of such failure by submitting a letter or telegram to the Area Director. Any employee or representative of employees who believes that he has been discharged or otherwise discriminated against by any person in violation of Section 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 word "working day" means Mondays through Fridays but does not include Saturdays, Sundays, or Federal Holidays.

14. Area Director's Signature (or) Joseph L. Camp Issuance Date August 7 19 75

(NOTICE: Additional Important Information On Reverse Side)

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

Case No.	Inspection No.
T-2710	157
AREA	REGION
0280	04

ATLANTA AREA OFFICE
LA VISTA PERIMETER OFFICE PARK
BUILDING 10 - SUITE 22
TUCKER, GEORGIA 30084

TO:
2.
Georgia Pacific Corporation
P. O. Box 776
Marietta, Georgia 30060

3. Date August 7, 1975

THERE IS NO REQUIREMENT THAT THIS NOTIFICATION BE POSTED.

NOTIFICATION OF PROPOSED PENALTY

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 not 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". Payments, which should be remitted to the Area Director at the address shown above.

Section 17(1) of the Act reads: "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 7th day of August, 1975, a citation(s) was issued to you in accordance with the provisions of Section 9 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 thus 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).

4. Non-Serious VIOLATIONS

5A. Citation No.	5B. Item No.	5C. Proposed Penalty
1	1	$25.00
	2	None
	3	None
	4	None
	5	None
	6	None

6. VIOLATIONS

6A. Citation No.	6B. Item No.	6C. Proposed Penalty

7. Total Proposed Penalty for All Alleged Violations $ 25.00

Area Director
8. Signature [illegible] Date 8 August 7, 19 75

Any fine, and penalty for Nonserious Violations of safety and health standards collected a 10 percent adjustment factor for assessment to be taken within the period prescribed in the citation. If a particular alleged violation is not corrected within that period, the 10 percent adjustment will be added to each other penalty as may subsequently be proposed for failure to correct a violation within the abatement period. No abatement credit is allowed for violations of recordkeeping or posting requirements.

OSHA-2
Rev. Dec. 1972

A INSPECTION DATE 07-31-75

ITEM
1.) COMPLETED WITHIN 3 WORKING DAYS FROM RECEIPT OF CITATION.

2.) GEORGE FOWLER COLLECTED AIR-BORNE SAMPLES, DESIGNATED AS a, b, c. THESE SAMPLES WERE MAILED TO GEORGE GREEN AT TIGRES WHO IN TURN REDUCED CONCENTRATIONS OF ASBESTOS. COMPLETED BY OCT. 7, 1975.

3.) SAMPLES WERE TAKEN AS OUTLINED IN PARAG. #2 ABOVE. (NOTE ON OCTOBER 16, 1975 A REINSPECTION WAS CONDUCTED & WE WERE FOUND TO BE IN VIOLATION.)

4.) SIGNS WERE ORDERED & POSTED AS REQUESTED (ON 10-16-1975, ON REINSPECTION, WE WERE FOUND TO BE IN VIOLATION.)

5.) .... WE COMPLIED - BY PURCHASING HEAVY DUTY PLASTIC BAGS, & INSERTING ALL MTY ASBESTOS BY IN THESE PLASTIC BAGS. A CAUTION LABEL WAS PASTED ON THESE CONTAINERS, & DISPOSED WITH OUR OTHER DUMP MATERIALS. COMPLETED WITHIN 3 WORKING DAYS.

6.) WE ESTABLISHED A MEDICAL EXAMINATION TO INCLUDE CHEST-X RAY, & PULMONARY FUNCTION TESTS, FOR ALL EMPLOYEES. COMPLETED WITHIN TIME (10 DAYS). THESE TESTS WERE CONDUCTED ANNUALLY, THE LAST SERIES OF TESTS WERE JUNE 1976.

WE WERE NOTIFIED OF ABOVE ON ITEM #1.

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

CITATION NO.	INSPECTION NO.
T-2710	157
AREA	REGION
0280	04

ATLANTA AREA OFFICE
LA VISTA PERIMETER OFFICE PARK
BUILDING 16 - SUITE 75
TUCKER, GEORGIA 30084

TO:

Georgia Pacific Corporation
P. O. Box 776
Marietta, Georgia 30060

Subject: Citation(s) for Alleged Occupational Safety and Health Violation(s)

An inspection of a place of employment 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 *et seq.*). The nature of such alleged violations is described in the enclosed citation(s) 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 alleged violation unless otherwise noted.

The Act requires that a copy of the enclosed citation(s) be prominently posted "in a conspicuous place upon or near the place where a violation referred to in the citation occurred. It must remain posted until all violations cited have been corrected, or for 3 working days", whichever period is longer. A sufficient number of copies of the enclosed citation(s) should be prepared to permit posting in accordance with the requirements of the Act. There are also penalties for violation of the posting requirements.

You are hereby notified, or will soon be notified, whether or not penalty(ies) will be proposed as a result of the inspection. You have the right to contest any or all parts of either the citation(s) or the proposed penalty(ies) before the Occupational Safety and Health Review Commission. The Review Commission is an independent agency with the authority to have decisions regarding citation(s) and proposed penalty(ies). If you do contest, you should submit your notice to the Area Director at the address shown above within 15 working days* after receipt of the certified mail bearing the proposed penalty(ies). If you fail to contest within the 15 working day period, the citation(s) and the proposed penalty(ies) as proposed, shall be deemed to be a final order of the Review Commission and not subject to review by any court or agency.

If an employer contests the citation, the abatement period specified therein does not begin to run until the date of the Commission's final order in the case *PROVIDED* the employer initiated his contest in good faith and not solely for the purpose of avoidance of penalties.

You have a right to request a discussion with the Area Director concerning any results of the inspection (abatement dates, citations, penalties, etc.). Please direct correspondence to, or call, the Area Director at the address shown at the top of this letter. A request for an informal discussion cannot extend the 15 working day period allowed for filing a notice of contest. Therefore, a request for an informal discussion should be brought to the attention of the Area Director prior to the end of the 15 working days allowed for filing a notice of contest, preferably as soon as possible.

An employee or representative of employees may file a notice (letter) to contest the reasonableness of the time fixed in the citation for the abatement of the alleged violation(s).

Alleged violations that are not contested shall be corrected within the abatement period specified in the citation. A followup inspection may be made for the purpose of ascertaining that the employer has posted the citation(s) as required by the Act and corrected the alleged violations. Failure to correct an alleged violation within the abatement period may result in further proposed penalties for each day the alleged violation has not been corrected. Timely correction of an alleged violation does not affect the initial proposed penalty.

Correction of alleged violations which have an abatement period of 30 days or less should be reported in writing to the Area Director promptly upon correction. Reports of corrections should show specific corrective action on each such alleged violation and the date of such action. On alleged violations having an abatement date of more than 30 days, a written progress report should be submitted each 30 days. The progress report should detail what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, the Area Director should be so advised.

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 shown 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	Nonserious	1
	Serious	
	Willful	
	and/or	
	Repeated	

4. Notification of Proposed Penalty enclosed
☒ Yes ☐ No

U.S. Department of Labor
by Area Director

5. Joseph L. Cuccia

Date August 7 19 75

OSHA 2
Rev. Dec.

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

Case no. T-2710
Area 0280

CITATION

AT [illegible]
LA VISTA [illegible]
BUILDING [illegible]
TUCKER, Georgia 30084

TO: 2.

Georgia Pacific Corporation
P. O. Box 776
Marietta, Georgia 30060

3. Citation Number 1

4. Page 1 of 5. 1

6. TYPE OF ALLEGED VIOLATION(S): Non-Serious

An inspection was made on 7. July 31 19 75 of a place of employment located at:
8. 1466 White Circle Court, Marietta, Ga. and described
9. Manufacturing

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act 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 allegation must be corrected by
1	29 CFR 1910.22(a)(1)	Failed to keep place of employment clean, orderly, and in a sanitary condition exposing employees to hazard of tripping and slipping at Ready or Wet Mine Area.	3 Work Days f receip Citati
2	29 CFR 1910.1001(f)(1)	Failed to perform initial determination of asbestos within six (6) months of the publication of section 1910.1001, exposing employees to the hazard of asbestos in the: a. Railcar unloading area b. Bagging Machine Operator c. Bag Stacker at Bagging Machine.	Octobe 1975
3	29 CFR 1910.1001(f)(2)	Failed to take asbestos samples for the determination of the 8 hour time-weighted average airborne concentration of asbestos fibers, exposing employees to the hazard of asbestos in the Dry Mixer.	Octob 1975
4	29 CFR 1910.1001(g)(1)(i)	Failed to display caution signs at each location where airborne concentrations of asbestos fibers may be in excess of the exposure limits.	Septe 1975
5	29 CFR 1910.1001(h)(2)	Failed to dispose asbestos bags and containers in sealed impermeable bags, or other closed impermeable containers.	3 Work Days f receip Citati
6	29 CFR 1910.1001(j)	Failed to provide employees exposed to asbestos a medical examination which shall include as a minimum a chest X-ray, history and pulmonary functions tests to include forced vital capacity (FVC) and forced expiratory volume at one second (FEV 1.0).	Octobe 1975

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or n each place that an alleged violation referred to in the citation occurred. The citation must remain posted unt 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 correctio a violation is unreasonable has the right to contest such time for correction by submitting a letter to the U.S. Department of L at the address shown above within 15 working days* of the issuance of this citation.

"The person shall discharge or in any manner discriminate against any employee because such employee has filed any com or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in suc proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. (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, Sund or Federal Holidays.

14. Area Director's Signature /s/ Joseph L. Camp Issuance Date August 7 19 75

(NOTICE: Additional Important Information On Reverse Side)

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

ATLANTA AREA OFFICE
LA VISTA PERIMETER OFFICE PARK
BUILDING 10 - SUITE 33
TUCKER, GEORGIA 30084

CITATION NO.	ITEM NO.
T-2710	13
AREA	REG.
0280	0

TO:
2.

Georgia Pacific Corporation
P. O. Box 776
Marietta, Georgia 30060

3. Date August 7, 1975

THERE IS NO REQUIREMENT THAT THIS NOTIFICATION BE POSTED.

NOTIFICATION OF PROPOSED PENALTY

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*) not subject to review by any court or agency unless, within 15 working days from the date of receipt of this notification, you submit a notice of contest. The letter of contest should be mailed or otherwise delivered to the Area Director named below at the address shown above. 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 Administration." Payment of penalties should be remitted to the Area Director at the address shown above.

Section 17(l) of the Act states: "Civil penalties owed under this Act shall be paid into the Treasury of the United States and shall be collected as provided 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 7th day of August, 1975, a citation(s) was issued to you in accordance with the provisions of Section 9 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 hereby proposed, based on the citation(s).

5. Non-Serious VIOLATIONS

5A. Citation No.	5B. Item No.	5C. Proposed Penalty
1	1	$25.00
	2	None
	3	None
	4	None
	5	None
	6	None

6. _____ VIOLATIONS

6A. Citation No.	6B. Item No.	6C. Proposed

7. Total Proposed Penalty for All Alleged Violations $ 25 00

Area Director Date
By Joseph L. Camp August 7 19

The proposed penalty for Nonserious Violations of safety and health standards collects a 10 percent adjustment factor for correction to be taken within the period prescribed in the citation. If a particular alleged violation is not corrected within this period, the 10 percent adjustment will be added to such other penalty as may subsequently be proposed for failure to correct a violation within the abatement period. No abatement credit is allowed for violations of recordkeeping or posting requirements.

OSHA 2000-000

Rev.

B 2nd INSPECTION. OCT. - 16, 1975

WE WERE CITED FOR ITEMS # 3 & 4 ON INSPECTION CONDUCTED AUGUST 7, 1975. FINES WERE: #3 - $225.00
#4 - 125.00

ITEM # 3 - ON REINSPECTION WE WERE FOUND GUILTY NOT TAKING THE SAMPLES IN ACCORDANCE TO THE STANDARD REGULATIONS. IN DISCUSSING IT WITH THE INSPECTOR & GEO. FULLER, THE PROPER METHOD WAS REVIEWED, & ADDITIONAL SAMPLING WAS INITIATED & CONTINUED UNTIL APRIL - 1976.

ITEM # 4 - ON REINSPECTION WE WERE TOLD, OUR SIGNS WERE NOT POSTED IN THE CORRECT PLACES. AT THE TIME OF INSPECTION, THE AREAS WERE DESIGNATED & SIGNS WERE PLACED ACCORDINGLY.

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

CASE NO.	DIST.
T-2710	
AREA	ACC.
0280	

1.

TO:
2. Georgia Pacific Corporation
P. O. Box 7 6
Marietta, Georgia, 30060

NOTIFICATION OF FAILURE TO CORRECT ALLEGED VIOLATION AND OF PROPOSED ADDITIONAL PENALTY

On the 3. 7th day of August, 19
citation(s) was (were) issued to you in accordance with the provisions of section 9(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, notifying you of the alleged violations of the Act and the dates by which they were to be corrected.

4. A reinspection conducted on October 16, 1975, disclosed that you have failed to correct the alleged violations specified below within the times prescribed:

5. SERIOUS VIOLATIONS:

5A. Citation No. and Item No.	5B. Number of Days Failed to Correct		5C. Proposed Daily Additional Penalty		5D. Proposed Total Additional Penalty For Failure to Correct

5. NONSERIOUS VIOLATIONS:

5A. Citation No. and Item No.	5B. Number of Days Failed to Correct		5C. Proposed Daily Additional Penalty		5D. Proposed Total Daily Additional Penalty	5E. Previously Allowed Abatement Credit	5F. Proposed Total Additional Penalty For Failure to Correct
1, Item 3	9	X	$25.00	=	$225.00	None	$225.00
Item 4	10	X	$18.50	=	$185.00	None	$185.00
						Total	$410.00

7. Area Director Joseph [illegible] 8. Date October 29

(NOTICE: Additional Important Information On Reverse Side)

The proposed penalty for failure to correct each alleged violation is computed by multiplying a proposed penalty times the number of days the alleged violation remained uncorrected, counting from the prescribed abatement date to the date of reinspection. In the case of nonserious violations, the 50 percent adjustment for timely abatement, which had been deducted in calculating the initial proposed penalty, has been added to the proposed penalty for failure to correct.

Additional penalties may be proposed on a daily basis for each violation that is allowed to continue unabated beyond the date of reinspection appearing on the front of this form. You are to notify the Area Director named on the front of this form of the date and nature of any abatement action which you have taken.

The payment of penalties is to be made by check or money order, payable to the order of "Occupational Safety and Health-Labor". Remit to the Area Director whose address appears on the front of this notification.

YOU ARE FURTHER NOTIFIED that this notification and the penalties, as proposed, shall be deemed to be the final order of the Occupational Safety and Health Review Commission and not subject to review by any court or agency *unless*, within 15 working days from the date of receipt of this notification, you notify in writing the Area Director named on the front of this notification that you intend to contest this notification or the proposed additional penalty before the Review Commission. The Review Commission is an independent agency with authority to issue decisions respecting citations and proposed penalties including this "Notification of Failure to Correct Alleged Violation and of Proposed Additional Penalty".

There is no requirement that this notification be posted.



* U.S. GOVERNMENT PRINTING OFFICE: 1976—733-253/560 3-1

C

THIS INSPECTION OCCURRED ON OCT. 16, 1975. THEY ARE HARD TO READ, & ITS THE ONLY COPY @ MARIETTA. TO THE BEST OF MY KNOWLEDGE WE WERE NOT FINED FOR ANY, & WE COMPLIED WITHIN THE TIME FRAME.

ITEMS "1 & "2 WERE NOT ASBESTOS RELATED.

ITEM # 3. WE FAILED TO INCLUDE LABORAT EMPLOYEES WHEN MONITORING ASBESTOS AS THIS PROGRAM WAS ADDED TO THE OTHER TEST PROGRAMS.

CITATION

T-2710	
0.80	

Citation Number

Page 1 of 1

Section 110-22
National Electrical
Sec. NFPA 70-1
As adopted by
29 CFR 1910.303(a)

29 C.F.R.
1910.1001(j)(4)

Date of employment located at:

and determined

Occupational Safety and Health Act

Code

Safe operation of
by employee to the
tion in the Warehouse.

the purpose of each det
letter or branch
cause of not being
for repair
located at Dry Wa

termination of asbestos
publication of section
the hazard of asbes-

Dec
1935

This law requires
a copy of this
at the

posted in a conspicuous place
ted. The citation must remain
, whichever period is longer.

d of time fixed in this citation for the
submitted, a letter to the U.S. Depart
ployer, before such employee has
or to
any right afforded by the

, but does not release

November 1

Date Issued