

Log 1253

Sec. 8(f) (1) of the Williams-Steiger Occupational Safety and Health Act, 29 U.S.C. 851, provides as follows: Any employees or representative of employees who believe that a violation of a safety or health standard exists that threatens physical harm, or that an imminent danger exists, may request an inspection by giving notice to the Secretary or his authorized representative of such violation or danger. Any such notice shall be reduced to writing, shall set forth with reasonable particularity the grounds for the notice, and shall be signed by the employees or representative of employees, and a copy shall be provided to the employer or his agent no later than at the time of inspection, except that, upon request of the person giving such notice, his name and the names of individual employees referred to therein shall not appear in such copy or on any record published, released, or made available pursuant to subsection (g) of this section. If upon receipt of such notification the Secretary determines there are reasonable grounds to believe that such violation or danger exists, he shall make a special inspection in accordance with the provisions of this section as soon as practicable, to determine if such violation or danger exists. If the Secretary determines there are no reasonable grounds to believe that a violation or danger exists he shall notify the employees or representative of the employees in writing of such determination.

NOTE: Section 11 (c) of the Act provides explicit protection for employees exercising their rights, including making safety and health complaints.

U. S. Department of Labor
Occupational Safety & Health Admin.,
Dallas/Fort Worth Area Office
Central Place, 1425 W. Pioneer Dr.,
Suite 230
Irving, Texas 75061

For Official Use Only		
Date Received	Time	Region
5-1-78	11:00 A.M.	6
Received By	Formal	☐
		☐

The undersigned (check one)

☐ Employee ☐ Representative of Employees ☒ Other (specify) _____

believes that a violation of the following place of employment of an occupational safety or health standard exists which is a job safety or health hazard.

Employer's Name CERTAIN-TEED PRODUCTS CORP.
Employer's Address (Street) HWY. 77 NORTH (City) HILLSBORO
(State) TX. (Zip Code) 76645 Telephone _____

1. Kind of business ASBESTOS PIPE MFG.
2. Specify the particular building or worksite where the alleged violation is located, including address. FINISHING SECTION

3. Specify the name and phone number of employer's agent(s) in charge.

4. Describe briefly the hazard which exists there including the approximate number of employees exposed to or threatened by such hazard.

A MACHINE FINISHES THE END OF THE PIPE AND GUNNERS.
THIS OPERATION IS ENCLOSED WITH AN EXHAUST SYSTEM.
ALTHOUGH THIS OPERATION IS ENCLOSED THE RAPID
OPERATION NULLIFIES THE EFFECENCY OF THE EXHAUST
SYSTEM. THE PACE OF PRODUCTION CAUSES THE ENCLOSURE
TO OPEN TOO SOON AND EMPLOYEES IN THE AREA ARE
EXPOSED TO ASBESTOS DUST AND FUMES

CTD021272

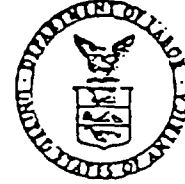
PLAINTIFF'S EXHIBIT

CT-1317

U. S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
DALLAS/FORT WORTH AREA OFFICE
CENTRAL PLACE
1425 WEST PIONEER DRIVE, SUITE 230

IRVING, TEXAS 75061

June 30, 1978



Certain-Teed Products Corporation
Highway 77 North
P.O. Box 403
Hillsboro, TX 76645

Dear Mr. Anderson, Plant Manager:

On May 1, 1978 we received a complaint concerning a health hazard at your workplace in finishing section of your plant on Highway 77 North, Hillsboro, Texas.

The specific nature of the complaint is described on OSHA-7 form (see enclosure).

Based on the information we have it appears that you could expeditiously abate the hazard without the need for an inspection.

We urge that you investigate the alleged condition and make any necessary corrections and/or modifications. Please advise us in writing of what action you have taken within 30 days.

Please note that any action by you in this matter does not remove your establishment from the possibility of an unannounced inspection. In addition, this letter is not a citation or notification of proposed penalty, which is only issued subsequent to an inspection or investigation, undertaken pursuant to sections 8 and 9 of the act.

Your personal support and interest in the safety and health of your employees is appreciated.

Sincerely,

L. A. Warren
for L. A. WARREN
Area Director
Dallas Area Office

CTD021271

CONFIDENTIAL	FILED- #25 SUBJECT COMPLAINT NOTICE FROM OSHA	McGinley Anderson:cc	Hillsboro #257 DATE July 25, 1978
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On Thursday, July 20, a Mr. Kramer of OSHA called me in reference to the complaint. He was very friendly and stated that our counts look good and that they were closing the complaint.

As a matter of interest, he was very favorably impressed that we have an "in house" engineer who is trained and equipped to do the counting.

He would not reveal the source of the complaint, but did state that it was not an employee, competitor nor neighbor.

I believe that this issue is now settled until the unknown person makes another complaint.

Circ. file to
LCA *W* *8/1/78*
JH *JH* *8/4/78*

RECEIVED JUL 28 1978

N

CertainTeed

July 10, 1978

10

J. L. Anderson

Location and mail code

Hillsboro #257

Subject

Complaint Notice from OSHA

From

MDC
M. D. Colins

Location and mail code

VF Corp 1

cc: R. O. Dees VF Corp 1
L. C. Ambler VF P&PG 2B
J. P. McGinley VF P&PG 2B

Jack, as a follow-up to our phone conversation concerning your memo about the complaint notice from OSHA, I would like to make the following comments concerning a response to that complaint.

As OSHA has not indicated a specific piece of equipment which is the basis of the complaint, it is of course, impossible for us to identify exactly what the problem is. Therefore, in view of your belief that your dust readings are very good, your approach of showing OSHA your dust sampling record is valid. I would suggest that you limit the test results that you give to them to the Finishing Department as this is the area which is of concern. Even though the test results for the rest of the plant are good, I feel it is unnecessary to go beyond the Finishing Department for this complaint.

Your expression of concern for the safety of your employees and your efforts to continue in maintaining a work place which is safe and healthy for them is definitely worthy of mention in our response to OSHA.

I hope this complaint can be resolved expeditiously. If you have any other questions, do not hesitate to contact me.

RECEIVED JUL 10 1978



V.F. - Corp.

JERRY D. Collins

Anderson:cc

Hillsboro #257

SUBJECT

DATE

COMPLAINT NOTICE FROM OSHA

July 5, 1978

cc: Mr. John McGinley (w/enc.)

Attached is a copy of a complaint notice from OSHA that I received today. I have also attached my reply to it for your review and approval. I would like to respond to this as quickly as possible.

I believe that this complaint was generated by an outsider because of a number of reasons:

(1) The plant personnel refer to the area as the Finishing Department not Finishing Section.

(2) The complaint refers to the operation as "a machine" whereas an employee would use the word lathe, boring mill, etc.

(3) The end of the pipe and the couplings are finished in different places and on different types of machines. The wording of the complaint indicates to me that the person filing it was unfamiliar with the operation.

The complainant may be a union organizer (Hillsboro is open shop), an employee's wife, or some outsider wanting to "scatter-shot" the industry. In any event, a quick, and complete response will be to our best interest. If my "outsider" theory is incorrect, then we have a morale problem which must be addressed.

Please feel free to make any modifications to my letter that you feel advisable.

Enc.

RECEIVED JUL 6 1978

CTD021270

CertainTeed Corporation
Pipe & Plastics Group
PO Box 403
Highway 77 North
Hillsboro, TX 76645
(817) 582-3461

Draft

CertainTeed 

July 5, 1978

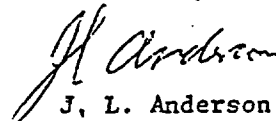
Mr. L. A. Warren
Area Director, Dallas Area Office
U.S. Department of Labor
Occupational Safety and Health Administration
1425 West Pioneer Drive, Suite 230
Irving, Texas 75061

Dear Mr. Warren:

I have received your notice of June 30 reporting a complaint dated May 1, 1978. After reading the complaint, it is difficult to determine exactly which production machine is in question because the end of the pipe is machined one place and the couplings at another. Because of this difficulty, I am submitting our record for the entire plant. These records date from 1971 and you will note that we have been able to make substantial improvements since that time. Our efforts to continue this reduction will go on.

I regret that the unnamed complaining party has seen fit to contact your agency rather than question us directly. We have always considered the health of our employees to be of primary importance and we are dedicated to meet or exceed any recognized limits for the industry. We are always willing to discuss these questions with our employees and certainly do not restrict the data in any way.

Yours very truly,


J. L. Anderson
Plant Manager

JLA:cc

Enc.

CTD021273

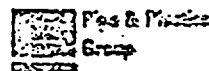
HILLSBORO

DUST SAMPLING RECORDMaterial Analyzed - AsbestosModel SFilter 37 mm Millipore Field Monitor with Filter1.7 L/Min

Mfg. Dept. LOCATION	Test Results - Fibers per Cubic Centimeter or Air							
	Fibers	Date	Fibers	Date	Fibers	Date	Fibers	Date
<u>Loc. M1</u>	3.31	7/8/74	.68	10/28/75				
Fiber unloading	.126	8/6/74	1.88	10/29/75				
	.45	8/8/74	.02	12/3/75				
	.34	2/13/75	.56	3/1/78				
	.28	2/14/75						
	.43	2/17/75						
<u>Loc. M2</u>	<1.0	2/2/71	.07	4/2/76				
Fiber mixing	.61	4/3/73	.26	12/3/75				
	.03	4/3/73	.14	9/20/77				
	1.06	4/17/74	.19	9/26/77				
	1.64	6/11/74						
	1.69	8/1/74						
<u>Loc. M3</u>								
Pipe Machine	.35	7/22/74	.10	4/12/76				
	.24	7/24/74	.12	12/17/76				
	.085	2/20/75	.03	1/23/78				
	.30	4/7/75						

REMARKS:

CTD021274



HILLSBORO
DUST SAMPLING RECORD

Material Analyzed - Asbestos

Model S

Filter 37 mm Millipore Field Monitor with Filter

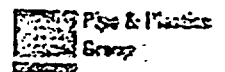
1.7 L/Min

Finishing Dept. LOCATION	Test Results - Fibers per Cubic Centimeter or Air							
	Fibers	Date	Fibers	Date	Fibers	Date	Fibers	Date
<u>Loc. F1</u>								
No. 1 line lathe								
<u>Loc. F2</u>	< 1.0	12/2/71	.26	4/13/76				
	.12	11/16/72	.09	12/3/76				
No. 2 line lathe	.15	11/28/72	.36	10/19/77				
	.11	4/3/73	.09	6/9/73				
	.082	4/1/74						
	.25	7/10/74						
<u>Loc. F3</u>								
No. 3 line lathe	.128	11/10/75						
	.47	3/8/76						
	.08	3/18/77						
	.31	9/16/77						
<u>Loc. F4</u>								
No. 1 FM lathe	.28	4/5/76						
	.30	5/6/77						
	.24	9/27/77						
<u>Loc. F5</u>	.67	11/16/72	.45	12/9/76				
No. 2 FM lathe	.71	11/28/72	.26	2/17/78 *				
	.45	4/3/73						
	.23	11/13/75						
	.16	9/22/76 *						
<u>Loc. F6</u>								
No. 3 FM lathe	.16	9/22/76 *						
	.26	2/17/78 *						

REMARKS:

*Simultaneous

CTD021275



HILLSBORO
DUST SAMPLING RECORD

Material Analyzed - Asbestos

Model S

Filter 37 mm Millipore Field Monitor with Filter

1.7 L/Min

Finishing Dept LOCATION	Test Results - Fibers per Cubic Centimeter or Air							
	Fibers	Date	Fibers	Date	Fibers	Date	Fibers	Date
<u>Loc. F 7</u>								
No. 1								
Boring Mill								
<u>Loc. F 8</u>	.31	4/29/76						
No. 2	.44	3/15/77						
Boring Mill	.75	1/25/78						
<u>Loc. F 9</u>	< 1.0	12/2/71	.49	4/21/76				
	.63	11/16/72	.12	3/16/77				
No. 3	.39	11/28/72	.31	1/26/78				
	.65	4/3/78						
Boring Mill	1.79	10/28/74						
	.86	11/1/74						
<u>Loc. F 10</u>	< 1.0	12/2/71	.13	12/20/76				
	.59	11/16/72	.11	12/3/76				
No. 4	.59	11/28/72	.28	2/1/78				
	.09	4/3/78						
Boring Mill	.28	6/7/74						
<u>Loc. F 11</u>	< 1	12/2/71	.70	6/8/78				
	.33	11/16/72						
Large	.18	4/3/78						
Coupling	.61	3/18/77						
Saw	1.05	9/15/77						
<u>Loc. F 12</u>	.40	11/16/73	1.01	4/19/76	.55	4/20/78		
	.34	4/3/78	.45	1/28/77				
Random	.44	4/9/74	1.8	12/3/76				
Saw			.88	10/26/77				

REMARKS:

CTD021276

HILLSBORO
DUST SAMPLING RECORD

Material Analyzed - Asbestos

Model S

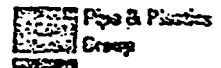
Filter 37 mm Millipore Field Monitor with Filter

1.7 L/Min

Finishing Dept. LOCATION	Test Results - Fibers per Cubic Centimeter or Air							
	Fibers	Date	Fibers	Date	Fibers	Date	Fibers	Date
<u>Loc. F13</u>	.39	10/29/75						
	.34	12/13/76						
Coupling	.18	12/3/76						
Cut-off machine	.17	9/22/77						
<u>Loc. F14</u>			.31	2/13/78				
Lift-truck (60)	.15	6/19/74						
	.08	9/23/76						
<u>Loc. F15</u>								
North aisle area	.125	3/19/75						
	.24	4/7/75						
	.08	12/16/76						
	.17	2/14/78						
<u>Loc. F 16</u>								
Fittings area	.04	10/18/77						
<u>Loc. F 17</u>								
Tray Unloading	.08	2/21/78						
<u>Loc. F 18</u>								
Coupling Tester	.47	3/2/78						

REMARKS:

CTD021277



HILLSBORO
DUST SAMPLING RECORD

Material Analyzed - Asbestos

Model S

Filter 37 mm Millipore Field Monitor with Filter

1.7 L/Min

SHIPPING DEPT. LOCATION	Test Results - Fibers per Cubic Centimeter or Air							
	Fibers	Date	Fibers	Date	Fibers	Date	Fibers	Date
<u>Loc. S1</u>								
Dump Truck	.30	4/19/74						
	.05	3/18/77						
<u>Loc. S2</u>								
Crusher	.26	4/3/73	.15	2/23/78				
	.13	7/22/76						
	.19	12/3/76						
<u>Loc. S3</u>								
Truck Loading	.02	4/3/73						

REMARKS:

CTD021278

FBI & EPA
Asbestos Group

HILLSBORO
DUST SAMPLING RECORD

Material Analyzed - Asbestos

Model S

Filter 37 mm Millipore Field Monitor with Filter

1.7 L/Min

LOCATION	Test Results - Fibers per Cubic Centimeter or Air							
	Fibers	Date	Fibers	Date	Fibers	Date	Fibers	Date
Loc. E1	.21	4/3/73	.71	4/9/76				
	.82	4/3/73						
Epoxy	.35	4/24/74	1.46	3/17/77				
Cleaning			.51	1/27/78				
Station								

REMARKS:

CTD021279

 Department of the Environment and Natural Resources
Paco & Associates
Group

DUST SAMPLING RECORD

Material Analyzed - Asbestos

Model S

Filter 37 mm Millipore Field Monitor with Filter

1.7 L/Min

LOCATION	Test Results - Fibers per Cubic Centimeter or Air							
	Fibers	Date	Fibers	Date	Fibers	Date	Fibers	Date
Conference Room	-0-	3/9/78						

REMARKS:

CTD021280

 U.S. Environmental Protection Agency
EPA Group

May 78 OSHA Complaint