PLAINTIFF'S
EXHIBIT
GF-1185

U.S. DEPARTMENT OF LABOR
OFFICE OF THE REGIONAL SOLICITOR
3535 MARKET STREET, ROOM 14480
PHILADELPHIA, PENNSYLVANIA 19104
215-596-1126

February 11, 1977

Mr. W. Fassuliotis
Director, Safety and Health
GAF Corporation
1361 Alps Road
Wayne, NJ 07470

Re: Marshall v. GAF Corporation
OSHRC Docket No. 76-3747, Region III, (SOL No. 1034)

Dear Mr. Fassuliotis:

Enclosed herewith is the original and three copies of the Stipulation and Settlement Agreement in the above matter. If it meets with your approval, please execute and return it to me in order that I may file it with the Review Commission.

Very truly yours,

Marshall H. Harris
Regional Solicitor

Enclosure - Stipulation and Settlement Agreement

cc: The Honorable William E. Brennan

Mr. Christopher Wallen
SOL:MJR:kms

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

UNITED STATES OF AMERICA

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

RAY MARSHALL, SECRETARY OF LABOR, UNITED STATES DEPARTMENT OF LABOR, Complainant,	
v.	OSHRC DOCKET NO. 76-3747
GAF CORPORATION, Defendant.	REGION III

STIPULATION AND SETTLEMENT AGREEMENT

Complainant, Ray Marshall, Secretary of Labor, United States Department of Labor, by his attorneys, and Respondent, GAF Corporation, by its Director of Safety and Security, in accordance with the provisions of Rule 100 of the Rules of Procedure of the Occupational Safety and Health Review Commission (29 CFR 2200.100), hereby stipulate and agree as follows:

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respect to items 1 and 2 of Citation No. 1 and items 1 and 11 of Citation No. 2, as amended by this Stipulation and Settlement Agreement.

4. Respondent certifies that the conditions which are the subjects of the items listed in paragraph 3 have been abated, or will be abated within the period allowed in the Citations. Such period shall be equal to the number of days from the issuance date of the Citation and the abatement date on the Citation and it shall begin to run upon the filing of this Stipulation and Settlement Agreement.

5. Respondent agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act and the safety and health standards issued pursuant to the Act in the future.

6. Within fourteen days of the filing of this Stipulation and Settlement Agreement, Respondent shall forward its certified check made payable to OSHA-LABOR in the amount of $650 which constitutes full payment of the proposed penalties, as amended, to Marshall Harris, Regional Solicitor, Region III, U. S. Department of Labor, Room 14480, 3535 Market Street, Philadelphia,

Pennsylvania 19104. Any penalties due for items of the Citation not included in Respondent's Notice of Contest shall be forwarded to the Area Director, Pittsburgh Area Office, directly.

7. Respondent certifies that it has served a copy of this Stipulation and Settlement Agreement upon Christopher J. Wallen, President UPIV Local 1281, 167 East 37th Street, Erie, Pennsylvania 16504, and that it has posted a copy of the same in the space normally reserved for announcements at its Erie, Pennsylvania Plant.

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8. The parties agree that the Citations, as amended by this Stipulation and Settlement Agreement, shall be deemed to be final orders of the Occupational Safety and Health Review Commission.

Alfred G. Albert
Acting Solicitor of Labor

Marshall H. Harris
Regional Solicitor

Matthew J. Rieder
Attorney

UNITED STATES DEPARTMENT OF LABOR

Attorneys for Complainant.

GAF Corporation

BY:

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