

U.S. DEPARTMENT OF LABOR

OFFICE OF THE REGIONAL SOLICITOR
3535 MARKET STREET, ROOM 14480
PHILADELPHIA, PENNSYLVANIA 19104
215-596-1126



RECEIVED

NOV 28 1977

November 22, 1977

JEFFREY E. SILVER

The Honorable William E. Brennan
Occupational Safety and Health
Review Commission
Presidential Building
6525 Belcrest Road, Suite 1005
Hyattsville, MD 20782

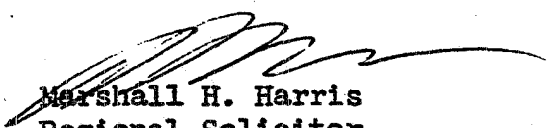
Re: NL Industries, Inc. v. Marshall
OSHRC Docket No. 77-2539, Region III (SOL No. 2053)

Dear Judge Brennan:

Enclosed herewith please find the original of the Secretary's Motion to Withdraw Respondent's Objection to the Requested Extension of Abatement.

As shown on the Certificate of Service attached thereto, a copy of the Motion has this day been forwarded to the Petitioner.

Respectfully yours,


Marshall H. Harris
Regional Solicitor

Enclosure - Original of Motion
SOL:HKA:raj

cc: ✓ Jeffrey E. Silver, Esquire - NL Industries, Inc.
George P. Smigo, President - Local 2568 - IAMAW

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

N 27288

UNITED STATES OF AMERICA

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

NL INDUSTRIES, INC., :

Petitioner, : OSHRC DOCKET
NO. 77-2539

v. :

RAY MARSHALL, SECRETARY OF LABOR, :
UNITED STATES DEPARTMENT OF LABOR, :

REGION III

Respondent.

MOTION TO WITHDRAW RESPONDENT'S OBJECTION
TO THE REQUESTED EXTENSION OF ABATEMENT

Respondent, Ray Marshall, Secretary of Labor, United States Department of Labor, by his attorneys, files this Motion to Withdraw the Objection filed heretofore to Petitioner's request that the final date for abatement herein be extended to March 22, 1978 and in so doing, represents as follows:

1) Following the pretrial hearing held on Monday, November 14, 1977, Respondent, on review of the record herein, and in consultation with the union representing employees herein, has determined that Petitioner has met all criteria required for the

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extension of abatement to March 22, 1978 and that the union has no objection to that requested extension of abatement.

WHEREFORE, Respondent respectfully requests that its objection filed heretofore to the requested extension of abatement be withdrawn.

Post Office Address:

Marshall H. Harris
Regional Solicitor
U. S. Department of Labor
14480 Gateway Building
3535 Market Street
Philadelphia, PA 19104
(215) 596- 1126

/s/ Carin Ann Clauss
Carin Ann Clauss
Solicitor of Labor

/s/ Marshall H. Harris
Marshall H. Harris
Regional Solicitor

/s/ Howard K. Agran
Howard K. Agran
Attorney

UNITED STATES DEPARTMENT OF LABOR

Attorneys for Respondent.

CERTIFICATE OF SERVICE

I, Howard K. Agran, hereby certify that I served the Secretary's Motion to Withdraw Respondent's Objection to the Requested Extension of Abatement, by mailing true and correct copies thereof, in a government envelope, postage prepaid, by certified mail, return receipt requested, to the following:

Jeffrey E. Silver, Esquire
NL Industries, Inc.
Office of General Counsel
1230 Avenue of the Americas
New York, NY 10020

George P. Smigo, President
Local 2568
IAMAW
2635 Belgrade Street
Philadelphia, PA 19125

Dated: November 22, 1977

/s/ Howard K. Agran
Howard K. Agran
Attorney

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