

MEMORANDUM

TO : J. F. Hengst

DATE : November 2, 1984

FROM : J. G. Pringle

SUBJECT : Summary of OSHA Inspection Stemming From a Complaint

COPIES TO : A. N. Beasley, R. F. Brown, T. E. Burns, P. D. Folzenlogen, G. F. Mayness,
T. C. Nethery, H. G. Tipton, and File

At approximately 9:00 a.m. on October 30, 1984, Mr. Alex F. Gimble, industrial hygienist representing the U.S. Department of Labor's OSHA area office in Irving, Texas, arrived in the TEX employment office and requested to see Don Pringle. Mr. Gimble stated that the nature of his visit was to investigate a complaint of an individual who wished to remain anonymous. The complaint alleged that employees of TEX and several subcontractors are being exposed to asbestos in areas where maintenance is being done such as Bldg. 25 where dismantlement is going on and asbestos is accumulating in the area and is being dispersed in work areas (See Attachment 1). He did not know if the complainant was an employee of Eastman or a contractor.

An opening conference was held with Mr. Gimble in accordance with SAP 700-10. A. R. Hengst, T. E. Burns, A. N. Beasley, H. G. Tipton, and Don Pringle were present and Mr. Gimble acknowledged receipt of the letter required by the procedure (See Attachment 2). Don Pringle was designated as escort to accompany Mr. Gimble throughout his visit. Mr. Gimble stated that the visit would be limited to a health inspection relating to the complaint and he indicated that he would be in the plant no longer than two days. Mr. Gimble requested information on several subjects. These included review of TEX health and safety programs as they relate to employee health and protection, physical examinations, wording of contracts regarding spelling out contractor's responsibilities to safety and health requirements, TEX information provided contractors regarding hazardous materials such as asbestos, and protective methods used by contractors and TEX while stripping, handling, and disposal of asbestos materials is in progress. He asked if TEX has done any monitoring of contractor's exposures to asbestos. He was advised that we have not monitored contractor's employees and our policy is that we will not monitor their exposures. The contractor is responsible for determining their employee exposures and providing protective equipment. At Mr. Gimble's request, excerpts from TEX contracts with Cleveland Wrecking was provided to him showing wording regarding responsibilities to safety and health requirements (See Attachment 3).

Upon arrival at Building 25 area, Mr. Gimble interviewed Ed Wood of TEX Capital Programs group, Don Carmichael of Brown and Root supervision, and Hans Beyer of Cleveland Wrecking supervision. He also interviewed Jimmy Starnes, Harry Buckner, and Marcus Hulen who are Cleveland Wrecking employees. It was explained to him that the demolition at Bldg. 25 is under the direction of Cleveland Wrecking. Brown and Root pipefitters work in the area but do not go into areas where demolition is in progress as they work with asbestos. During the interviews with TEX and Cleveland Wrecking personnel, Mr. Gimble asked questions regarding the type and use of protective clothing and equipment, training in its use, employee clean-up facilities, type of asbestos, etc.

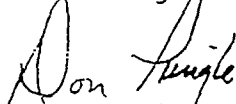
November 2, 1984

and length of time on the TEX project. He also observed all areas where demolition is in progress and noted how the areas where asbestos is present are designated by barricade tape and signs with asbestos hazard warnings, how the asbestos insulation is wetted to prevent dust, packaging into marked plastic bags, loading into the dumpster, and how protective clothing and equipment is worn. Upon his request, Mr. Gimble was provided with photographs documenting his observations.

On October 31, 1984, Mr. Gimble returned for the purpose of monitoring Cleveland Wrecking employee exposures to asbestos. He placed a personal monitor on an employee working in Plant 1 and an employee working in Plant 2 areas. The dust monitors were left on the employees for the duration of the shift (7:15 a.m. to 2:45 p.m.). During the day he reviewed OSHA accident and illness summaries maintained by both Cleveland Wrecking and TEX (1982 to present) and was provided upon request TEX man hours worked during the years 1982 to present.

A closing conference was held with Ben Wilson and Hans Geyer of Cleveland Wrecking at the end of the shift. A citation was issued to Cleveland Wrecking on the basis that Cleveland Wrecking did not perform initial monitoring in the work area to determine employee exposures as required by the OSHA regulations on asbestos. Mr. Gimble stated that the outcome of the monitoring that he conducted would determine if additional citations will be issued. It will take approximately three weeks to obtain the results of the monitoring from the OSHA laboratory in Salt Lake City. He will advise TEX of the results also. A closing conference was not requested with TEX. No citations were issued to TEX nor did Mr. Gimble indicate any noncompliance problems with OSHA regulations during the inspection.

A de-briefing conference was held with A. N. Beasley, P. D. Folzenlogen, A. R. Hengst, T. O. Nethery, J. F. Magness, and H. G. Tipton following Mr. Gimble's departure. A summary of the inspection was presented by Don Pringle. During the meeting it was suggested that TEX personnel who are assigned to Building 25 area be monitored for asbestos exposures although they may not be involved in the demolition activities. This monitoring is scheduled to be done November 2, 1984.


Don Pringle

jm

1. Complaint Number

70561319

Employer Name

TEXAS EASTMAN COMPANY

Location (Street, City, State, Zip)

KODAK BLVD. AT ESTES DRIVE

LONGVIEW, TX 75607

Mailing Address (If different) (Street, City, State, Zip)

P.O. BOX 7444

LONGVIEW, TX 75607

Management Official

6. Telephone Number

(214) 236-5000

Line of Business

MFG. CHEMICALS

Hazard Description: Describe briefly the hazard(s) which you believe exist. Include the approximate number of employees exposed to or threatened by each hazard:

1. EMPLOYEES OF TEXAS EASTMAN AND OF SEVERAL SUBCONTRACTORS ARE BEING EXPOSED TO ASBESTOS FIBERS IN AREAS WHERE MAINTENANCE WORK IS BEING DONE SUCH AS IN UNIT 25 WHERE UNITS ARE BEING DISMANTLED AND ASBESTOS IS ACCUMULATING IN THE AREA AND ASBESTOS FIBERS BEING DISPERSED IN WORK AREAS OF EMPLOYEES (THROUGHOUT PLANT AREAS).

(214) 259-6683
Metro: 251-1786



ALEX F. GIMBLE
Industrial Hygienist

U.S. Department of Labor
Occupational Safety & Health Administration
1425 W. Pioneer Drive
Irving, Texas 75061

FTS: 729-5347

TEXAS EASTMAN COMPANY
DIVISION OF EASTMAN KODAK COMPANY

VISITOR'S PASS

NAME (PLEASE PRINT) Alex F. Gimble		DATE ISSUED 10-30-84
FIRM U.S. Dept. of Labor, OSHA		EXPIRES 10-31-84
IS AUTHORIZED TO ENTER General Plant Area		
AUTHORIZED BY <i>[Signature]</i>	ISSUED BY <i>[Signature]</i>	
PASS MUST BE SURRENDERED TO GUARD OR RECEPTIONIST UPON LEAVING PLANT		
IN CONSIDERATION OF TEXAS EASTMAN COMPANY'S GRANTING TO ME PERMISSION TO ENTER ITS PLANT AND FOR OTHER GOOD AND VALUABLE CONSIDERATION, THE RECEIPT OF WHICH I HEREBY ACKNOWLEDGE, I, THE UNDERSIGNED, DO HEREBY COVENANT, WARRANT AND AGREE THAT TEXAS EASTMAN COMPANY SHALL NOT BE LIABLE UNDER ANY CIRCUMSTANCES, WHETHER OF NEGLIGENCE OF EMPLOYEE OR OTHERWISE, FOR ANY INJURY, LOSS OR DAMAGE SUFFERED BY ME WHILE ON THE PREMISES.		
No 35407	SIGNED: <i>Alex F. Gimble</i>	

SEE 104 (1-76)

NO SMOKING INSIDE PLANT

Location: Specify the particular building or worksite where the alleged violation exists:

RECEIVED

OCT 26 1984

ATTACHMENT 2

1980  1984

A 100-year start on tomorrow.

To: Compliance Officer

Welcome to Texas Eastman Company. Please advise us of any way we can aid you in conducting your inspection in accordance with the applicable law and regulations.

Texas Eastman Company is concerned, as are most chemical companies, that proprietary information concerning our manufacturing processes and equipment not be disclosed outside our Company. For this reason we hereby notify you, as provided by law, that all areas in our establishment contain or might reveal a trade secret. We request that all information obtained in such areas, including all negatives and prints of photographs, and environmental samples, be labeled "confidential-trade secret" and not disclosed unless in accordance with exceptions contained in the law and regulations.

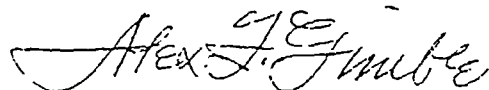
We would appreciate any cooperation you might give us in trying to arrange photographs in a manner so as not to disclose any items which might be regarded as trade secrets. We will be glad to assist by having our plant photographer take any necessary photographs for you. Also, in some areas of our plant, the taking of photographs constitutes a serious hazard. Please consult with your escort before taking any such photographs, so that recognized hazards can be avoided.

Yours very truly,

TEXAS EASTMAN COMPANY


Vice President

Receipt of Copy Acknowledged



Alex F. Gimble
Compliance Officer

October 30, 1984
Date

U. S. Department of Labor,
Occupational Safety & Health Administration
Name of Government Agency or Department

MEMORANDUM

TO File DATE November 27, 1984

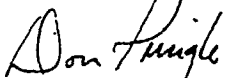
FROM D. G. Pringle

SUBJECT Results of OSHA Asbestos Monitoring on Cleveland Wrecking Employees

COPIES TO A. N. Beasley, R. F. Brown, T. E. Burns, P. D. Folzenlogen,
A. R. Hengst, J. F. Magness, T. O. Nethery, H. G. Tipton, and E. M. Wood

On November 20, 1984, Mr. Alex Gimble of the OSHA area office in Irving, Texas, called me and requested that the results of exposure monitoring on Cleveland Wrecking be transmitted to Mr. Ben Wilson of Cleveland Wrecking. Two samples collected by Mr. Gimble on November 13, 1984, revealed employee exposures to airborne asbestos was 0.029 fibers per cubic centimeter of air and 0.081 fibers per cubic centimeter of air averaged over an 8-hour period. These levels are well below current OSHA exposure limits of 2 fibers per cubic centimeter of air. Mr. Gimble stated that no citations or further communication would be forthcoming.

This information was given to Mr. Wilson in a meeting with Del Knox of Capital Programs on November 20, 1984.


D. G. Pringle

sjw

bc: Mr. Ben Wilson
Cleveland Wrecking

Citation and Notification of Penalty

Dallas Area Office
Central Place, 1425 W. Pioneer Dr., Suite 230
Irving, Texas 75061-7181

OTHER	1
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The violation(s) described in this Citation are alleged to have occurred on or about the day the inspection was made unless otherwise indicated within the description given below.

3. Issuance Date 11/13/84	4. Inspection Number 1442060
5. Reporting ID 626300	6. CSHO ID G1159
7. Optional Report No. 330	8. Page No 1 of 1

10. Inspection Date(s):

10/30-31/84

11. Inspection Site:

Kodak Blvd. at Estes St.
Longview, TX 75607

9. To: Cleveland Wrecking Co.
and its successors
1400 Harrison Avenue
Cincinnati, OH 45214

Attn: Mr. Marvin Rose, Pres.

THE LAW REQUIRES that a copy of this Citation be posted immediately in a prominent place at or near the location of the violation(s) cited below. This Citation must remain posted until the violations cited below have been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

This Citation describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed below are based on these violations. You must abate the violations referred to in this Citation by the dates listed below and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and penalty you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. (See the enclosed booklet which outlines your rights and responsibilities and should be read in conjunction with this form.) You are further notified that unless you inform the Area Director in writing that you intend to contest the Citation or proposed penalties within 15 working days after receipt, this Citation and the proposed penalties will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency. Issuance of this Citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless the Citation is affirmed by the Review Commission.

12. Item Number	13. Standard, Regulation or Section of the Act Violated	14. Description	15. Date by Which Violation Must Be Abated	16. Penalty
1	29 CFR 1910.1001(f)(1):	Initial monitoring was not conducted in a manner to determine whether every employee's exposure to airborne asbestos fibers is below the prescribed limits:	12/20/84	\$ 0
		(a) Initial monitoring was not conducted for airborne asbestos in connection with demolition activities in area 25 of Texas Eastman Company, Longview, Texas. Approximately 30 employees potentially exposed.		

*OSHA monitoring for asbestos 0.029 fibers/cc
0.081 fibers/cc
per Air Sample
11/20/84*

cc: Texas Eastman Company
P. O. Box 7444
Longview, TX 75607
Attn: Mr. Ben Wilson, Job Supt.

17. Area Director
J. T. KNORPP

NOTICE TO EMPLOYEES — The law gives an employee or his representative the opportunity to object to any abatement data set for a violation if he believes the data to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and penalty.

EMPLOYER DISCRIMINATION UNLAWFUL — The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he has been discriminated against may file a complaint no later than 30 days after the discrimination with the U.S. Department of Labor Area Office at the address shown above.

EMPLOYER RIGHTS AND RESPONSIBILITIES — The enclosed booklet outlines employer rights and responsibilities and should be read in conjunction with this notification.

CITATION AND NOTIFICATION OF PENALTY

Penalty
Area Office
Within
Days of
Receipt
of This
Notice
Unless
Contest
(See
enclosed
Booklet)

Ins. S.
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18. SXX

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Citations

Response to Request No. 4