

12:24
P. O. Box 2027
Tyler, Texas 75710-2027
Tel: (903) 882-5511

Tyler Pipe

Subsidiary of
Tyler Corporation

1910
WHA
PLAINTIFF'S
EXHIBIT

TPI-134

TELECOPIER COVER LETTER

DATE: 10/27/92
TIME STARTED: 12:05

Please deliver the following pages to:

COMPANY Guilmond # 4880
CITY & STATE Souderton PA. 18964
NAME Skip or Martha Guilmond
TELECOPIER NBR. (215) 721-4878
FROM Charles Guilmond

Tyler Pipe Telecopier number 1-903-882-9518 (Medical & Safety Dept.)

WE ARE TRANSMITTING 11 PAGES, INCLUDING THIS COVER LETTER. IF TRANSMISSION IS INCOMPLETE, CALL THE FOLLOWING NUMBER. 1-903-882-5511, EXT. 2227.

Charles
OPERATOR'S NAME

2226
EXT. NBR.

CONFIRMATION REQUESTED?

YES ☒ NO ☐



G 00026

U.S. Department of Labor
Occupational Safety and Health Administration

Citation and Notification of Penalty
US Department of Labor - OSHA
8344 East R.L. Thornton Fwy.
Suite 420
Dallas, TX 75222

Serious	01
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To:
Tyler Pipe Industries
and its successors
P.O. Box 3027
Tyler, TX 75710

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

11. Inspection Site
HWY 69 North
Swan, TX 75706

2. Insured Date	10/08/92
3. Reporting ID	0626390
7. Optional Report No.	171

10. Inspection Dates
04/14/92 - 05/26/92

NOTICE
It is required that a copy of this citation be posted for each item not listed in the citation. Failure to post a copy of this citation may result in a fine.

THE LAW REQUIRES that a copy of this Citation be posted immediately in a prominent place at or near the location of 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 contested 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. Penalties
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The employer is not limited to abatement methods suggested by OSHA, i.e., methods explained are general and may not be effective in all cases. Other methods of abatement may be equally or more appropriate. Ultimate responsibility for determining the most appropriate abatement method rests with the employer, given its superior knowledge of the specific conditions on its work-site.

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

29 CFR 1910.22(c)(1) Covers and guardrails were not provided to protect personnel from the hazards of open bucket elevator shaft, approximately 17 feet deep:

a. North plant, 234 machine.

Area Safety
Upon Receipt

17. Area Director
DEAN McDANIEL

G 00027

NOTICE TO EMPLOYEES — The law gives an employee or his representative the opportunity to object to any abatement date set for a violation if he believes the date 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. It should be read in conjunction with this notification.

ORIGINAL

CITATION AND NOTIFICATION OF PENALTY

U.S. Department of Labor
Occupational Safety and Health Administration

Citation and Notification of Penalty
U.S. Department of Labor - OSHA
3344 East R.L. Thornton Frwy.
Suite 420
Dallas, TX 75233

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.

2. Issuance Date	10/08/92
3. Reporting ID	0626300
7. Optional Report No.	171

SECTION	01
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12. Inspection District:

04/14/92 - 0626300

11. Inspection Site:

HWY 69 North
Swan, TX 75706

1. To:

Tyler Pipe Industries
and its successors
P.O. Box 3627
Tyler, TX 75710

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

This Citation describes violation(s) of the Occupational Safety and Health Act of 1970. The penalty(ies) listed below are based on these violation(s). You must abate the violation(s) 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 letter.) 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 contested 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

25 CFR (1910.106(e)(5)(ii)): Class 1 flammable liquids were dispensed into containers without electrically interconnecting the nozzle and the containers.

15. NW corner, Hub Core Drum Storage 345 pound drum of Isocure 1000, 1,1,1-trichloroethylene, was not grounded nor bonded.

The following alleged violations have been grouped because they involve similar or related hazards that may increase the potential illness.

35 CFR (1910.1000(c)): Employee(s) were exposed to respirable crystalline silica listed in Table Z-3 in excess of the calculated PEL as an 8-hour Time Weighted Average concentration:

16. Impact Millroom, large grinding booth, evening shift, an employee was exposed to respirable crystalline silica at an 8 hour time weighted average concentration of 1.336 mg/m³ which is 3.7 times the calculated PEL of 0.357 mg/m³. The 8 hour time weighted average

G 00028

17. Area Director

DEAN McDANIEL

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ORIGINAL

CITATION AND NOTIFICATION OF PENALTY

ORIGINAL

U.S. Department of Labor
Occupational Safety and Health Administration

Citation and Notification of Penalty
U.S. Department of Labor - OSHA
2344 East R.L. Thornton Fwy.,
Suite #20
Dallas, TX 75228

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.

1. Citation Number	2. Inspection Date
3. Violation Code	4. Reporting ID
5. Citation Date	6. Optional Report No.
7. Inspection Date	8. Inspection Date

1. Citation Number	2. Inspection Date
3. Violation Code	4. Reporting ID
5. Citation Date	6. Optional Report No.
7. Inspection Date	8. Inspection Date

10. Inspection Date
04/14/92 - 04/26/92

11. Inspection Site:

HWY 69 North
Swan, TX 75706

12. To:

Tyler Pipe Industries
and its successors
P.O. Box 3027
Tyler, TX 75710

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). This Citation must remain posted until the violation(s) 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 the violation(s) described above 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 of this Citation and the proposed penalties will become a final order of the Occupational Safety and Health Review Commission and compliance is required by 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.

13. Item Number

14. Standard, Regulation or Section of the Act Violated

15. Description

concentration was calculated on the 445 minute sample taken on 5/14/92. Zero exposure was assumed for the remaining 35 minutes.

(b) Impact Millroom, large grinding booth, evening shift, an employee was exposed to respirable crystalline silica at an 8 hour time weighted average concentration of 0.777 mg/m³ which is 1.4 times the calculated PEL of 0.556 mg/m³. The 8 hour time weighted average concentration was calculated on the 445 minute sample taken on 5/14/92. Zero exposure was assumed for the remaining 35 minutes.

(c) Air Set Core Room, 250 machine, day shift, the operator was exposed to respirable crystalline silica at an 8 hour time weighted average concentration of 0.540 mg/m³ which is 2.48 times the calculated PEL of 0.217 mg/m³. The 8 hour time weighted average concentration was calculated on the 476 minute sample taken on 6/10/92. Zero exposure was assumed for the remaining 4 minutes.

(d) Air Set Core Room, 250 machine, day shift, the operator helper was exposed to respirable crystalline silica at an 8 hour time weighted average concentration of 0.453 mg/m³. The 8 hour time weighted average

17. Area Director

DEAN McDANIEL

G 00029

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ORIGINAL

CITATION AND NOTIFICATION OF PENALTY

U.S. Department of Labor
 Occupational Safety and Health Administration

Citation and Notification of Penalty
 U.S. Department of Labor - OSHA
 234- East R.L. Munton Frwy.
 Suite 420
 Dallas, TX 75223

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.

2. Issuance Date	10/08/92
3. Reporting ID	0626300
7. Optional Report No.	171

12. Inspection Date

04/16/92 - 05/04/92

11. Inspection Site

 HWY 69 North
 Swan, TX 75706

a. To

Tyler Pipe Industries
 and its successors
 P.O. Box 3027
 Tyler, TX 75710

THE LAW REQUIRES that a copy of this Citation be posted immediately in a prominent place at or near the location of violation(s) and that the 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 the violations described above. 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, the Citation and the proposed penalties will become a final order of the Occupational Safety and Health Review Commission and may be enforced 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

1. Contamination was calculated on the 470 minute sample taken on 6/10/92. Zero exposure was assumed for the remaining 10 minutes.

20

25 CFR 1910.1000(a): Feasible administrative or engineering controls were not determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000 (a) through (d):

1. Air Set Core Room, 250 machine, day shift, the operator was exposed to respirable crystalline silica at an 8 hour time weighted average concentration of 0.540 mg/m³ which is 2.48 times the calculated PEL of 0.217 mg/m³. The 8 hour time weighted average concentration was calculated on the 476 minute sample taken on 6/20/92. Zero exposure was assumed for the remaining 4 minutes.

2. Air Set Core Room, 250 machine, day shift, the operator helper was exposed to respirable crystalline silica at an 8 hour time weighted average concentration of 0.453 mg/m³ which is 2.59 times the calculated PEL of 0.175 mg/m³. The 8 hour time weighted average concentration was

10/11/92

G 00030

17. Area Director

DEAN McDANIEL

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ORIGINAL

CITATION AND NOTIFICATION OF PENALTY

OSHA 100

U.S. Department of Labor
Occupational Safety and Health Administration

Citation and Notification of Penalty
US Department of Labor - OSHA
3344 East R.L. Thornton Fwy.
Suite 420
Dallas, TX 75225

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	10/08/92
4. Reporting ID	0626309
7. Optional Report No.	171

Serious	01
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10. Inspection Dates

04/14/92 - 05/24/92

11. Inspection Site

HWY 69 North
Swan, TX 75706

12. To:

Tyler Pipe Industries
and its successors
P.O. Box 3027
Tyler, TX 75710

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.

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12. Item Number

13. Standard, Regulation or Section of the Act Violated

14. Description

calculated on the 470 minute sample taken on 6/10/92. Zero exposure was assumed for the remaining 10 minutes.

General methods of control applicable in these circumstances include, but are not limited to the following:

1. Increased local exhaust ventilation.
2. Improved work practices.

G 00031

17. Area Director

JEAN McDANIEL

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ORIGINAL

CITATION AND NOTIFICATION OF PENALTY

U.S. Department of Labor
Occupational Safety and Health Administration

Citation and Notification of Penalty
US Department of Labor - OSHA
8344 East R.L. Thornton Frwy.
Suite 420
Dallas, TX 75229

1. Citation Number	2. Citation Code
02	02

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	4. Standard Number
10/20/92	1000000000
5. Reporting ID	6. OSHA Case Number
0624300	
7. OSHA Report No.	8. OSHA Report Date
171	11/1/92

9. Inspection District:

04/14/92 - OSHA-NE

11. Inspection Site:

HWY 69 North
Swan, TX 75706

12. Item Number

Tyler Pipe Industries
and its successors
P.O. Box 3027
Tyler, TX 75710

13. Standard, Regulation or Section of the Act Violated	14. Description

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

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12. Item Number	13. Standard, Regulation or Section of the Act Violated	14. Description	15. Date of Violation	16. Date of Inspection
1	29 CFR 1910.1200(f)(5)(1): The employer did not ensure that each container of hazardous chemicals in the workplace was labeled, tagged or marked with the identity of the hazardous chemical(s) contained therein:	The employer is not limited to abatement methods suggested by OSHA, i.e., methods explained are general and may not be effective in all cases. Other methods of abatement may be equally or more appropriate. Ultimate responsibility for determining the most appropriate abatement method rests with the employer, given its superior knowledge of the specific conditions on its worksite. The violation(s) described in this citation are alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below each violation. a. Production finishing building, dip tanks were not labeled.		

17. Area Director

DEAN MCDANIEL

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CITATION AND NOTIFICATION OF PENALTY

ORIGINAL

G 00032

U.S. Department of Labor
Occupational Safety and Health Administration

Citation and Notification of Penalty

US Department of Labor - OSHA
5344 East R.L. Thornton Fwy.
Suite 420
Dallas, TX 75228

1. Issuance Date	4. Inspection Number
10/20/92	1020222
2. Reporting ID	3. Violation Code
0424300	171
7. Optional Report No.	8. Inspection Date
	04/14/92 - 05/01/92

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

1. Citation Number	2. Citation Code
	02

9. To

Tyler Pipe Industries
and its successors
P.O. Box 3027
Tyler, TX 75710

HWY 69 North
Swan, TX 75706

THE LAW REQUIRES that a copy of this Citation be posted immediately in a prominent place at or near the location of violation(s) cited. The 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 challenged 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	16. Initials
2	29 CFR 1910.1200(h):	Employees were not provided information and training as specified in 29 CFR 1910.1200(h)(1) and (2) on hazardous chemicals in their work area at the time of their initial assignment and whenever a new hazard is introduced into their work area:		
	(a) Impact Millroom, several employees interviewed were not aware that they worked with silica or knew the hazards associated with silica.			
	(b) Isocure Machines, employees filling isocure machines with triethylamine was not aware of the hazards associated with this gas or even if the gas was hazardous.			
	(c) Cement Lining Building, employee painting with red oxide paint was not provided hazard communication training associated with the paint she was using.			
G 00033				

7. Area Director

DEAN MCDANIEL

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ORIGINAL

CITATION AND NOTIFICATION OF PENALTY

U.S. Department of Labor
Occupational Safety and Health Administration

Citation and Notification of Penalty
US Department of Labor - OSHA
8344 East R.L. Thornton Frwy.
Suite 420
Dallas, TX 75228

2. Issuance Date	10/21/92
3. Reporting ID	0626300
7. Optional Repeat No.	171

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.

Other	03
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10. Inspection District:

04/14/92 - OSHA-102

11. Inspection Site:

HWY 69 North
Swan, TX 75706

12. To:

Tyler Pipe Industries
and its successors
P.O. Box 3027
Tyler, TX 75710

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This Citation describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed below are based on the violations described above 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 of 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

The following alleged violations have been grouped because they involve similar or related hazards that may increase the potential illness.

1a

29 CFR 1910.1000(a)(2): Employee(s) were exposed to an airborne concentration of coal tar pitch volatiles listed in Table Z-1-A (Transitional Limits column) in excess of 0.20 mg/m3 an 8-hour Time Weighted Average concentration:

(a) South Plant, shakeout area JJR11, the shakeout man on the evening shift was exposed to coal tar pitch volatiles at an 8 hour time weighted average concentration of 0.453 mg/m3 which is 2.275 times the PEL of 0.20 mg/m3. The 8-hour time weighted average concentration was calculated on the 420 minute sample taken on 6/10/92. Zero exposure was assumed for the remaining 60 minutes.

(b) North Plant, wheels area, a core setter on the morning shift was exposed to coal tar pitch volatiles at an 8-hour time weighted average concentration of 0.215 mg/m3 which is 1.075 times the PEL of 0.20 mg/m3. The 8-hour time weighted average concentration was calculated on the 215

G 00034

17. Area Director

DEAN McDANIEL

NOTICE TO EMPLOYEES — The law gives an employee or his representative the opportunity to object to any abatement date set for a violation if he believes the date 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 PROHIBITED — 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.

ORIGINAL

CITATION AND NOTIFICATION OF PENALTY

U.S. Department of Labor
Occupational Safety and Health Administration

Citation and Notification of Penalty

U.S. Department of Labor - OSHA
8344 East R.L. Thornton Fwy.
Suite 420
Dallas, TX 75228

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.

1. Violation Date	10/21/92
2. Reporting ID	0626300
3. Occurrence Report No.	171

1. Other	03
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10. Inspection District:

04/14/92 - 04/16/92

11. Inspection Site:

HWY 69 North
Swan, TX 75706

9. To:

Tyler Pipe Industries
and its successors
P.O. Box 3027
Tyler, TX 75710

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). The Citation must remain posted until the violation(s) cited below have been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer.

This Citation describes violation(s) of the Occupational Safety and Health Act of 1970. The penalty(ies) listed below are based on these violations. You must abate the violation(s) 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 notice.) The law further notifies that unless you inform the Area Director in writing that you intend to contest this 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 they shall be enforceable 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 proposed 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

minute sample taken on 5/12/92. Zero exposure was assumed for the remaining 255 minutes.

15

29 CFR 1910.1000(e): Feasible administrative or engineering controls were not determined and implemented to achieve compliance with the limits prescribed in 29 CFR 1910.1000(a) through (d):

(a) South Plant, shakeout area JJR11, the shakeout man on the evening shift was exposed to coal tar pitch volatiles at an 8 hour time weighted average concentration of 0.455 mg/m3 which is 2.275 times the PEL of 0.20 mg/m3. The 8-hour time weighted average concentration was calculated on the 420 minute sample taken on 6/10/92. Zero exposure was assumed for the remaining 60 minutes.

G 00035

17. Area Director

DEAN McDANIEL

NOTICE TO EMPLOYEES — The law gives an employee or his representative the opportunity to object to any abatement date set for a violation if he believes the date 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. It should be read in conjunction with this notification.

ORIGINAL

CITATION AND NOTIFICATION OF PENALTY

U.S. Department of Labor
Occupational Safety and Health Administration

Citation and Notification of Penalty

8344 East R.L. Thornton Frwy.
Suite 420
Dallas, TX 75228

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.

Other	03
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9. To:
Tyler Pipe Industries
and its successors
P.O. Box 3027
Tyler, TX 75710

11. Inspection Site:
HWY 69 North
Swan, TX 75706

1. Citation Date 10/21/92	4. Violation Code 10/21/92
5. Reporting ID 0826300	6. Violation Code 10/21/92
7. Optional Report Box	

10. Inspection Date:
04/14/92 - 08/26/92

THE LAW REQUIRES that a copy of this Citation be posted immediately in a prominent place at or near the location of the violation. The 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 notice.) 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 result in a civil 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	14. Description	15. Date by Which Violation Must Be Abated	16. Pen
13. Standard, Regulation or Section of the Act Violated	(b) North Plant, wheels area, a core setter on the morning shift was exposed to coal tar pitch volatiles at an 8-hour time weighted average concentration of 0.215 mg/m3 which is 1.075 times the PEL of 0.20 mg/m3. The 8-hour time weighted average concentration was calculated on the 215 minute sample taken on 5/12/92. Zero exposure was assumed for the remaining 255 minutes.		

G 00036

17. Area Director DEAN MCDANIEL

NOTICE TO EMPLOYEES — The law gives an employee or his representative the opportunity to object to any abatement date set for a violation if he believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown 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.

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ORIGINAL

CITATION AND NOTIFICATION OF PENALTY

F. 51

OCT-27-92 TUE 13:15

DATE	START	SENDER	FX TIME	PAGES	NOTE
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