

NLInternal
Memorandum

Date: 1 June 1977

To: Mr. Jeff Silver

Unit: ICD - New York

From: D. W. Murley

Unit: Plant Manager - Philadelphia

Subject

Jeff:

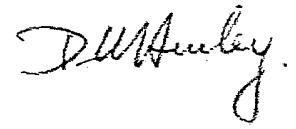
Attached are documents we discussed in our telephone conversation of 6/1/77 which relate to the OSHA inspection of May 19 and 25, 1977. To date we have not had a closing conference.

Documents attached:

- a) Original citation dated December 22, 1975.
- b) Extension #1 dated 3/22/77 for 9 months.
- c) Notification that citation is due to be answered.
- d) Extension request for #2 - dated 3/14/77.
- e) Receipt of extension from OSHA dated 3/28/77.
- f) Secretary's Motion for an Enlargement of Time - 4/4/77.
- g) Secretary's Motion for an Enlargement of Time - 5/16/77.
- h) Request from Area Director for specific information - dated 5/26/77.

DWM/tle

cc: T. E. Anderson
A. Smith
R. Vath



N 27315

NL 000041420

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Form Approved
OMB No. 3246-1448

COMPLAINT

For Official Use Only			
Area 6540	Date Received 10/5/76	Time	
Region	Received By	Formal	
3	PK/Lsa	Non-Formal	

This form is provided for the assistance of any complainant and is not intended to constitute the exclusive means by which a complaint may be registered with the U.S. Department of Labor.

Sec. 8(f)(1) of the Williams-Steiger Occupational Safety and Health Act, 29 U.S.C. 651, 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 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.

The undersigned (check one)

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

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

Employer's Name NL Industries
Address (Street) Cumberland Street Telephone 426-0600
(City) Philadelphia State PA Zip Code 19125

1. Kind of business production of lead compounds
2. Specify the particular building or worksite where the alleged violation is located, including address. above location
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.

Employees are overexposed to lead due to poor housekeeping and faulty respirator
usage.

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(Continue on reverse side if neces

5. List by number and/or name the particular standard (or standards) issued by the Department of Labor which you claim has been violated, if known.

6. (a) To your knowledge has this violation been considered previously by any Government agency?

(b) If so, please state the name of the agency

(c) and, the appropriate date it was so considered.

7. (a) Is this complaint, or a complaint alleging a similar violation, being filed with any other Government agency?

(b) If so, give the name and address of each.

8. (a) To your knowledge, has this violation been the subject of any union/management grievance or have you (or anyone you know) otherwise called it to the attention of, or discussed it with, the employer or any representative thereof?

(b) If so, please give the results thereof, including any efforts by management to correct the violation.

9. Please indicate your desire:

☐ I do not want my name revealed to the employer.

☒ My name may be revealed to the employer.

COMPLAINANT'S NAME

NOTE: IT IS UNLAWFUL TO MAKE ANY FALSE STATEMENT, REPRESENTATION OR CERTIFICATION IN ANY DOCUMENT FILED PURSUANT TO THE OCCUPATIONAL SAFETY AND HEALTH ACT OF 1970. VIOLATIONS CAN BE PUNISHED BY A FINE OF NOT MORE THAN \$10,000, OR BY IMPRISONMENT OF NOT MORE THAN SIX MONTHS, OR BY BOTH (Section 17(g))

Signature _____ Date _____

Typed or Printed Name George Smirgo

Address (Street _____ Telephone _____
(City _____ State _____ Zip Code _____

If you are an authorized representative of _____

PLEASE PRINT NAME OF YOUR ORGANIZATION AND YOUR TITLE.

NL 000041422

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

CITATION NO.	OSHA-1 NO.
K9638	63 76
AREA	REGION
6540	3

CITATION

I. Harry S. Sachkar, Area Director
William J. Green Federal Building
600 Arch Street -- Suite 4256
Philadelphia, Pennsylvania 19106

(215) 597-4955/6/7

TO: 2

NL INDUSTRIES
2607 Cumberland Street
Philadelphia, Pennsylvania 19125

2. Citation Number 2
4. Page 1 of 5. 1

6. TYPE OF ALLEGED VIOLATION(S): REPEATED

An inspection was made on 9/29, 30 & 10/7, & 1975 of a place of employment located at:

8. 2607 Cumberland St., Phila., PA

and described as follow

9. lead chemical producer

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 *et seq.*, in the following respects:

Item number	Standard, regulation or section of the Act allegedly violated	Description of alleged violation	Date by which alleged violation must be corrected
1	29 CFR 1910.1000 formerly 29 CFR 1910.93	Employees, in the following locations, were exposed to materials listed in Tables Z-2 of this section, and their exposures were not limited in accordance with the requirements of 29 CFR 1910.1000(b). Samples were obtained at the breathing zone of the employees: a) Oxide Department -- millman b) Building 9 -- Packer #13 and Blender #3 c) Building 2 -- Flash Drier Packer #5 d) Building 2 -- Packer #1 e) Building 2 -- continuous Drier Operator f) Building 18 -- Blender #2 g) Building 18 -- Packer #12 Employees at the preceding locations, a thru g, were exposed to lead in excess of eight-hour time-weighted averages. The employer was previously cited for an alleged violation in Item Number 1 of the Citation Number 1 issued August 28, 1973, for this standard.	*Submission of a detailed plan for long term abatement to be submitted to the Area Director at the above address by January 2, 1976 *Complete abatement: June 22, 1976

*See Attachment for Abatement Requirements

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near each place that an alleged violation referred to in the citation occurred. The citation must remain posted until all alleged violations cited therein are corrected, or for 3 working days*, whichever period is longer.

RIGHTS OF EMPLOYEES

Any employee or representative of employees who believes that any period of time fixed in this citation for the correction of a violation is unreasonable has the right to contest such time for correction by submitting a letter to the U.S. Department of Labor at the address shown above within 15 working days* of the issuance of this citation.

"No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. 11(c) (1) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, 660(c)(1).

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The issuance of a citation does not constitute a finding that a violation of the Act has occurred unless there is failure to contest as provided for in the Act or, if contested, unless the citation is affirmed by the Occupational Safety and Health Review Commission.

DESCRIPTIONS OF TYPES OF VIOLATIONS

NON-SERIOUS violation is one which is not a serious violation within the meaning of the Act but which has a direct immediate relationship to occupational safety and health.

SERIOUS violation, according to the Act, "shall be deemed to exist in a place of employment if there is a substantial probability that death or serious physical harm could result from a condition which exists, or from one or more practices, means, methods, operations, or processes which have been adopted or are in use, in such place of employment unless the employer did not, and could not with the exercise of reasonable diligence, know of the presence of the violation."

WILLFUL violation exists under the Act where the evidence shows (1) that the employer committed an intentional knowing violation of the Act and the employer is conscious of the fact that what he is doing constitutes a violation of the Act, or (2) even though the employer was not consciously violating the Act, he was aware that a hazardous condition existed and made no reasonable effort to eliminate the condition.

REPEATED violation exists where the employer has abated an earlier violation, for which a citation was issued, and on later inspection, is found to have committed the same violation.

Correspondence, or other forms of communication, relative to this citation should be directed to the office shown at the top of front page of this form. In correspondence, please refer to the OSHA-1 No. which appears in the upper left-hand corner of front page of this citation.

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION
William J. Greene, Jr., Federal Building
Suite 4456 - 600 Arch Street
Philadelphia, Pennsylvania 19106

DATE: December 22, 1975

TO: Mr. Daniel Hurley, Plant Manager
NL INDUSTRIES
2607 Cumberland Street
Philadelphia, Pennsylvania 19125



SUBJECT: Attachment to Citation issued December 22, 1975;
CSHO #K9638 OSHA-1 Report No. 63

ABATEMENT REQUIREMENT

Detailed Plan(s).....this detailed plan for the long term program is to include feasible engineering and/or administrative controls and a time schedule of proposed action for each cited item. This plan is to be implemented in accordance with their provisions.

Complete Abatement.....the date by which feasible engineering and/or administrative controls must be implemented to reduce the employees' exposure to the cited air contaminant to a level not to exceed the respective eight-hour time-weighted averages listed in Table G-3 or to the employees' exposure to noise levels in excess of those listed in Table G-16.

Until final abatement is achieved, written progress reports should be submitted to the Area Director every two months. List in each progress report the accomplishments on each cited item. Sampling results of specific operations should be included.

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U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

Harry S. Sachkar, Area Director
William J. Green Federal Building
600 Arch Street -- Suite 4256
Philadelphia, Pennsylvania 19106

(215) 597-4955/6/7

CSHQ NO.	OSHA-1 NO.	SP
K9638	63	76
AREA	REGION	
6540	3	

TO:
Mr. Daniel Hurley, Plant Manager
NL INDUSTRIES
2607 Cumberland Street
Philadelphia, Pennsylvania 19125

DEC 2 1975

D. W. HURLEY

Subject: Citation(s) for Alleged Occupational Safety and Health Violation(s)

An inspection of a place of employment has revealed conditions which we believe do not comply with the provisions of the Occupational Safety and Health Act of 1970, (29 U.S.C. 651 *et seq.*). The nature of such alleged violation(s) described in the enclosed citation(s) with references to applicable standards, rules, regulations and provisions of the Act. These conditions must be corrected on or before the date shown to the right of each alleged violation herein.

The Act requires that a copy of the enclosed citation(s) be prominently posted "in a conspicuous place upon receipt" or near each place a violation referred to in the citation occurred. It must remain posted until all violations cited herein are corrected, or for 3 working days*, whichever period is longer. A sufficient number of copies of the attached citation(s) should be prepared to permit posting in accordance with the requirements of the Act. The Act provides for penalties for violation of the posting requirements.

You are hereby notified, or will soon be notified, whether or not penalty(ies) will be proposed as a result of the cited violation(s). You have the right to contest any or all parts of either the citation(s) or the proposed penalty(ies) before the Occupational Safety and Health Review Commission. The Review Commission is an independent agency with authority to issue decisions regarding citation(s) and proposed penalty(ies). If you do contest, you should submit a letter to the Area Director at the address shown above within 15 working days* after receipt of the certified mail notice regarding proposed penalty(ies). If you fail to contest within the 15 working day period, the citation(s) and the penalty(ies) as proposed, shall be deemed to be a final order of the Review Commission and not subject to review by any court or agency.

If an employer contests the citation, the abatement period specified therein does not begin to run until the date of the Review Commission's final order in the case *PROVIDED* the employer initiated his contest in good faith and not solely for delay or avoidance of penalties.

You have a right to request a discussion with the Area Director concerning any results of the inspection (abatement notices, citations, penalties, etc.). Please direct correspondence to, or call, the Area Director at the address shown at the top of this letter. A request for an informal discussion cannot extend the 15 working day period allowed for filing a notice of contest. Therefore, a request for an informal discussion should be brought to the attention of the Area Director prior to the end of the 15 working days allowed for filing a notice of contest, preferably as soon as possible.

An employee or representative of employees may file a notice (letter) to contest the reasonableness of the time stated in the citation for the abatement of the alleged violation(s).

Alleged violations that are not contested shall be corrected within the abatement period specified in the citation. A followup inspection may be made for the purpose of ascertaining that the employer has posted the citation(s) as required by the Act and corrected the alleged violations. Failure to correct an alleged violation within the abatement period may result in further proposed penalties for each day the alleged violation has not been corrected. Timely correction of an alleged violation does not affect the initial proposed penalty.

Correction of alleged violations which have an abatement period of 30 days or less should be reported in writing to the Area Director promptly upon correction. Reports of corrections should show specific corrective action on each such alleged violation and the date of such action. On alleged violations having an abatement date of more than 30 days, a written progress report should be submitted each 30 days. The progress report should detail what has been done, what remains to be done, and the time needed to fully abate each such violation. When the alleged violation is fully abated, the Area Director should be so advised.

The Act provides that whoever knowingly gives false information is subject to a fine up to \$10,000, imprisonment up to 6 months, or both.

If you wish additional information, you may direct such request to the undersigned at the address shown above.

Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, or Federal Holidays.

Citation(s) Enclosed	
Quantity	Pages
Nonserious	
1	1

by Area Director

N 27315.04

NL 000041426

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION

WILLIAM J. GREENE, JR. FEDERAL BUILDING
SUITE 4756 - 600 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19106



*employee + our request for extension
early March - Hurley sent letter
w/ both of price approval
May 26 1977
former - last report*

*were cited for
noise - lead in air
May 24 back again - looked
over other records -
on accidents -
training programs -
plant hygiene
prophylactic treatment*

Mr. D. W. Hurley, Plant Manager
NL Industries, Incorporated
Industrial Chemicals Division
2545 Aramingo Avenue
Philadelphia, PA 19125

Re: Citation K9638 No. 63, December 22, 1975.

Dear Mr. Hurley:

After reviewing the information you have thus far provided concerning employee exposure to lead in your facility, we are still unable to adequately evaluate your progress toward abatement and the success of your control measures. Consequently, we are not able to make a reasonable decision upon your request for extension of abatement. Therefore, we request the following information:

1. Results of blood lead analyses for workers in Buildings 42, 2, 16 and 18 for the time period January 1, 1976 to date, by job title only.
2. Results of urine lead analyses, coproporphyrin measurements, and complete blood counts for workers in Buildings 42, 2, 16 and 18 for the time period January 1, 1976 to date, by job title only.
3. Results of personal and area monitoring samples (lead) for Buildings 42, 2, 16 and 18 for January, June and October 1976 and January 1, 1977 through April 1977.
4. Results of any prophylactic use of chelating agents to help reduce blood lead levels in the last two years, with employees' names.
5. A copy of the respirator program for the Philadelphia plant.

*we had on prior extension -
fact 76
to March 77
this amount 2
inspector's letter
May 19
written filed
Oct 76
respirator use & housekeeping
they were verifying monthly
progress reports
noise - they were
no closing conf date yet
they took photos*

have it already

*See 3 659(c)
of manual on
abatement
want to see rep
about to extension
dispute goes to
OSHA HRC
of opportunity
for
has been is
afforded
or modifying
abatement
request
is
based
2200.34
rules of procedure
lay out what
to be in
abatement
program
(4) says no analysis
from date of action
all way
days after
the 5 day period
MAY 27 1977
D. W. HURLEY
dated as to Secy
to E's rep.
but 10 days of*

N 27315.05

NL 000041427

UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

NL INDUSTRIES, INC. :

Petitioner, :

OSHR DOCKET

v. :

NO. _____

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

REGION III

Respondent.

MOTION FOR A FURTHER
ENLARGEMENT OF TIME

Respondent, Ray Marshall, Secretary of Labor, United States Department of Labor, by his attorneys, hereby moves for a further enlargement of time within which to file possible objections to Petitioner's Petition for Modification of Abatement Date and as grounds therefor, represents:

1) On April 4, 1977, Respondent submitted a Motion for Enlargement of Time, requesting a 45 day extension of the period within which to file possible objections.

2) Due to an overload of cases, Respondent has determined that an additional thirty (30) days will be necessary in

N 27315.06

NL 000041429

File
CSTA
Dec 1975
Citation

cc - A. V. K.
- E. R. F. L. (A. V.)
- 5/11

May 16, 1977

William S. McLaughlin
Executive Secretary
Occupational Safety and Health
Review Commission
1825 "K" Street, N.W.
Washington, D.C. 20006

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

Dear Mr. McLaughlin:

Enclosed please find the original of the Secretary's Motion
for a Further Enlargement of Time.

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

Very truly yours,

Marshall H. Harris
Regional Solicitor

Enclosure - Original of Motion
SOL:RMK:raj

✓cc: D. W. Hurley, Plant Manager - NL Industries, Inc.

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

N 27315.07

NL 000041430

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

1.
Harry S. Sachkar, Area Director
William J. Green Federal Building
600 Arch Street -- Suite 4256
Philadelphia, Pennsylvania 19106

CSWD NO.	OSHA-1 NO.	FY
K9638	63	76
AREA	REGION	
6540	3	

(215) 597-4955/6/7

TO:
2. Mr. Daniel Hurley, Plant Manager
NL INDUSTRIES
2607 Cumberland Street
Philadelphia, Pennsylvania 19125

3. Date December 22, 1975

THERE IS NO REQUIREMENT THAT
THIS NOTIFICATION BE POSTED.

NOTIFICATION OF PROPOSED PENALTY

This notification and the penalty(ies) proposed by the Secretary of Labor shall be deemed to be the final order of the Occupational Safety and Health Review Commission (an independent agency with authority to issue decisions respecting citations and proposed penalties) and not subject to review by any court or agency unless, within 15 working days from the date of receipt of this notification, you submit a letter of contest. The letter of contest should be mailed or otherwise delivered to the Area Director named below at the address shown at the top of this notification. If no notice of contest is filed within the 15 working day period the proposed penalty(ies) becomes final and is immediately payable.

Payment of all penalties shown is to be made by check or money order payable to the order of "Occupational Safety and Health-Labor". Payment of penalties should be remitted to the Area Director at the address shown above.

Section 17(1) of the Act states: "Civil penalties owed under this Act shall be paid into the Treasury of the United States and shall accrue to the United States and may be recovered in a civil action in the name of the United States brought in the United States district court for the district where the violation is alleged to have occurred or where the employer has its principal office."

4. On the 22nd day of December, 19 75 a citation(s) was issued to you in accordance with the provisions of Section 9(a) of the Occupational Safety and Health Act of 1970 (84 Stat. 1601; 29 U.S.C. 651, et seq.) hereinafter referred to as the Act. You were thus notified of certain alleged violations of the Act, as specified in that citation(s).

YOU ARE HEREBY NOTIFIED that pursuant to the provisions of Section 10(a) of the Act, the penalty(ies) set forth below is/ are being proposed, based on the citation(s).

5. REPEATED VIOLATIONS			6. VIOLATIONS		
5A. Citation No.	5B. Item No.	5C. Proposed Penalty	6A. Citation No.	6B. Item No.	6C. Proposed Penalty
1	1	\$135.00			

N 27315.08

NL 000041431

7. Total Proposed Penalty for
All Alleged Violations

\$ 135.00

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION
William J. Greene, Jr., Federal Building
Philadelphia - 19106 - 13th & Chestnut Streets
Philadelphia, Pennsylvania 19106



July 14, 1976

Mr. Daniel W. Hurley, Plant Manager
RL Industries, Incorporated
Industrial Chemicals Division
2545 Aramingo Avenue
Philadelphia, PA 19125

Re: Citation K9538 No. 63, December 22, 1975.

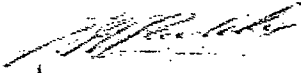
Dear Mr. Hurley:

As authorized by 29 CFR Section 1903.14a(h)(3), your uncontested
petition for modification of abatement date, dated June 22, 1976,
for the violation alleged by Item No. 1 of the above captioned
Citation has been approved.

The abatement date has been modified as follows:

<u>Item No.</u>	<u>Date By Which Violation Must Be Corrected</u>
1 ("a" - "g")	3/22/77

Very truly yours,


HARRY S. SACHKAR
Area Director

/lsa

JUL 15 1976

N 27315.09

NL 000041432

order for a proper evaluation to be made of Petitioner's plans.

3) A careful evaluation is essential to afford Petitioner's employees adequate protection under the Act.

4) Respondent's Plant Manager, D. W. Hurley, has been contacted and has no objection to the requested extension.

WHEREFORE, counsel for the Secretary of Labor respectfully requests a 30 day enlargement of the time period, until June 19, 1977, within which to file possible objections in accordance with Commission Rule 34.

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 Claus
Carin Ann Claus
Solicitor of Labor

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

/s/ Regina M. Kossek
Regina M. Kossek
Attorney

UNITED STATES DEPARTMENT OF LABOR
Attorneys for Respondent.

N 27315.1

NL 000041433

CERTIFICATE OF SERVICE

I, Stephen K. Ernst, hereby certify that I served the Secretary's Motion for an Enlargement of Time, by mailing a true copy thereof, in a government envelope, postage prepaid, by certified mail, return receipt requested, to the following:

D. W. Hurley, Plant Manager
Industrial Chemicals Division
NL Industries, Inc.
2545 Aramingo Avenue
Philadelphia, PA 19125

April 4, 1977

/s/ Stephen K. Ernst
Stephen K. Ernst
Regional Counsel

N 27315.11

NL 000041434

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

CITATION

Mary S. Sachkar, Area Director
William J. Green Federal Building
600 Arch Street -- Suite 4256
Philadelphia, Pennsylvania 19106

CASE NO.	DATE	TIME
K9539	63	76
AREA	REGION	
6540	3	

(215) 597-4955/6/7

TO:

NL INDUSTRIES
2607 Cumberland Street
Philadelphia, Pennsylvania 19125

3. Citation Number 21
4. Page 1 of 5. 1

RE OF ALLEGED VIOLATION(S): R E P E A T E D

An inspection was made on 7/29, 30 & 10/7, & 1975 of a place of employment located at:
2607 Cumberland St., Phila., PA and described as follows:
lead chemical producer

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970, U.S.C. 651 et seq., in the following respects:

11. Standard, regulation or section of the Act allegedly violated	12. Description of alleged violation	13. Date by which alleged violation must be corrected
29 CFR 1910.1000 formerly 29 CFR 1910.93	Employees, in the following locations, were exposed to materials listed in Tables Z-2 of this section, and their exposures were not limited in accordance with the requirements of 29 CFR 1910.1000(b). Samples were obtained at the breathing zone of the employees: a) Oxide Department -- millman b) Building 9 -- Packer #13 and Blender #3 c) Building 2 -- Flash Drier Packer #5 d) Building 2 -- Packer #1 e) Building 2 -- continuous Drier Operator f) Building 18 -- Blender #2 g) Building 18 -- Packer #12 Employees at the preceding locations, a through g, were exposed to lead in excess of eight-hour time-weighted averages. The employer was previously cited for an alleged violation in Item Number 1 of the Citation Number 1 issued August 28, 1973, for this standard.	*Submission of a detailed plan for long term abatement to be submitted to the Area Director at the above address by January 22, 1976 *Complete abatement by June 22, 1976

*See Attachment for Abatement Requirements

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near the place that an alleged violation referred to in the citation occurred. The citation must remain posted until all alleged violations cited therein are corrected, or for 3 working days*, whichever period is longer.

RIGHTS OF EMPLOYEES

Any employee or representative of employees who believes that any period of time fixed in this citation for the correction of violation is unreasonable has the right to contest such time for correction by submitting a letter to the U.S. Department of Labor.

Initiated or caused to be initiated by

EXHIBIT A

Right afforded by this Act: Sec. 11(c)

N 27315.12

NL 000041436

CERTIFICATE OF SERVICE

I, Regina M. Kossek, hereby certify that I served the Secretary's Motion for a Further Enlargement of Time, by mailing a true copy thereof, in a government envelope, postage prepaid, by certified mail, return receipt requested, to the following:

D. W. Hurley, Plant Manager
Industrial Chemicals Division
NL Industries, Inc.
2545 Aramingo Avenue
Philadelphia, PA 19125

Dated: May 16, 1977

/s/ Regina M. Kossek
Regina M. Kossek
Attorney

N 27315.13

NL 000041437