

PLAINTIFF'S
EXHIBIT
DUP-1949

B. F. SHAW COMPANY
2 MILL ROAD
PO DRAWER 228
WILMINGTON DE 19899
302 658 7181
TELEX 83-5439

Mr. Gerald A. Baty, Area Director
Occupational Safety & Health Administration
U. S. Dept. of Labor
Houston Area Office
2320 LaBranch, Room 1103
Houston, Texas 77004

Reply should be addressed to:
Benjamin F. Shaw Company
P. O. Box 1089
Orange, Texas 77630

January 10, 1984

BLOUNT
CONSTRUCTION & ENGINEERING

Dear Sir:

RE: YOUR FILE C4828

This is a reply to your letter of December 12, 1983; to Mr. Carl Gantt,
B. F. Shaw Construction Company, Beaumont, Texas.

On November 18, 1983; the date of the complaint referred to in your
letter, Mr. Gantt was a Pipefitter Foreman employed by the B. F. Shaw
Company. Upon receipt of your letter on January 3, 1984; Mr. Gantt
contacted the writer and furnished me a copy of your letter as I was the
B. F. Shaw Company Superintendent responsible for the work being performed
at the Beaumont, Texas, location. I have investigated this matter, along
with Mr. Gantt, and our findings are reported below:

On November 18, 1983; an employee working for Mr. Gantt reported he was
concerned about a condition on the job which may have been exposing him
to asbestos. Mr. Gantt, in turn, reported this complaint to his super-
vision and immediately went to the work site to investigate. The work
site was on an open sided steel platform located at the 20 foot elevation
of the Ammonia Manufacturing facilities of the E. I. Du Pont de Nemours
Company Plant in Beaumont, Texas.

Mr. Gantt and his supervision observed that the above mentioned employee,
along with several other Pipefitters working for Mr. Gantt, were in the
process of reinstalling a 14" diameter pipe onto a heat exchanger. The
pipe was an insulated line protected with a metal jacket covering.

While installing bolts in the pipe flange with the use of an air operated
impact wrench, the Pipefitters unintentionally disturbed the insulation
material covering the pipe. Several broken pieces of insulation material,
along with a small amount of insulation dust, were observed on the platform
floor where the Pipefitters were working.

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Mr. Gerald A. Baty

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Mr. Gantt did not know whether or not the insulation material contained asbestos, therefore, he stopped the work, removed his employees and re-assigned them to other work at another location. An Insulation Contractor performing work at the Du Pont Plant was contacted by B. F. Shaw Company and requested to clean up and repair the broken insulation.

The Insulation Contractor visually identified the insulation material as "Careytemp", which is reported to be a non-asbestos bearing product. In the absence of a positive identification, the Insulation Contractor followed their procedure for working with asbestos during the clean up and repair work. The area was barricaded and posted with asbestos warning signs. While wearing protective clothing, including coveralls and respirators, the Insulation Contractor cleaned up the broken insulation material and dust on the floor with the use of an industrial vacuum cleaner, and special bags for disposal of asbestos. Additionally, the Insulation Contractor removed a small section of insulation material from the pipe and sealed the exposed ends, which permitted the Pipefitters to resume use of the impact wrench without further disturbing the insulation. After the area was cleaned up and exposed ends of insulation sealed off, the barricade and signs were removed, and the Pipefitters returned to the work site.

The B. F. Shaw Pipefitter employees has worked for a period of approximately one (1) hour before reporting the condition and work was stopped. The Insulation Contractor cleaned up and repaired the insulation material in a period of approximately three (3) hours. The reinstallation of the pipe line was completed without further incident.

We trust this description of the complaint gives you the information requested in your letter. A copy of your letter, together with our reply, is being posted this date at the location customarily used for posting notices to our employees.

Very truly yours,

D. G. Hopkins
Superintendent

DGH mlm

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