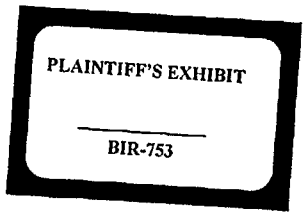

Bird
Incorporated

Memo To: See Distribution

From: Margaret L. Madden

Subject: OSHA Citation

Date: July 26, 1984

According to Standard Procedure AD-103; upon receipt of any communication from an environmental regulatory agency we should provide photocopies of that correspondence and other background information to:

Division Manufacturing Manager: W. E. McClung
Division General Manager: J. K. Colvin
Environmental Engineer: J. Guzelian
Appropriate Manufacturing V. P.: R. Maloof

Attached here is a copy of a OSHA Citation received 7-26-84. Background information was fowarded during inspection back in May. I personally feel that this penalty is very high; since we had planned to make these changes prior to having an inspection and/or citation.

cc: W. F. McGonagle
J. L. Batey
H. P. Haire

U.S. Department of Labor

Occupational Safety and Health Administration
2156 Wooddale Boulevard, Suite 200
Baton Rouge, Louisiana 70806-1486

Reply to the Attention of:
Paul J. Hansen, Jr., Area Director
Telephone (504) 389-0474

July 23, 1984

Bird & Son, Inc.
Margaret Madden
P. O. Box 72
Shreveport, LA 71161

Re: OSHA Inspection M6291-064
worksite at 620 Aero Drive, Shreveport, LA

Dear Ms. Madden:

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (the Act) which may have accompanying proposed penalties. Also enclosed is a booklet which explains your rights and responsibilities under the Act. As indicated on page 2 of the booklet, you may request an informal conference with me during the 15-working-day notice of contest period. During the informal conference you may present any evidence or views which you believe would support an adjustment to the citation or the penalty.

If you decide to request an informal conference, please complete the form at the bottom of this letter and post it next to the citations immediately after determining the time, date, and place of the informal conference.

If you have any questions about the enclosed citations and penalties, I would welcome further discussion at the informal conference; and, where warranted, I am authorized to enter into an informal settlement agreement with you which amicably resolves the matter without litigation or contest. If you have any questions regarding the informal conference, please contact me.

Sincerely,

Paul J. Hansen, Jr.
Area Director

Enclosures

NOTICE TO EMPLOYEES

An informal conference has been scheduled with OSHA to discuss the citations issued on 7/23/84. The conference will be held at the OSHA office located at 2156 Wooddale Blvd., Suite 200, Hoover Annex Building, Baton Rouge, LA on _____ at _____.
(Date) (Time)

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

Citation and Notification of Penalty

2156 Wooddale Boulevard, Suite 200
Baton Rouge, Louisiana 70806-1486

3. Issuance Date	4. Inspection Number
7/23/84	1621960
5. Reporting ID	6. CSHO ID
625700	M6291
7. Optional Report No.	8. Page No.
064	1 of 1

1. Type of Violation(s)	2. Citation Number
OTHER	2

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.

10. Inspection Date(s):
5/8 - 5/17/84

11. Inspection Site:
620 Aero Drive
Shreveport, LA

Penalties Are Due Within 15 Days of Receipt of This Notification Unless Contested (See enclosed Booklet)

This Section May Be Detached Before Posting

9. To: Bird & Son, Inc.
and its successors
P. O. Box 72
Shreveport, LA 71161

Attn: Margaret Madden

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. 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 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 1910.95(k)(2):	An updated training program was not conducted annually for each employee included in the hearing conservation program: The following table summarizes noise monitoring for May 15, 1984.	8/9/84	$0

Job Description	# of Employees	% Dose	Equiv. dBA	Sampling Period (minutes)
a. Machine Tender DS-2		74	87.83	470
b. Beehive operator FS-10	3	60	86.32	465
c. Forklift				