

office Memorandum

to (Name and Location)	DATE
Mr. S. P. Krivan - Dallas	May 12, 1980
from (Name and Location)	REFERENCE NO.
Mr. J. P. Hawthorne	JPH-419-80

FILE

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PLAINTIFF'S
EXHIBIT
CEL-547

SUBJECT: OSHA CITATIONS (Ref. SPK-107-80)

CCCTC was visited by an OSHA representative on May 29, 1974 in search of cancer suspect agents. The facility was cited---five (5) discrepancies associated with 29 CFR 1910.93 (see attached). No fines were assessed.

Our records indicate there were no others OSHA visits.



Jim
/ejv

cc: Mr. R. A. Gangemi w/attachment

120430 JAN 17 83 008210

CITATION

U.S. DEPARTMENT OF LABOR
1015 JACKSON VALLEY ROAD
SAN ANTONIO, TEXAS 78213
Phone (512) 225-5511 ext 4591

S 9361	10
AREA	REGION
6090	06

TO: 2
Celanese Chemical Company Technical Center
Attn: Mr. Paul Hime, Director of
Administration
1901 Clarkwood Road
Corpus Christi, Texas 78408

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

6. TYPE OF ALLEGED VIOLATION(S): NONSERIOUS

An inspection was made on May 29 1974 of a place of employment located at:
1901 Clarkwood Road from 2:50 p.m. to 4:35 p.m. and described as follows:
Research & Develop for Mfg of organic chemicals

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:

10. Item number	11. Standard, regulation or section of the Act allegedly violated	12. Description of alleged violation	13. Date by which alleged violation must be corrected
1	29 CFR 1910.93d(c) 4/10/10	Employer had not established a regulated area where alpha-naphthylamine is stored (approximately 10 grams were stored in a storage drawer in a storage room).	Immediately upon receipt of this citation
2	29 CFR 1910.93d(e)	Entrances to regulated areas were not posted with signs bearing the legend: Cancer - Suspect Agent Authorized Personnel Only	Immediately upon receipt of this citation
3	29 CFR 1910.93d(f) (1)(iv)	Employer did not report in writing to the nearest Occupational Safety and Health Administration Area Director the manner in which alpha-naphthylamine is present in each regulated area.	Immediately upon receipt of this citation
4	29 CFR 1910.93o(c)	Employer had not established a regulated area where 4-dimethylaminoazobenzene is stored (approximately 10 grams were stored in a storage drawer in a storage room).	Immediately upon receipt of this citation
5	29 CFR 1910.93o(e)	Entrances to regulated areas were not posted with signs bearing the legend: Cancer - Suspect Agent Authorized Personnel Only	Immediately upon receipt of this citation
6	29 CFR 1910.93o(f) (1)(iv)	Employer did not report in writing to the nearest Occupational Safety and Health Area Director the manner in which 4-dimethylaminoazobenzene is present in each regulated area.	Immediately upon receipt of this citation

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).

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

14. Area Director's Signature HERBERT M. KURTZ Issuance Date June 20 19 74

008211

1015 Jackson Keller Road
San Antonio, Texas 78213
Phone: 512/225-5511, Ext. 4591

59361	23	74
AREA	REGION	
6090	6	

2. Celanese Chemical Company Technical
Center
Attn: Mr. Paul Hime, Director of
Administration, 1901 Clarkwood Rd.
Corpus Christi, Texas 78408

3. Date June 20, 1974
THERE IS NO REQUIREMENT THAT
THIS NOTIFICATION BE POSTED.

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.

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."

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).

VIOLATIONS			NONSERIOUS VIOLATIONS		
3A. Citation No.	3B. Item No.	3C. Proposed Penalty	6A. Citation No.	6B. Item No.	6C. Proposed Penalty
			1	1	None
			1	2	None
			1	3	None
			1	4	None
			1	5	None
			1	6	None
7. Total Proposed Penalty for All Alleged Violations			\$ NONE		
Area Director S. H. T. Mue			Date June 20, 1974		
HERBERT N. KURTZ					

The proposed penalty for Nonserious Violations of safety and health standards reflects a 90 percent adjustment factor for corrective action to be taken within the period prescribed in the citation. If a particular alleged violation is not corrected within this period, the 50 percent adjustment will be added to such other penalty as may subsequently be proposed for failure to correct a violation within the abatement period.

008212

OSHA-3
Rev. Nov. 1975