PLAINTIFF'S EXHIBIT
AL-126

U.S. Department of Labor

Occupational Safety and Health Administration
Austin Area Office
611 E. 6th Street, Suite 303
Austin, Texas 78701 512/482-5783
Reply to the Attention of:

June 16, 1983

Aluminum Co. of America
P.O. Box 472
Rockdale, Texas 76567

Attention: Brooks Parker, Supt.

Enclosed you will find citations for violations of the Occupational Safety and Health Act of 1970 (Act) which in some instances, 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 penalty.

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 which amicably resolves this matter without any litigation or contest. If you have any questions regarding the informal conference, please contact me.

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

Sincerely,

C.R. HOLDER
AREA DIRECTOR

kw

NOTICE TO EMPLOYEES

An informal conference has been scheduled with OSHA to discuss the citations issued on _____. The conference will be held at the OSHA office located at _____ on

_____ (Date) at _____ (Time)

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

CITATION and NOTIFICATION OF PENALTY

Austin Area Office
611 E. 6th St., Rm. 303
Austin, Tx 78701
512/482-5783

[1] ISSUANCE DATE	[2] OSHA NUMBER	
6/16/83	F9645	275
[3] REGION	[4] AREA	[5] PAGE
06	0330	1 OF 2

[6] TYPE OF VIOLATION(S)	[7] CITATION NO.
OTHER	1

INSPECTION DATE:
6/7-8/83

INSPECTION SITE:
FM Road 1786
Rockdale, Texas 76567

TO: Aluminum Company of America
and its successors
P.O. Box 472
Rockdale, Texas 76567
Attention: Brooks Parker, Supt.
cc: U.S. Steelworkers of America
W.B. Renner, President

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 corrected, or for 3 working days (excluding weekends and Federal holidays) whichever is longer.

PENALTIES ARE DUE WITHIN 15 DAYS OF RECEIPT OF THIS NOTIFICATION UNLESS CONTESTED (See enclosed Booklet)

This Section May Be Detached Before Posting

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 correct 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 responsibilities and courses of action and should be read in conjunction with this form.)

[8] ITEM NUMBER STANDARD, REGULATION OR SECTION OF THE ACT VIOLATED: DESCRIPTION	[9] DATE BY WHICH VIOLATION MUST BE CORRECTED	[10] PENALTY
The violations 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. The 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.		
1 29 CFR 1910.132(a): Protective equipment was not used where it was necessary by reason of hazards encountered in a manner capable of causing injury or impairment in the function of any part of the body: (a) Two employees cleaning caustic material from smelting pots in the pot repair and cleaning. Building 27, pot shell cleaning; face shield used not adequate to protect exposed area of face and neck.	6/27/83	-0-
2 29 CFR 1910.151(c): Where employees were exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body were not provided within the work area for immediate emergency use: (a) Two employees cleaning caustic material from smelting pots in the pot repair and cleaning. Building 27, pot shell cleaning.	6/27/83	-0-
3 29 CFR 1910.134(b)(11): Approved or accepted respirators were not used when they were available: (a) Employee operating front end loader in bath crusher area, courtyard #19.	6/22/83	-0-

[14] AREA DIRECTOR
C. R. HOLDER 6/16/83

[15] ON LAST PAGE TOTAL PENALTY FOR THIS CITATION

Make check or Money Order Payable To "DOL-OSHA" Indicate OSHA No on Remittance

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 RESPONSIBILITIES AND COURSES OF ACTION — The enclosed booklet outlines employer responsibilities and courses of action and should be read in conjunction with this notification.

ARD 014313

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

CITATION and NOTIFICATION OF PENALTY

Austin Area Office
611 E. 6th St., Rm. 303
Austin, Tx 78701
512/482-5783

1 ISSUANCE DATE	2 OSHA NUMBER	
6/16/83	E9645	275
3 REGION	4 AREA	5 PAGE
06	0330	2 OF 2

6 TYPE OF VIOLATION(S)	7 CITATION NO.
OTHER	1

INSPECTION DATE:
6/7-8/83

INSPECTION SITE:
FM Road 1786
Rockdale, Texas 76567

TO: Aluminum Company of America
and its successors
P.O. Box 472
Rockdale, Texas 76567
Attention: Brooks Parker, Supt.
cc: U.S. Steelworkers of America

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 corrected, or for 3 working days (excluding weekends and Federal holidays) whichever is longer.

PENALTIES ARE DUE WITHIN 15 DAYS OF RECEIPT OF THIS NOTIFICATION UNLESS CONTESTED (See enclosed Booklet)

This Section May Be Detached Before Posting

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 correct 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 responsibilities and courses of action and should be read in conjunction with this form.)

8 ITEM NUMBER STANDARD, REGULATION OR SECTION OF THE ACT VIOLATED; DESCRIPTION	9 DATE BY WHICH VIOLATION MUST BE CORRECTED	10 PENALTY
4 29 CFR 1910.22(a)(1): Place(s) of employment were not kept clean and orderly, or in a sanitary condition: and/or 29 CFR 1910.22(b)(1): Aisle(s) or passageway(s) were not kept clear and in good repair where mechanical handling equipment was used: (a) Area around ore bucket on line 8, room 134, in the Pot room.	7/8/83	-0-

ARD 014314

14 AREA DIRECTOR		13
C. R. HOLDER *CRHolder*	6/16/83	-0-

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.

TOTAL PENALTY FOR THIS CITATION
Make check or Money Order Payable To "DOL-OSHA"
Indicate OSHA No on Remittance

EMPLOYER RESPONSIBILITIES AND COURSES OF ACTION — The enclosed booklet outlines employer responsibilities and courses of action and should be read in conjunction with this notification.