PLAINTIFF'S EXHIBIT
tabbies
UC-1119

Jackson AF (Andrew)

From: Yalcinkaya AP (Peri)
Sent: Wednesday, December 06, 1995 9:31 PM
To: Ward HC (Henry); Bauman KE (Kevin); Jackson AF (Andrew); Lacour RE (Richard); Provenzano FS (Foley); Ketcham JC (Jan); Duvall MN (Mark); Balmert PD (Paul)
Subject: OSHA Phone Notification of Alleged Hazard

At 10:00 AM on December 6, 1995, I received a phone call from OSHA Industrial Hygiene Supervisor, Chuck Williams, informing Union Carbide of a complaint that was received by OSHA. The nature of the alleged hazards described to be at Building 62 is as follows:

1. Employees are allowed to work in areas where asbestos containing material (ACM) is present without their knowledge
2. ACM areas are not demarcated
3. ACM areas are not posted to warn employees of asbestos hazard
4. ACM is falling on workers in the area

The department head, Kevin Bauman was informed of the nature of OSHA's phone notification. Dick LaCour and I then proceeded to investigate the allegations at Building 62. We were joined by Earl Vicnair at O.C. Parr's office on the second floor. Earl explained that the scope of the asbestos abatement being performed by Certified Abatement Contractors was to remove the asbestos insulation on two lines on the third floor (the attic), and to clean the surrounding area. The asbestos removal was completed in the earlier part of the week. The remaining job of cleaning the attic area was projected to be finished by Friday December 8 1995.

Earlier in the morning, Earl had collected six bulk samples of dust and fallen debris found on the floor and other various surfaces throughout the second floor. These samples along with two additional desktop-dust bulk samples collected later in the radio shop were subsequently checked for asbestos under the microscope. There was no asbestos observed on these eight samples. Earlier during the week, there was one area, the mens room, where asbestos was detected. The room was then posted with signs and remained closed to service. Starting as far back as the beginning of the previous week, Industrial Hygiene had collected area air samples in the building. All samples had shown that the ambient fiber levels were well below the permissible exposure limits of 0.1 fibers/cc averaged over eight hours and 1.0 fiber/cc for 30-minutes.

Outside the shop area, up near the access point to the third floor was clearly marked with the appropriate OSHA required signs. Signs were also placed near the stairs outside the shop area on the east side of the second floor. The contractor's competent person was in attendance outside of the office area on the second floor near the stairs leading to the third floor. Outside of the Building 62, Earl, Dick, and I met the contractor's supervisor, James Baker, who showed us the personnel and area monitoring results analyzed on-site by Ricki Miguez. Ricki showed us his formal training certificates and other credentials which appeared current and appropriate. The data indicated that the contractor had conducted area and personnel monitoring prior to the start of the job, and on every day of the operation since then. All results appeared below the current permissible OSHA limits.

Following a phone call I received from Weyman Hall and one that Dick received from Charlie Janner, Dick and I returned to the Building 62 shop area shortly after noon. Weyman and Charlie explained their concerns about potential exposure to asbestos from the operation on the floor above through several holes in the ceiling. We shared our data and findings with them. The group was later joined by Earl Vicnair who explained the entire scope of the job and to Weyman, Charlie, and Wayne Bundy who later allowed Earl to collect two additional bulk samples near his work area. Throughout the day, there were three ambient area samples being collected by Industrial Hygiene at various locations on the second floor.

At 3:30 PM, I contacted Chuck Williams at OSHA, and communicated our findings to him. He indicated that he was satisfied with the investigation and that no inspection would be conducted. I plan on advising him right away in writing with the results of our investigation and actions taken. Please let me know if you have any additional information, comments or any questions.

Peri

UCTC 14633

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