UNION CARBIDE

INTERNAL CORRESPONDENCE

RECEIVED
NOV 24 1980

P. O. BOX 471, TEXAS CITY, TEXAS 77590

To: J. H. Barrett
T. O. Blum
O. H. Cunningham
D. L. Engle
Dr. D. H. Glenn
J. S. Knight
J. B. Leverton
R. P. Melton
W. P. Nickles
R. R. Rankin - CLC
D. R. Reem
R. Ritchie
R. J. Taylor
R. Van Mynen - 501
J. W. Whittlesey - 501
A. P. Yalcinkaya

November 17, 1980

PLAINTIFF'S EXHIBIT
UC-1197

Subject: October 29th, November 4th OSHA Inspection - Amines Spill

On October 29, 1980 at approximately 1:30 p.m. Mr. David E. Elskamp, OSHA Industrial Hygienist, presented himself to the plant receptionist for the purpose of conducting an inspection. Mr. Elskamp was escorted to Mr. J. B. Leverton's office and was met by Mr. R. J. Taylor and this author. Mr. Elskamp presented a complaint alleging "no personal protective equipment provided employees for cleanup of chemical leaking into ditch along east side of plant. Vapors are causing headaches and irritation of eyes." Mr. Charlie Phinney was named as the supervisor in charge. Mr. Elskamp indicated that the complaint had been telephoned to OSHA that morning and it was his understanding that the cleanup was still in progress. A union representative was requested and Mr. Elskamp requested the OSHA Form 200.

Mr. R. E. Lewis joined the conference at 2:30 p.m. and reported that there had in fact been a chemical spill on the east side of the plant under a pipe rack adjacent to Grant Avenue and North East of Bldg. 248. Mr. Lewis identified the material as "crude amine" which had been contained at 7:30 that morning.

At this time the opening conference was joined by Messrs. O. H. Cunningham and J. B. Leverton. Mr. Cunningham in response to Mr. Elskamp's questioning revealed that Clark Industrial Services Inc. was utilized in picking up the spill, estimated to be 2,000 gallons, and water used to clean up the spill area. The work was still in progress. The chemical was identified as 15% amine, 10% NaCl, aqueous solution. The contractors involved had been instructed to use rubber gloves and coverall goggles.

Mr. Red Morgan, local 1441 Stewart, and Mr. Charlie Phinney then joined the conference. Mr. Phinney indicated that two Carbide laborers had been assigned the job of washing down the spill area.

UCTC 21182

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ACL Doc 16371 · Page 1 of 4 asbestosclaims.law/library/16371/1

The agencies notified about the spill included the Texas City Police, U. S. Coast Guard, and Galveston County Air Control Board.

At approximately 2:40 p.m. the group left Bldg. 1 and went to the spill location (route attached). Upon arrival two Carbide laborers were found working in the vicinity of the spill, Mr. H. W. Bell and Mr. P. S. Christensen. They were wearing rubber boots, gloves, slicker suits, glasses and hard hats. Mr. Elskamp held a private interview with Mr. Christensen from 3:00 p.m. until 3:30 p.m. (No union rep was present in the interview.)

Pictures were taken of the spill site by Mr. Monte Montague at the request of Mr. Elskamp (see attached), and duplicate samples of residual water was collected from the ditch adjacent to the spill area.

At 3:45 p.m. the group returned to Bldg. 1. Mr. Elskamp requested that he be provided copies of the health information on amines from the UCC Reactive and Hazardous Chemicals Manual, and indicated that he would return when notified that the information was available.

Mr. Elskamp was then escorted to the receptionist area and left the plant.

On November 3rd Mr. Elskamp was informed by this author by phone that the information he had requested had been approved for release. Mr. Elskamp returned to the plant on November 4th at 10:00 a.m. and was escorted to Mr. J. B. Leverton's office where he was met by O. H. Cunningham, A. P. Yalcinkaya, Ed Agnew, Charlie Phinney, Red Morgan and this author. The information from the UCC Reactive and Hazardous Chemicals Manual was handed to Mr. Elskamp and was identified as Confidential - Trade Secret (written request attached).

Mr. Agnew identified the spilled material as 15% by weight ethyleneamine that was being transferred from Tank 3637, process surge tank, to intermediate storage prior to refining.

It was noted that no complaints had been directed to the Industrial Hygiene Department concerning the spill cleanup, or to the Environmental Protection Group from the contractors picking up the spill.

Mr. Elskamp then indicated that he saw no problem with the manner in which the spill had been handled and it would be his recommendation that no citations be issued. He additionally indicated that the liquid sample collected on 10-29-80 would not be analyzed.

Mr. Elskamp then inquired as to the status of the conference room in the cafeteria that had been the subject of an informal complaint. Mr. Elskamp was informed that the conference room had been checked out and that the ventilation met current SHARE standards on industrial conference rooms.

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Mr. Elskamp was then escorted to the receptionist and left the plant at 11:00 a.m.

If there are any questions concerning this investigation, please contact Kirk E. Martin at ext. 5589.

Kirk Martin
Kirk E. Martin

KEM:ir
Attachments

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ACL Doc 16371 · Page 3 of 4 **asbestosclaims.law/library/16371/3**

...onal Safety and Health Adm...istration — U.S. Department of ...bor

...plaint

This form is provided for the assistance of any complainant and is not intended to constitute the exclusive means by which a complaint may be registered with the U.S. Department of Labor.

Form Approved
O.M.B. No. 044...

Sec. 8(f) (1) of the Williams-Steiger Occupational Safety and Health Act, 29 U.S.C. 651, provides as follows: Any employees or representative of empl... who believe that a violation of a safety or health standard exists that threatens physical harm, or that an imminent danger exists, may request an insp... by giving notice to the Secretary or his authorized representative of such violation or danger. Any such notice shall be reduced to writing, shall set ... with reasonable particularity the grounds for the notice, and shall be signed by the employees or representative of employees, and a copy shall be pro... the employer or his agent no later than at the time of inspection, except that, upon request of the person giving such notice, his name and the nam... individual employees referred to therein shall not appear in such copy or on any record published, released, or made available pursuant to subsection ... this section. If upon receipt of such notification the Secretary determines there are reasonable grounds to believe that such violation or danger exis... shall make a special inspection in accordance with the provisions of this section as soon as practicable, to determine if such violation or danger exists. ... Secretary determines there are no reasonable grounds to believe that a violation or danger exists he shall notify the employees or representative o... employees in writing of such determination.

NOTE: Section 11 (c) of the Act provides explicit protection for employees exercising their rights, including making safety and health complaints.

LOG # 1188

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Area	Date Received	Time

Region	Received By	
		Formal Non Formal

The undersigned *(check one)*

☒ Employee ☐ Representative of Employees ☐ Other *(specify)* _____

believes that a violation at the following place of employment of an occupational safety or health standard exists which is a job safety or health hazard.

Employer's Name
UNION CARBIDE

Employer's Address *(Street)* *(City)*
P. O. BOX 471

(State) *(Zip Code)* Telephone
Texas City, TX 77590 945-7411

1. Kind of business
chemical mfg.

2. Specify the particular building or worksite where the alleged violation is located, including address.
outside of plant along eastside

3. Specify the name and phone number of employer's agent(s) in charge.
Charlie Phiney, Supervisor

4. Describe briefly the hazard which exists there including the approximate number of employees exposed to or threatened by such hazard.

1. No personal protective equipment provided employees for clean-up of chemical leaking into ditch along eastside of plant. Vapors are causing headaches and irritation of eyes.

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CONTINUED ON REVERSE SIDE

UCTC 21185