PLAINTIFF'S EXHIBIT

UC-2835

DOD/DICK - Notice compliance date - Return to me when items be corrected - Fully

STATE OF CALIFORNIA – AGRICULTURE AND SERVICES AGENCY

RONALD REAGAN, Governor

DEPARTMENT OF INDUSTRIAL RELATIONS

DIVISION OF INDUSTRIAL SAFETY

1. Office: DIVISION OF INDUSTRIAL SAFETY
MINING & TUNNELING SECTION
1540 MARKET STREET, 3rd FLOOR
SAN FRANCISCO, CALIFORNIA 94102

CITATION

2. TO: Union Carbide Corp. (Asbestos Mill)
Attention Mr. F.H. Larrison, Plant Manager
P.O. Box K
King City, California 93930

I.D. No. 04-02553 - 58 employees

3. Page 1 of 1

4. Type of alleged violation(s): Non-serious

5. Citation Number 1

6. An inspection or investigation of a place of employment located at 5 miles South of King City Monterey County was conducted by C.R. Freeman on 11/26 1974. This citation is being issued in accordance with California Labor Code Section 6317 for alleged violations as shown below that were found during that inspection. (LC refers to California Labor Code; CAC refers to California Administrative Code.)

7. Item No.	8. Standard, order, regulation or code allegedly violated	9. Description of alleged violation	10. Date by which alleged violation must be corrected
1	8 CAC 7046(f) (56.11-2)	Safe Access The roof edge between the ladder to the roof and ladder from the #244 dust collector platform was not guarded by a standard guardrail as required by the General Industry Safety Orders.	1-6-75
2	8 CAC 7046(d) (56.11-1)	Overhead Clearance The feed elbow of the #244 rotary drier did not have a warning sign or hanging tape to warn of inadequate head clearance as required by the General Industry Safety Orders.	1-6-75
3	8 CAC 6995(e) (56.14-1)	Machinery Guarding The pump coupling on the #233 thickener underflow pump was inadequately guarded.	1-6-75
4	8 CAC 3661(c)	Warning Device The warning horn on the Baker fork lift truck was inoperative.	1-6-75

11. NO MONETARY PENALTY FOR THIS CITATION
Signature C.R. Freeman
Safety Engineer

12. Signature A.T. Brozik
Name A.T. Brozik
District Manager
Date of Issuance 12/9/74

Citation(s) or a copy thereof must be prominently posted upon receipt by the employer at or near the location of each alleged violation until the unsafe condition is corrected or for three working days, whichever is longer.

Violations of the provisions of the California Labor Code or of safety and health standards, orders or regulations promulgated under the Labor Code may result in a civil penalty imposed on the employer and may result in some instances in a prosecution for a misdemeanor. If a monetary penalty is assessed, the employer will be notified promptly. The employer has fifteen working days after receipt of the above citation within which to notify in writing the California Occupational Safety and Health Appeals Board, 1006 – 4th Street, Sacramento, CA 95814, of his intention to contest any alleged violation or abatement period. The above citation will become a final order of the Appeals Board not subject to review or appeal unless contested by the employer, an employee or employee's representative. Failure to abate the unsafe condition within the time specified may result in an additional proposed penalty of up to $1,000 being assessed for each day beyond the abatement period the unsafe condition is not abated.

An employee or his representative may contest in writing to the California Occupational Safety and Health Appeals Board the reasonableness of the abatement period within fifteen days from the date of issuance of the citation.

13. Ident. No. F-6336 CAL/OSHA 1 Rep. No. M-18 Region 1 District 9

CAL/OSHA 2-A
October 1973

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Mr. R. O. Marst...
Asbestos Mining Co.
King City, Calif.

Dear Mr. Marst...

On 11-25-70, Health Engineering Consultants, Inc. conducted a survey of the Asbestos Mining Co. facility in King City, Calif. for the purpose of determining compliance with the California Occupational Health Standards.

Enclosed please find a copy of the survey report.

Sincerely,

[illegible]

RECEIVED
DEC 2 1970

UCC 025109

CAL-OSHA INSPECTION, KING CITY PLANT

11-26-74

Charles Freeman arrived about 9 am., 11/26/74, and said he would make an official OSHA Inspection of the plant. He didn't anticipate finding rule violations which would cause large fines, since his last more-or-less unofficial inspection about a year ago indicated we were in far above the average plant in California.

At his request, I lined up one of the Safety Committee, Ernie Gallardo, and the three of us took off through the plant.

These are the items he noted, which he emphasized he was writing up:

A) The switch panels in the electricians shop were partially blocked by motor parts and assorted junk. Must have 30" free clearance in front of all switchgear. I noticed the panels at 401 conveyor incline were similarly obstructed with broken drag sticks piled on the wooden flooring at the panels -- but he said nothing about this.

B) #233 Pump (40' thickener underflow Moyno) should have a guard over the rotating coupling. (Better also do similar pump couplings, in particular Primary Rietz Mill Discharge Moyno, which he also noted informally??)

C) Horn on Baker fork lift was inoperative.

D) This was the worst item, and may result in a fine (He guessed $30 but of course didn't know what the Board(?) would do.)

The violation is a short ladder beside the 244 Feed Prep Cyclones, which goes up on a portion of the corrugated roof without handrailings. I think this was built on somebody's work order, and was no doubt to save steps for 244 operators -- possibly mechanics.

But it is a no-good ladder, without hoop, without 3' extension, without landing or catwalk, and very slippery from nearby slurry cycloning. Additionally, the area can be reached with good stairs and catwalks -- it takes a little longer.

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I said we would remove the ladder and provide guardrails within six feet of any walking or working area there on the roof.

(The area will be revised shortly when a new bucket elevator will be installed).

These items were pointed out, but probably not written up:

A) Should have signs in all mobile equipment (cats, loaders, J.D., etc.) which run over 90 decibels, which say something like "Ear Protection Must Be Worn by Operator". He said it would be impossible to reduce noise levels here feasibly.

B) Oxygen bottle rack needs toe boards (Bottles can fall over and slip out) -- and I think, need better arrangement to hold bottles upright.

C) Recommended seat belts on all fork lifts -- but he stated several times this is not the law, just his feeling due to seeing accidents in the past.

D) Hot air inlet to 244 dryer crosses a travel way in a manner which requires people to duck or stoop to get under it. Wants this marked with hanging ribbons, or ?? to make it obvious.

E) Suggests trying pipe insulation on discharge pipe of I. R. Compressor to reduce noise.

He took some noise readings (with M-30 going) and I believe he will say that 90 DB was the top level. I showed him results of recent noise surveys, including current noise Dosimeter tests -- all of which was good. He did not want copies.

Paco showed him our dust count survey of 11/4/74, and I gave him a copy of this 4-page document. He had a sampling pump tied on Frank De Leon (who was bagging) for about 2 ½ hours -- wanted our recent dust survey as check on what California people might come up with.

The entire inspection lasted about 2 hours, and went very well, I think. He could have criticized housekeeping here and there, but did not.

He will send a report to the Board(?), which will allow us perhaps 30 days to

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correct the few items, and may or may not levy fines. He will then come and re-inspect for compliance.

Mr. Freeman several times said to me and others that we have one of the best, if not the best plant in California. (Safety -Wise)

I was at a loss to find the files of required records, but he didn't press the point. Seemed satisfied with our record of no lost-time accidents this year. But where are these files?

R. O. Marsten

R. O. Marsten

ROM: sp
12/2/74

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