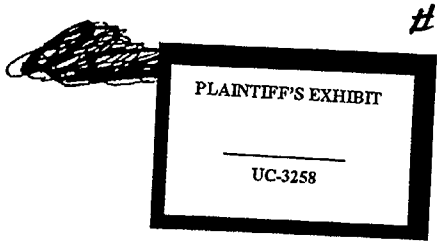
Brenda Burgess (1)
X5755
Charge 303890-131-500533
#7(e)

To: T. L. Callens
Copy To: R. S. Gardner
C. P. Maxwell
D. R. Paugh



Re: OSHA Compliance Officer Inspection
X/e Valley Construction Department
Sistersville Plant - Asbestos Removals
May, 1984.

On Wednesday May 9, 1984 I met
I signed in an Industrial Hygienist with the
Compliance Safety and Health Administration
(OSHA) while at the Sistersville Plant as a result
of an Environmental Protection Agency (EPA)
Asbestos Removal/Demolition Reference. Until
this year the Sistersville Plant had disclosed to the EPA that
they would be initiating asbestos removal
projects in their area beginning some time in the first quarter
In accordance with an OSHA Experimental

UCC 016806

Inspection Program for Asbestos in Construction / Demolition work and EPA referral

this report to OSHA which prompted the inspection.

at the time of his visit, some five months after the EPA referral, the Sisters / this Utility Construction Superintendent was still engaged in removal of asbestos. this asbestos removal was ~~at this time~~ inconsistent with Mr. Clifford was ~~primarily~~ interviewed in respect to Construction Department work area and surrounding Construction Department asbestos related procedures & programs and OSHA documents.

The construction department was not engaged in asbestos removal on the day of Mr. Clifford's visit May 16, 198

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Therefore, Mr. Clifford's inspection was limited to a conference with Sistersville Plant and Industrial Management representatives and a brief interview with two hourly construction Department employees.

No citations issued as a result of this inspection; however, OSHA did issue a letter [illegible] on June 20, 1974, recommending [illegible] of a proposed date [illegible] Copies of [illegible] are attached.

You will also find attached a news [illegible]

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3493A

[illegible] Buffalo Unit. We will be happy to review this summary and discuss future action steps with you at your convenience. At this time no entries on Citation [illegible] [illegible] [illegible] revised or modified. Could not additional [illegible] [illegible] [illegible]

- Robert Clifford III arrived at the Sistersville Plant at approximately 11:45 a.m. on Wednesday, May 16, 1987

- C.A McNeil, the Sistersville Plant Safety and Health Supervisor, received him at 12:00 noon and immediately arranged a conference that was attended by the following people:

  W.V Summers - 350 Assistant Plant Manager
  C.A McNeil - 380 Safety and Health Department Head
  W Barnhouse - 380 Industrial Hygienist
  J.B Hickey - 380 Employee Relations/Safety and Health Manager
  H.H. Price - 511 Construction Department Superintendent
  R.V. Clifford III - OSHA Compliance Officer

- Mr. Clifford opened the conference by stating that he was present due to a referral from the E.P.A. This referral resulted from the Sistersville Plant's letter of disclosure declaring that asbestos insulation removal work would take place at this site.

- Mr Clifford was informed that the K/M Construction Department was performing this asbestos removal work for the Sistersville Plant. There was no asbestos work in progress on the day of Mr. Clifford's visit. [illegible]

- Mr. McNeil contacted the Construction Department

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and W.H. Price was requested to attend the conference as the Construction Department representative. J.W. Karg the Construction Superintendent on this project was on vacation at the time.

- Mr. Clifford asked Mr. Price questions regarding Construction Department policies and practices relating to; protective clothing, eye protection, head protection, respiratory protection, enforcement of safety policies and procedures, and safety meetings.

- Mr. Clifford also requested to examine the Construction Departments OSHA Form 200 (Log and Summary of Occupational Injuries and Illnesses) for 1981-1984, Respiratory Protection Programs, and Safety Training Programs. L.L. Kalil of the Technical Center Safety Department told Mr. Clifford via telephone that copies of these documents were maintained at the Sistersville site and he could see these copies or the original documents would be available to him when he returned to his Charleston, WV., office. Mr. Price could not locate these documents, therefore Mr. Clifford did not see the information he requested until Wednesday, May 2 at which time it was verified that all documents requested by Clifford were on file in J.W. Karg's office.

- Mr. Clifford requested to interview Construction Department employees. He interviewed, at the same time, Construction Inspectors L.L. Shaffer (# 3117) and R.A. Angel (# 8550). This interview was conducted at the Construction office Complex conference room. Wayne Bozeman of the Sistersville Plant I.H. Department, Clifford, Shaffer and

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and Angel were the only ones present during the interview. Herb Price was unable to attend due to a concrete pour in progress in the plant. ~~~~ This interview began at 1:45 p.m. and was completed by 2:00 p.m. Mr. Boeckman reported that several subjects were discussed during this interview, especially training, change rooms, showers and work practices.

- Mr. Clifford left the plant at approximately 2:10 P.M. Prior to leaving the plant Clifford told C. McNeil that he would contact L.L. Nabb of the Tech Center Safety Department on Friday May 18 or Monday May 21 to report to us how he wants to proceed with this inspection.

- Mr. Clifford did not contact Mr Nabb on May 18 or May 21.

- On Tuesday, May 22 at 10:30 L.L Nabb and C.P Maxwell of the Technical Center Safety Department contacted Mr Clifford at his Charleston office to request a status report on his inspection. At this time he requested to meet with us to see the following Construction Department documents:

  OSHA Log 200- 1971, 1972, 1973 and 1974
  Respiratory Protection Program
  Asbestos Training Program

- On Wednesday May 23 at 9:50 AM.

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C. P. Bosnell and L. P. Rebb met with Mr Clifford at Building 72-2. The Safety Department at the South Charleston Technical Center. (P.G. Graham and W.L. Pells of the Technical Center Safety Department also attended this conference as observers).

In this meeting Mr Clifford was permitted to see the following

OSHA Log-200 for 1981, 1982, 1983, 1984
Tri Technical Center Respiratory Protection Program
Asbestos Training Outline / Documents
Construction Department Work Exposure Hours for 1981 - 1984

Mr Clifford also requested, and was permitted to see the slide and tape presentation used in our Asbestos training sessions. This was a 13 minute slide sound presentation entitled "Working With Asbestos".

In this meeting on May 23 Mr. Clifford made comments or ask specific questions regarding:

Change Room and Shower Facilities - He stated that based on our monitoring data our people were not exposed to asbestos in excess of the permissible exposure levels and we therefore did not have to provide these items, However they were beneficial in preventing

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exposure especially to family members.

Special Eating Areas - Same response as previous item; permissable exposure levels were not exceeded therefore special eating areas were not required.

Disposal Bags - He stated the mill thickness was not printed or visible on the bag and cautioned us to make sure any bags were a minimum of 4 mils thick.

Procedures - Mr. Hogan requested copies of Asbestos Procedures for both the Fabrication Department and the Finishing Plant. He was only issued a copy of the Fabrication Procedure. He verbally explained differences that we could not provide him a copy of another locations procedure unless they approved. ~~to [illegible] request.~~ He did not ask us to pursue the matter.

OSHA Log 200 - Mr. Clifford questioned why the term pneumoconioses was used on the log to describe the nature of the employees illness, instead of the specific disease (asbestosis, silicosis etc.). We kindly informed him that this term was used for both asbestosis

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and silicosis cases diagnosed during this period and were done so at the instructions of UCC Medical Staff physicians.

- Mr. Clifford stated that everything appeared to be in order and that he would be back in touch with us in a couple of days. He left the Technical Center at 10:50 A.M.

- On Friday, May 25, 1984 Mr. Maxwell called Mr. Clifford who was not available so he spoke with Mr. Kelly Parker the Industrial Hygiene Supervisor for OSHA at the Charleston West Virginia office. Mr. Parker advised Maxwell that Mr. Clifford would make arrangements to return to the Tech Center to see all OSHA Forms 101's for the year 1981. It was requesting only 1981 form 101's because that was the only year that recordable entries were made on the OSHA form 200 logs for the years that he requested.

- On Tuesday May 29, 1984 at 2:00 Mr. Noble took the OSHA Form 200 Log and Supplementary Forms 101 for the year 1981 to the OSHA office in Charleston West Virginia. Mr. Clifford ~~and Mr. Noble conducted a meeting~~ at that time ~~Clifford~~ reviewed both documents.

- Mr. Noble ask Clifford at this time if he

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- ~~any~~ problems with these two forms. Clifford's response was, "pneumoconiosis was a very broad term and did not identify an employee's specific lung disease or condition," Clifford then questioned the use of this term on the 101 forms. ~~He was not sure if the two diseases were distinguishable and wanted therefore how to investigate the matter further.~~ Mr Clifford stated that they would welcome an opinion on the matter from their corporate office in the Cincinnati area via phone/letter and the 225. He also stated that they may seek the opinion of a third party "expert". His major concern was an employees ~~have~~ access to information on the specific nature of the disease that ~~they~~ were reported.
- Mr Kelly informed Clifford that any employee request for specific medical data/opinion would be addressed by UCC Medical Personnel. Any employer who requested to see OSHA forms 200 or 101 would be advised to consult with the company physician regarding the specific nature of his/her condition and, therefore, the broad term was used for reporting purposes. The meeting lasted approximately 30 minutes.

- On Wednesday May 30, 1984 at approximately 8:30 A.M. I.R. Wells contacted Mr. Kelly Parker by telephone to request another meeting with Mr Clifford and

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Parker to discuss in greater detail the guidelines and criteria used to record asbestosis and silicosis cases on OSHA forms and also to discuss in greater detail the success and effectiveness of the Construction Department overall asbestos removal program.

- By telephone on the morning of May 30, Mr. Parker informed Mr. Rabb that he had contacted the Bureau of Labor Statistics (BLS) for their opinion on the use of the term pneumoconiosis on the OSHA form 200 and 101. He informed Mr. Rabb that he was to receive a response that morning (May 30) and is prepared to analyze the BLS opinion prior to ~~Tuesday~~ any further meetings on the subject. He went on to say that "if any problem did exist it would be considered a very minor one and there would probably not be any citations issued." Mr. Parker stated his primary concern was future reference to the use of this term on OSHA Log and forms.

- At 1:35 p.m. on May 30, 1984 Mr. Parker telephoned I.R. Rabb and informed him that:

1. There would be no citation issued

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in the case because the statute of limitations had expired and because of the non-serious nature of the case.

2. Mr. (Rabb) intends to prepare and issue a letter to the Construction Department that summarizes their findings on this matter. He also intends to outline the OSHA opinion that the specific medical Physicians diagnosis should be described on the Supplementary Record of Occupational Injuries and Illnesses (Form 101) and the description of the illness should be the same as the description in the employees personal medical file.

3. Mr. Rabb stated that the term "pneumoconiosis" was acceptable for the OSHA log, Form 200 but not ~~the~~ Form 101.

- Mr. Rabb informed C.P. Maxwell of OSHA decision on May 30, 1984 at 1:50 P.M.

- C.P. Maxwell ~~---~~ a letter prepared by Perry O. Jones the OSHA Area ~~Director~~ Director and addressed to C.P. Maxwell was received at the Technical Unit

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- On May 31, 1984 L.L. Mobbs sent a letter to Dr. B.H. Anashia of the Institute Plant Medical Department and D.K.G. Soule of the Technical Center medical department. The purpose of this letter was to request the specific ~~medical~~ diagnosis (illness) of all Construction Department employees currently listed on OSHA Form 200 as having pneumaconiosis. ~~Both~~ Anashia and Kane have both responded to this request. Dr. Anashia identified all cases as "asbestosis". Dr. Kane ~~identified~~ responded to a total of ten cases, he diagnosed five as "asbestosis", four as "possible pleural changes due to asbestos exposure" and one as "pleural changes due to asbestos exposure with possible early asbestosis".

- On June 21, 1984 C.J. Maxwell received a ~~letter~~ letter prepared by Leroy D. Jones the OSHA Area Director, (see attached letter) ~~that addressed this item appeared to~~ ~~be items No. ___ on page ___~~ ~~This letter has been attached)~~ ~~to be dealt with~~

- No action regarding Construction OSHA Forms 101 or 200 has been taken at this time (June 12, 1984).

UCC 016819

- Throughout, the use of ~~system~~, L.R. Robb and C.P. Maxwell kept all construction, E,T S and corporate safety and Health component informed and up-to-date on all related matters.

L. R. Robb

UCC 016820