14-

UNION CARBIDE

UNION CARBIDE CORPORATION
ENGINEERING AND HYDROCARBONS DIVISION

25303

PLAINTIFF'S EXHIBIT
UC-3384

February 25, 1981

Mr. John W. Whittlesey
Chief Labor Counsel
Union Carbide Corporation
270 Park Avenue
New York, New York 10017

RE: OSHA NO. R8407-007
DOCKET NO. 80-5985

Dear Mr. Whittlesey:

Enclosed is a check in the amount of five hundred dollars ($500.00) payable to the Occupational Safety and Health Administration, Department of Labor. This check is for payment of Construction Department's Occupational Safety and Health Administration Citation (Number R8407-007) (Docket No. 80.5984).

Also, copies of the attached stipulation of settlement document as specified on page 2 of the document will be posted at Construction Department work sites from Wednesday, February 25, 1981 to Monday, March 2, 1981.

I trust that the enclosed check and posting of the attached stipulation of settlement document fulfills your request of Mr. C. W. Carman through your letter of February 11, 1981. If I may be of additional assistance to you on this matter please feel free to contact me.

Respectfully yours,

L. R. Noble
Construction Safety Department

LRN:oh
Attachments

cc: Mr. C. W. Carman
Mr. E. B. Del Grande
Mr. D. D. Robinson
Mr. D. R. Paugh
Mr. B. H. Thomas

UCC 016971

Union Carbide trial exhibit UC-3384: L. R. Noble to John W. Whittlesey Transmitting OSHA Penalty Payment and St... Published by AsbestosClaims.Law
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UNITED STATES OF AMERICA

OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SECRETARY OF LABOR, UNITED STATES DEPARTMENT OF LABOR,	:	OSHRC DOCKET
Complainant,	:	NO. 80-5984
v.		
UNION CARBIDE CORPORATION,	:	
Respondent.	:	

STIPULATION OF SETTLEMENT

Complainant, Secretary of Labor, United States Department of Labor, by his undersigned attorneys, and respondent, Union Carbide Corporation, by its undersigned attorneys, now stipulate and agree to settle this action as follows, in accordance with Review Commission Rule 100, 29 CFR §2200.100:

1. Complainant hereby moves to amend the classification of the Citation from "Willful" to "Serious" on the grounds that the amended classification more accurately characterizes the violation.

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2. Complainant moves to amend the penalties set forth in the Citations from $1000 to $500 which new amount more accurately reflects the statutory criteria for penalty calculation set forth in Section 17 of the Occupational Safety and Health Act ("The Act").

3. Respondent hereby moves the Commission for an order to allow it to withdraw its Notice of Contest to the Citation and Notification of Penalty. In support of its motion, respondent represents that:

a. Respondent has abated the violation cited in Citation No. 1.

b. The penalty shall be paid in full, on or before the 31st day of March, 1981.

c. Respondent has posted its Notice of Contest pursuant to 29 CFR §2200.7.

d. A copy of this Stipulation of Settlement has been posted since February 25, 1981, 1981 at all UCC Constr. Dept. Locations in accordance with the requirements of 29 CFR §2200.7 to serve all affected employees.

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4. Respondent agrees to continue to comply with the applicable provisions of the Occupational Safety and Health Act of 1970 (29 U.S.C. §651, et seq.), and the applicable safety standards promulgated pursuant to the Act.

5. The Citation and Notification of Penalty, as amended by this Stipulation, shall become a final order of the Commission.

Marshall H. Harris
Regional Solicitor

John W. Whittlesey
Attorney for Respondent.

Michael S. Berger
Attorney

UNITED STATES DEPARTMENT OF LABOR

Attorneys for Complainant.

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UNION CARBIDE

UNION CARBIDE CORPORATION

000927

THE KANAWHA VALLEY BANK, N.A.
CHARLESTON WEST VIRGINIA 25326

INSTITUTE, W. VA. 25330 2/24/81

PAY $5.00

PAY

AGRICULTURAL PRODUCTS DIVISION
OPERATING ACCOUNT

TO THE ORDER OF

Occupational Safety and Health
Administration, Labor

SIGNED

COUNTER SIGNED

⑈000927⑈ ⑆051900353⑆ 005 608 5⑈

PLEASE DETACH BEFORE DEPOSITING

NO. 000927

2/24/81
THE ATTACHED CHECK IS IN PAYMENT OF THE FOLLOWING

Construction Department Citation No. R8407-007, Docket No 80-5985, Area 0480, Region 3. Issued September 19, 1980, Re. Stipulation of Settlement 1/27/81.

UNION CARBIDE CORPORATION
AGRICULTURAL PRODUCTS DIVISION
P.O. BOX 2831
CHARLESTON, W. VA. 25330

UCC 016975

REQUISITION FOR PAYMENT

BY

UNION CARBIDE CORPORATION
CHEMICALS AND PLASTICS
INSERT FULL NAME OF PAYING COMPANY ABOVE

TRANSMITTAL NO.	VENDOR'S INVOICE NO		
	RE:-		
NET AMOUNT		COM CODE	C/F SUF

CASH FUND ☐ PAYROLL ☐ NOT TO BE REIMBURSED ☐ RECEIPTS REMITTED ☐

DATE February 19, 1981

*

TO Occupational Safety and Health Administration, LaborDISBURSING OFFICE

ADDRESS

CASHIER ☐

ACCOUNTS PAYABLE ☐

IN PAYMENT OF THE FOLLOWING:

Construction Department Citation No. R8407-007, Docket No. 80-5985, Area 0480, Region 3. Issued September 19, 1980, Re. Stipulation of Settlement January 27, 1981	$500 00

ABBREVIATE DESCRIPTION: OSHA CITATN

CHEMICALS AND PLASTICS

ACCOUNTS TO BE CHARGED

SOURCE LOCATION (2 DIG.)	SOURCE LOCATION (4 DIG.)	PRIMARY ACCOUNT (6 DIGITS)	DIV. EXP (3 DIG.)	TO DIV/LOC (6 DIGITS)	TO ACCOUNT (6 DIGITS)	INDEX (2 DIG.)	1ST ORDER NO. (8 DIGITS)	2ND ORD. NO. (5 DIGITS)	C & P (2 DIG.)	PROJECT (4 DIG.)	AMOUNT
50	0512	469610	135	500511		30	00002361	02500			$ $500 00
50											
50											

GENERAL ACCOUNTING/LEDGER SYSTEM

ACCOUNTS TO BE CHARGED

SOURCE LOCATION (5)	DEPARTMENT (4)	EXP. CLASS (3)	ACCOUNT (6)	DEBIT (12)	CREDIT (12)	X	REFERENCE (8)	FIN. ENT. (2)	MANAGEMENT UNIT (5)	INV (1)	GEO ENT (2)	PROJECT (9)	TRANSFER TO OR FROM LOCATION (5)	DEPT. (4)

* EMPLOYEE NUMBER APPLICABLE TO PAYEE ONLY
PREFIX WAGE EMPLOYEES NUMBER WITH "W"

EMPLOYEE NUMBER

REQUESTED BY (SIGN) L. R. Noble

(TYPE OR PRINT) L. R. Noble

APPROVED BY (SIGN) D. R. Paugh

(TYPE OR PRINT) D. R. Paugh

CHECK ONE

☐ CASH — RECEIPT OF CASH ACKNOWLEDGED _____

☐ SEND CHECK *

☐ WILL CALL FOR CHECK (Othenia Hutton, Ext. 6589)

* COPY OF REQUISITION FOR PAYMENT MUST ACCOMPANY CHECK WHEN MAKING PAYMENT TO VENDOR

Paid by _____ Date _____

GR 1-142-2

QUADRUPLICATE - FOR REQUISITION FILE

UCC 016976