

Copy

U. S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

CSHO No. B 6637	OSHA-1 No. 1
Area Pgh.	Region III

OSHA-2A

CITATION FOR SERIOUS VIOLATION*

Citation Number 1 Date Issued May 28, 1971

EMPLOYER Allied Chemical Corporation (Industrial Chemicals Division)
(Street P. O. Box 1139R)

ADDRESS (City Morristown State New Jersey Zip 07960)

An inspection of a work place under your ownership, operation, or control located at Moundsville, West Virginia and described as follows South Plant has been conducted. On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, in the following respects:

Standard or Regulation Allegedly Violated	Description of Alleged Violation	Date on Which Alleged Violation Must be Corrected
Section 5(a)(1) of the Act (General Duty Clause.)	Visible pools and droplets of mercury have been allowed to accumulate and remain on the cellroom floor, in the basement, and in other working areas and working surfaces contributing to airborne concentrations of mercury which significantly exceed levels generally accepted to be safe levels of such concentration. Employees are being exposed to such concentrations. Instances of excessive airborne concentrations of mercury had been made known to the employer on occasions prior to the date of this inspection. This condition constitutes a recognized hazard that is causing or is likely to cause death or serious physical harm to employees.	June 2, 1971

Signature of Director of Program Operations

Robert W. Gidel

U. S. Department of Labor
Occupational Safety and Health
Administration
Washington, D. C. 20210

The issuance of a citation does not constitute a finding that a violation of the Act has occurred unless there is a failure to contest as provided for in the Act or, if contested, unless the citation is affirmed by the Occupational Safety and Health Review Commission.

(continued on second page)

RIGHTS OF EMPLOYEES

Any employee or representative of employees who believes that any period of time fixed in this citation for the correction of a violation is unreasonable has the right to contest such time for correction by filing a notice with the U. S. Department of Labor at the address shown above within 15 working days of the date this citation was issued.

"No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. 11 (c) (1) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651.

The law requires that a copy of the enclosed citation(s) "shall be prominently posted" in a conspicuous place "at or near each place a violation referred to in the citation occurred." It must remain posted until all violations cited therein are corrected, or for 15 working days, whichever period is longer.

*A serious violation, according to the Act "shall be deemed to exist in a place of employment if there is a substantial probability that death or serious physical harm could result from a condition which exists, or from one or more practices, means, methods, operations, or processes which have been adopted or are in use, in such place of employment unless the employer did not, and could not with the exercise of reasonable diligence, know of the presence of the violation." Sec. 17(k).