

U.S. Department of Labor
Occupational Safety and Health Administration
Cincinnati Area Office
36 Triangle Park Drive
Cincinnati, OH 45246-3411
Phone: (513)841-4132



Citation and Notification of Penalty

To:
Lockheed Martin Utility Services, Inc.
and its successors
P.O. Box 628
Piketon, OH 45638

Inspection Number: 121987366
Inspection Date(s): 12/03/97 - 01/29/98
Issuance Date: 02/17/98
CSHO ID: W9820

Inspection Site:
Rt. 23
Piketon, OH 45661

The violation(s) described in this Citation and Notification of Penalty is (are) alleged to have occurred on or about the day(s) the inspection was made unless otherwise indicated within the description given below.

This Citation and Notification of Penalty (this Citation) describes violations of the Occupational Safety and Health Act of 1970. The penalty(ies) listed herein is (are) based on these violations. You must abate the violations referred to in this Citation by the dates listed and pay the penalties proposed, unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Citation and Notification of Penalty you mail a notice of contest to the U.S. Department of Labor Area Office at the address shown above. Please refer to the enclosed booklet (OSHA 3000) which outlines your rights and responsibilities and which should be read in conjunction with this form. Issuance of this 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 this Citation is affirmed by the Review Commission or a court.

Posting - The law requires that a copy of this Citation and Notification of Penalty be posted immediately in a prominent place at or near the location of the violation(s) cited herein, or, if it is not practicable because of the nature of the employer's operations, where it will be readily observable by all affected employees. This Citation must remain posted until the violation(s) cited herein has (have) been abated, or for 3 working days (excluding weekends and Federal holidays), whichever is longer. **The penalty dollar amounts need not be posted and may be marked out or covered up prior to posting.**

Informal Conference - An informal conference is not required. However, if you wish to have such a conference you may request one with the Area Director during the 15 working day contest period. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the citation(s) and/or penalty(ies).

If you are considering a request for an informal conference to discuss any issues related to this Citation and Notification of Penalty, you must take care to schedule it early enough to allow time to contest after the informal

conference, should you decide to do so. Please keep in mind that a written letter of intent to contest must be submitted to the Area Director within 15 working days of your receipt of this Citation. The running of this contest period is not interrupted by an informal conference.

If you decide to request an informal conference, please complete, remove and post the page 3 Notice to Employees next to this Citation and Notification of Penalty as soon as the time, date, and place of the informal conference have been determined. Be sure to bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far. If conditions warrant, we can enter into an informal settlement agreement which amicably resolves this matter without litigation or contest.

Right to Contest - You have the right to contest this Citation and Notification of Penalty. You may contest all citation items or only individual items. You may also contest proposed penalties and/or abatement dates without contesting the underlying violations. Unless you inform the Area Director in writing that you intend to contest the citation(s) and/or proposed penalty(ies) within 15 working days after receipt, the citation(s) and the proposed penalty(ies) will become a final order of the Occupational Safety and Health Review Commission and may not be reviewed by any court or agency.

Penalty Payment - Penalties are due within 15 working days of receipt of this notification unless contested. (See the enclosed booklet and the additional information provided related to the Debt Collection Act of 1982.) Make your check or money order payable to "DOL-OSHA". Please indicate the Inspection Number on the remittance.

OSHA does not agree to any restrictions or conditions or endorsements put on any check or money order for less than the full amount due, and will cash the check or money order as if these restrictions, conditions, or endorsements do not exist.

Notification of Corrective Action - For violations which you do not contest, you should notify the U.S. Department of Labor Area Office promptly by letter that you have taken appropriate corrective action within the time frame set forth on this Citation. Please inform the Area Office in writing of the abatement steps you have taken and of their dates, together with adequate supporting documentation, e.g., drawings or photographs of corrected conditions, purchase/work orders related to abatement actions, air sampling results, etc.

Employer Discrimination Unlawful - The law prohibits discrimination by an employer against an employee for filing a complaint or for exercising any rights under this Act. An employee who believes that he/she has been discriminated against may file a complaint no later than 30 days after the discrimination occurred with the U.S. Department of Labor Area Office at the address shown above.

Employer Rights and Responsibilities - The enclosed booklet (OSHA 3000) outlines additional employer rights and responsibilities and should be read in conjunction with this notification.

Notice to Employees - The law gives an employee or his/her representative the opportunity to object to any abatement date set for a violation if he/she believes the date to be unreasonable. The contest must be mailed to the U.S. Department of Labor Area Office at the address shown above and postmarked within 15 working days (excluding weekends and Federal holidays) of the receipt by the employer of this Citation and Notification of Penalty.





Citation and Notification of Penalty

Company Name: Lockheed Martin Utility Services, Inc.
Inspection Site: Rt. 23, Piketon, OH 45661

Citation 1 Item 1 Type of Violation: **Serious**

29 CFR 1910.120(q)(3)(iv): Positive-pressure self-contained breathing apparatus was not worn by employees engaged in emergency response and exposed to hazardous substances presenting an inhalation hazard or potential inhalation hazard, until such time that the individual in charge of the ICS determined through the use of air monitoring that a decreased level of respiratory protection would not result in hazardous exposures to employees:

On January 20, 1998, at Building 330, process operators and front line managers were exposed to process gas while investigating a report of smoke in the area above Cell 1-2 without wearing positive-pressure self-contained-breathing-apparatus nor determining by air monitoring that it was safe to investigate without wearing positive-pressure self-contained-breathing-apparatus.

Date By Which Violation Must be Abated:	02/23/98
Proposed Penalty:	\$ 5000.00

Citation 1 Item 2 Type of Violation: **Serious**

29 CFR 1910.120 (q)(6)(ii)(A) & (B): Employees who participated, or were expected to participate, in emergency response as first responders at the operational level had not received at least 8 hours of training and/or had not been certified as having such training and/or did not have sufficient experience to demonstrate competency, in addition to the areas listed for the awareness levels, in knowledge of basic hazard and risk assessment techniques and in the selection and use of proper personal protective equipment:

On January 20, 1998, at Building 330, three front line managers and a process operator who investigated the report of smoke in a process area with no ability to assess the potential risk from airborne contaminants and without respiratory protection in the event of such a need, had not received training commensurate with the first responder operations level as identified by 29 CFR 1910.120(q)(6)(ii).

Date By Which Violation Must be Abated:	02/23/98
Proposed Penalty:	\$ 5000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Lockheed Martin Utility Services, Inc.
Inspection Site: Rt. 23, Piketon, OH 45661

Citation 1 Item 3 Type of Violation: **Serious**

29 CFR 1910.146(c)(7)(i): A space classified by the employer as a permit-required confined space was reclassified as a non-permit confined space when the permit space posed actual or potential atmospheric hazards: The employer reclassified cell housings in Buildings 333, 326, and 330, regularly from permit-required to non-permit-required confined spaces and relied on a single valve isolation procedure to isolate the cell from the process gas system. The single valve procedure did not eliminate the potential for process gas getting into the cell piping system being repaired which could result in exposure to Hydrogen Fluoride and Uranium among others from escaping process gas and its reaction with the atmosphere.

Date By Which Violation Must be Abated:	03/06/98
Proposed Penalty:	\$ 2500.00

Citation 1 Item 4 Type of Violation: **Serious**

29 CFR 1910.146(d)(3)(ii): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not develop and implement the means, procedures, and practices necessary for safe permit space entry operations, including isolating the permit space:

The employer's confined space entry program allowed entry into cell housings which were defined as permit required confined spaces and also at times downgraded to nonpermit required confined spaces after using a single valve to isolate the cell from the Cascade. This procedure and practice presented the potential for Hydrogen Fluoride and Uranium exposure of employees should this valve leak and allow process gas past it to where employees were working.

Date By Which Violation Must be Abated:	03/06/98
Proposed Penalty:	\$ 2500.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



Citation and Notification of Penalty

Company Name: Lockheed Martin Utility Services, Inc.
Inspection Site: Rt. 23, Piketon, OH 45661

Citation 1 Item 5 Type of Violation: Serious

29 CFR 1910.146(d)(5)(i): Under the permit-required confined space program required by 29 CFR 1910.146(c)(4), the employer did not evaluate permit space conditions when entry operations were conducted by testing conditions in the permit space to determine if acceptable entry conditions existed before entry was authorized to begin: Air tests of the cell housings conducted prior to entry into them as permit-required confined spaces, were not performed in all areas where work was to be done but rather only near the entrance to cell housings and therefore an adequate evaluation of the permit space conditions was not completed prior to entry.

Date By Which Violation Must be Abated:	02/23/98
Proposed Penalty:	\$ 2500.00

Citation 1 Item 6 Type of Violation: Serious

29 CFR 1910.305(a)(4)(v): Open conductors crossing ceiling joints and wall studs and exposed to physical damage were not protected:
At Building 344 in the production breakroom, the Hotpoint refrigerator used by employees to store food had conductors extending out of the bottom of the front side of the device exposing them to the potential for physical damage from kicking or collision.

Date By Which Violation Must be Abated:	02/23/98
Proposed Penalty:	\$ 2000.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.

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Citation and Notification of Penalty

Company Name: Lockheed Martin Utility Services, Inc.
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Citation 1 Item 7 Type of Violation: **Serious**

29 CFR 1910.1020(d)(1)(ii): The employer did not preserve and maintain records of employee exposure of all employees for at least thirty years:

- a. Records of radiation exposures for all company employees were not adequately maintained from 1993 to 1995 in that some employee exposures were arbitrarily assigned and based solely upon their past exposures which may have differed from exposures experienced during the period relating to the assigned dose.
- b. Records of radiation exposures were not accurately preserved and maintained in that for the period of 1993 through 1995 some thermoluminescent dosimeters (TLDs) which were used to measure and create a record of employee radiation doses, were not evaluated and a zero dose was assigned to an employee where the exposed TLD which was assigned to the employee was damaged.

Date By Which Violation Must be Abated:	03/06/98
Proposed Penalty:	\$ 2500.00

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



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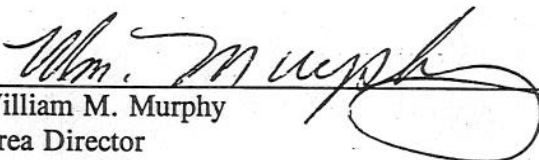
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Citation 2 Item 1 Type of Violation: **Other**

29 CFR 1910.141(a)(3)(i): Places of employment were not kept clean to the extent that the nature of the work allowed:

- a. Shower facilities at Buildings 333, 344, and 1000 were not kept clean in that the walls of the shower areas contained an accumulation of scum and possibly other material that was not routinely removed by cleaning.
- b. Microwave ovens and a double-door refrigerator in the maintenance lunchrooms in Building 333, a conventional oven in the Building 333 maintenance lunchroom, and a microwave oven in the Building 1000 plant guards lunchroom, all contained accumulations of food matter that was not removed as often as needed to maintain them clean.

Date By Which Violation Must be Abated:	02/23/98
Proposed Penalty:	\$ 0.00



William M. Murphy
Area Director

See pages 1 through 3 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.