

U.S. Department of Labor  
Occupational Safety and Health Administration  
Billings Area Office  
2900 4th Avenue North Suite 303  
Billings, MT 59101  
Phone: (406)247-7494 FAX: (406)247-7499

RECEIVED  
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GRIE Personnel

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## Notice of Unsafe or Unhealthful Working Conditions

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**To:**  
Grand Teton National Park  
P.O. Box 170  
Moose, WY 83012

**Inspection Number:** 304396823  
**Inspection Date(s):** 06/25/2001-06/26/2001  
**Issuance Date:** 08/02/2001

**Inspection Site:**  
P.O. Box 170  
Moose, WY 83012

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

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This Notice of Unsafe or Unhealthful Working Conditions (Notice) describes violations of the Occupational Safety and Health Act of 1970, the Executive Order 12196, and 29 CFR 1960, Basic Program Elements for Federal Employee Occupational Safety and Health Programs and Related Matters. You must abate the violations referred to in this Notice by the dates listed unless within 15 working days (excluding weekends and Federal holidays) from your receipt of this Notice you request an Informal Conference with the U.S. Department of Labor Area Office at the address shown above.

**Posting** - The law requires that a copy of this Notice 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 Notice 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.

**Notification of Corrective Action** - For violations which you do not contest, you must notify U.S. Department of Labor Area Office, by letter, within 10 calendar days after each abatement date, that you have taken appropriate corrective action within the time frame set forth on this Citation. Where the citation indicates that *abatement certification* is necessary, only the abatement method and date when abatement occurred are required. Where the citation indicates that *abatement documentation* is necessary, you must also provide evidence, such as photographs, receipts, etc., verifying that abatement has occurred. The abatement letter must be posted or employees otherwise effectively informed about abatement activities. A sample abatement notification letter is enclosed with this Citation.

**Employer Discrimination Unlawful** - The law prohibits discrimination by any person 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 with the U.S. Department of Labor Area Office at the address shown above.

**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 within 15 working days after receipt of this Notice. As soon as the time, date, and place of the informal conference have been determined please complete the enclosed "Notice to Employees" and post it where the Notice is posted. During such an informal conference you may present any evidence or views which you believe would support an adjustment to the Notice. In addition, bring to the conference any and all supporting documentation of existing conditions as well as any abatement steps taken thus far.



Notice of Unsafe or Unhealthful Working Conditions

Company Name: Grand Teton National Park  
Inspection Site: P.O. Box 170, Moose, WY 83012

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

29CFR1926.1101(f)(2)(i): The employer did not ensure that a "competent person" conduct an exposure assessment immediately before or at the initiation of the operation to ascertain expected exposures during that operation:

(a) Grand Teton National Park, Moose, Wyoming: An exposure assessment was not conducted prior to the removal of cementitious pipe containing 5% asbestos.

- Abatement certification or documentation is NOT required for this item.
- Abatement certification is required for this item.
- Abatement certification and documentation are required for this item.
- Warning tag (or citation copy) required on this equipment before moving.

Date By Which Violation Must be Abated:

08/06/2001

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



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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

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

29CFR1926.1101(g)(1)(i): The employer did not use the following engineering controls and work practices in all operations covered by this section, regardless of the levels of exposure:

(a) Grand Teton National Park, Moose, Wyoming: Wet methods, or wetting agents, were not used during the removal of cementitious pipe containing 5% asbestos.

- Abatement certification or documentation is NOT required for this item.  
 Abatement certification is required for this item.  
 Abatement certification and documentation are required for this item.  
 Warning tag (or citation copy) required on this equipment before moving.

Date By Which Violation Must be Abated:

08/06/2001

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

29CFR1926.1101(g)(1)(iii): The employer did not use the following engineering controls and work practices in all operations covered by this section, regardless of the levels of exposure:

(a) Grand Teton National Park, Moose, Wyoming: Prompt clean-up and disposal of wastes and debris contaminated with asbestos was not utilized during the removal of cementitious pipe containing 5% asbestos.

- Abatement certification or documentation is NOT required for this item.  
 Abatement certification is required for this item.  
 Abatement certification and documentation are required for this item.  
 Warning tag (or citation copy) required on this equipment before moving.

Date By Which Violation Must be Abated:

08/06/2001

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

29CFR1926.1101(g)(3)(iii): The following work practices were used for work related to asbestos or for work which disturbs ACM, regardless of measured levels of asbestos exposure or the results of initial exposure assessments:

(a) Grand Teton National Park, Moose, Wyoming: Dry shoveling or other dry clean-up of dust and debris containing ACM was done during the removal of cementitious pipe containing 5% asbestos.

- Abatement certification or documentation is NOT required for this item.
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The alleged violations below have been grouped because they involve similar or related hazards that may increase the potential for illness.

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

29CFR1926.1101(k)(3)(ii)(B): Before work under this standard is performed employers of employees who will perform such work did not inform the following persons of the location and quantity of ACM and the precautions to be taken to insure that airborne asbestos is confined to the area:

(a) Grand Teton National Park, Moose, Wyoming: Employees removing cementitious pipe containing 5% asbestos were not informed of the presence of asbestos and the precautions to be taken.

- Abatement certification or documentation is NOT required for this item.
- Abatement certification is required for this item.
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Citation 1 Item 3b Type of Violation: **Serious**

29cfr1926.1101(K)(8)(i): Labels were not affixed to all products containing asbestos and to all containers containing such products, including waste containers:

(a) Grand Teton National Park, Moose, Wyoming: Labels with the required wording were not affixed to cementitious pipe containing 5% asbestos after the pipe was removed.

- Abatement certification or documentation is NOT required for this item.  
 Abatement certification is required for this item.  
 Abatement certification and documentation are required for this item.  
 Warning tag (or citation copy) required on this equipment before moving.

Date By Which Violation Must be Abated:

08/06/2001

  
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David J. DiTommaso  
Area Director