

Aug 27 04 05:17p

OSHA Avenel

12:22:04 p.m. 08-30-2004
732 750 47371/9
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U.S. Department of Labor

Occupational Safety and Health Administration
 Avenel Area Office
 1030 St. Georges Ave. Suite 205
 Avenel, New Jersey 07001-1394
 [732]750-3270
 Fax-[732]750-4737
 OSHA Website Address: <http://www.osha.gov>



FAX [732] 750-4737

DATE 8/27/2004

1-202-434-0690

PLEASE DELIVER THE FOLLOWING TO:

NAME: Ms. Candice Kolander for Mr. Christopher WitkowskiFROM: Ron FreyeTOTAL NUMBER OF PAGES INCLUDING THIS COVER SHEET: 9

PLEASE CALL IMMEDIATELY IF THIS COPY IS RECEIVED INCOMPLETE OR ILLEGIBLE.

DESCRIPTION OF THE DOCUMENT BEING TRANSMITTED:

Copy of citation issued to Exxon Mobil
on 8/20 Informal Conference set
for 8/31 (10 a.m. by CRW on 8-30-04 at 4:56 p.m. EDT)

 THE INFORMATION IN THIS FAX TRANSMISSION IS ATTORNEY PRIVILEGED, CONFIDENTIAL AND INTENDED SOLELY FOR THE USE OF THE INDIVIDUAL OR ENTITY NAMED ON THIS TRANSMITTED REPORT. THE INFORMATION IS ALSO EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF THE READER OF THIS COMMUNICATION IS NOT THE INTENDED RECIPIENT, OR ITS EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE COMMUNICATION TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY THE SENDER IMMEDIATELY BY TELEPHONE AND PLEASE RETURN THE ORIGINAL COMMUNICATION TO US AT THE ABOVE ADDRESS BY U.S. POSTAL SERVICE. THANK YOU

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U.S. Department of Labor
Occupational Safety and Health Administration
1030 St. Georges Ave.
Suite 205
Avenel, NJ 07001
Phone: (732)750-3270 FAX: (732)750-4737
OSHA Website Address: <http://www.osha.gov>



Citation and Notification of Penalty

To: Mr. John Boyca, SHE Manager
ExxonMobil Chemical Co - Synthetics Division
and its successors
2195 Route 27
Edison, NJ 08818

Inspection Number: 306739574
Inspection Date(s): 02/23/2004 - 08/19/2004
Issuance Date: 08/20/2004

Inspection Site:
2195 Route 27
Edison, NJ 08818

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).

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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.

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U.S. Department of Labor
Occupational Safety and Health Administration



NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 08/20/2004. The conference will be held at the OSHA office located at 1030 St. Georges Ave., Suite 205, Avenel, NJ, 07001 on _____ at _____. Employees and/or representatives of employees have a right to attend an informal conference.

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U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 306739574
Inspection Dates: 02/23/2004 - 08/19/2004
Issuance Date: 08/20/2004



Citation and Notification of Penalty

Company Name: ExxonMobil Chemical Co - Synthetics Division
Inspection Site: 2195 Route 27, Edison, NJ 08818

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

29 CFR 1910.1200(g)(2)(iv): Each material safety data sheet (MSDS) for hazardous chemicals did not contain at least the health hazards of the hazardous chemical, including signs and symptoms of exposure, and any medical conditions which are generally recognized as being aggravated by exposure to the chemical:

a) Material safety data sheet for Mobil Jet Oil 254:

Revisions dated August 2003 & October 2003 had the following required information removed under Section 3: Hazard Identification "Potential health effects: This product is not expected to produce neurotoxic effects under normal conditions of use and with appropriate personal hygiene practices. This product contains tricresyl phosphate (TCP). Overexposure to TCP by swallowing, prolonged or repeated breathing of oil mist, or prolonged or repeated skin contact may produce nervous system disorders including gastrointestinal disturbances, numbness, muscular cramps, weakness and paralysis. Paralysis may be delayed. Refer to emergency and first aid procedures for additional information."

Also under the Section 4, First Aid Measures, Note to Physicians: "This product is not expected to produce adverse effects under normal conditions of use and appropriate personal hygiene. This product contains TCP which can cause symptoms associated with cholinesterase inhibition. TCP may also produce neurotoxicity associated with inhibition of neuropathy target esterase (NTE). Effects of cholinesterase inhibition are expected to occur within hours of exposure, but neurotoxicity related to NTE inhibition may not become evident for several days. Treat appropriately."

The MSDS for Mobil Jet Oil 254 revisions January 2002 & July 2002 does contain this required information. Condition observed on or about February 23, 2004.

b) Material safety data sheet for Mobil Jet Oil II:

Revision dated October 2003 & May 2004 had the following required information removed. Under Section 3: Hazards Identification; Potential health effects. "This product is not expected to produce neurotoxic effects under normal conditions of use and with appropriate personal hygiene practices. This product contains tricresyl phosphate (TCP). Overexposure to TCP by swallowing, prolonged or repeated breathing

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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U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 306739574
Inspection Dates: 02/23/2004 - 08/19/2004
Issuance Date: 08/20/2004



Citation and Notification of Penalty

Company Name: ExxonMobil Chemical Co - Synthetics Division
Inspection Site: 2195 Route 27, Edison, NJ 08818

of oil mist, or prolonged or repeated skin contact may produce nervous system disorders including gastrointestinal disturbances, numbness, muscular cramps, weakness and paralysis. Paralysis may be delayed. Refer to emergency and first aid procedures for additional information."

Also under the Section 4, First Aid Measures, Note to Physicians: "This product is not expected to produce adverse effects under normal conditions of use and appropriate personal hygiene. This product contains TCP which can cause symptoms associated with cholinesterase inhibition. TCP may also produce neurotoxicity associated with inhibition of neuropathy target esterase (NTE). Effects of cholinesterase inhibition are expected to occur within hours of exposure, but neurotoxicity related to NTE inhibition may not become evident for several days. Treat appropriately."

The MSDS for Mobil Jet Oil II revision October, 2002 does contain this required information under the two different sections. Condition observed on or about February 23, 2004 and again August 11, 2004 (for MSDS revision May 2004).

c) Material safety data sheet for Mobil Jet Oil 291:

Revisions dated August 2001; October 2002 and January 2003 do not contain any of the following required information under Section 3: Hazards Identification; Potential health effects. "This product is not expected to produce neurotoxic effects under normal conditions of use and with appropriate personal hygiene practices. This product contains tricresyl phosphate (TCP). Overexposure to TCP by swallowing, prolonged or repeated breathing of oil mist, or prolonged or repeated skin contact may produce nervous system disorders including gastrointestinal disturbances, numbness, muscular cramps, weakness and paralysis. Paralysis may be delayed. Refer to emergency and first aid procedures for additional information."

Also under the Section 4, First Aid Measures, Note to Physicians: "This product is not expected to produce adverse effects under normal conditions of use and appropriate personal hygiene. This product contains TCP which can cause symptoms associated with cholinesterase inhibition. TCP may also produce neurotoxicity associated with inhibition of neuropathy target esterase (NTE). Effects of cholinesterase inhibition are expected to occur within hours of exposure, but neurotoxicity related to NTE inhibition may not become evident for several days. Treat appropriately."

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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U.S. Department of Labor
Occupational Safety and Health Administration

Inspection Number: 306739574
Inspection Dates: 02/23/2004 - 08/19/2004
Issuance Date: 08/20/2004



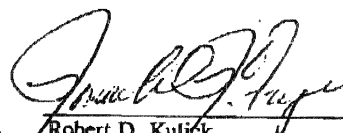
Citation and Notification of Penalty

Company Name: ExxonMobil Chemical Co - Synthetics Division
Inspection Site: 2195 Route 27, Edison, NJ 08818

The chemical formula of Mobil Jet Oil 291 compared to Jet Oil 254 and Jet Oil II are substantially similar in their TCP composition. The two statements should be included under each section respectively. Condition observed on or about February 23, 2004.

Date By Which Violation Must be Abated:
Proposed Penalty:

10/07/2004
\$ 1700.00


Robert D. Kulick
Area Director

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

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U.S. Department of Labor
Occupational Safety and Health Administration
1030 St. Georges Ave.
Suite 205
Avenel, NJ 07001
Phone: (732)750-3270 FAX: (732)750-4737
OSHA Website Address: <http://www.osha.gov>



INVOICE/ DEBT COLLECTION NOTICE

Company Name: ExxonMobil Chemical Co - Synthetics Division
Inspection Site: 2195 Route 27, Edison, NJ 08818
Issuance Date: 08/20/2004

Summary of Penalties for Inspection Number 306739574

Citation 1, Serious	= \$	1700.00
TOTAL PROPOSED PENALTIES	= \$	1700.00

To avoid additional charges, please remit payment promptly to this Area Office for the total amount of the uncontested penalties summarized above. Make your check or money order payable to:
"DOL-OSHA". Please indicate OSHA's Inspection Number (indicated above) on the remittance.

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

Pursuant to the Debt Collection Act of 1982 (Public Law 97-365) and regulations of the U.S. Department of Labor (29 CFR Part 20), the Occupational Safety and Health Administration is required to assess interest, delinquent charges, and administrative costs for the collection of delinquent penalty debts for violations of the Occupational Safety and Health Act.

Interest. Interest charges will be assessed at an annual rate determined by the Secretary of the Treasury on all penalty debt amounts not paid within one month (30 calendar days) of the date on which the debt amount becomes due and payable (penalty due date). The current interest rate is 2%. Interest will accrue from the date on which the penalty amounts (as proposed or adjusted) become a final order of the Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

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Delinquent Charges. A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. Occupational Safety and Health Review Commission (that is, 15 working days from your receipt of the Citation and Notification of Penalty), unless you file a notice of contest. Interest charges will be waived if the full amount owed is paid within 30 calendar days of the final order.

Delinquent Charges. A debt is considered delinquent if it has not been paid within one month (30 calendar days) of the penalty due date or if a satisfactory payment arrangement has not been made. If the debt remains delinquent for more than 90 calendar days, a delinquent charge of six percent (6%) per annum will be assessed accruing from the date that the debt became delinquent.

Administrative Costs. Agencies of the Department of Labor are required to assess additional charges for the recovery of delinquent debts. These additional charges are administrative costs incurred by the Agency in its attempt to collect an unpaid debt. Administrative costs will be assessed for demand letters sent in an attempt to collect the unpaid debt.


Robert D. Kulick
Area Director

Date 8/20/2004