

U.S. Department of Labor

Occupational Safety and Health Administration
Federal Building, Room 1428
1000 Liberty Avenue
Pittsburgh, PA 15222
(412) 395-4903
(412) 395-6380 (fax)



November 6, 2002

Mr. Joseph Myers
147 Heather Drive
Butler, PA 16001

Dear Mr. Myers:

In response to your nonformal complaint of health and/or safety hazards at:

AK Steel Corporation
P.O. Box 832
Butler, PA 160030832,

The Occupational Safety and Health Administration (OSHA) has sent a letter to AK Steel Corporation requesting that the appropriate action be taken to correct the situation. Enclosed is a copy of that letter for your information. As the letter indicates, the employer has been given 5 working days to correct the hazards.

Please notify me if no correction has been made within 5 working days. We have not revealed your identity to the employer. When we receive additional information from the employer, we will notify you of his response.

Section 11(c) of the OSH Act provides protection for employees against discrimination because of their involvement in protected safety and health related activity. If you believe you are being treated differently or action is being taken against you because of your safety or health activity, you may file a complaint with OSHA. You should file this complaint as soon as possible, since OSHA normally can accept only those complaints filed within 30 days of the alleged discriminatory action.

Your continued interest in workplace safety and health is appreciated.

Respectfully,

Robert Szymanski
Area Director

Enclosure

U.S. Department of Labor

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AK Steel Corporation
P.O. Box 832
Butler, PA 160030832

Dear Sir or Madam:

On 11/06/2002, the Occupational Safety and Health Administration (OSHA) received a notice of (safety and/or health) hazards at your worksite at:

P.O. Box 832
Butler, PA 160030832

The specific nature of the alleged hazards is as follows:

1. In the Transportation Department, steel coils are being transported unsecured and the trucks are being overloaded. This is being done against the company's safety, health and security handbook regulations; and Procedure # SHSP-0035-28

We have not determined whether the hazards, as alleged, exist at your workplace; and we do not intend to conduct an inspection at this time. However, since allegations of violations have been made, you are requested to investigate the alleged conditions and make any necessary corrections or modifications. Within 5 working days of your receipt of this letter, please advise me in writing of the results of your investigation. Please provide any supporting documentation of your findings, including any applicable measurements or monitoring results, and photographs which you believe would be helpful, as well as a description of any corrective action you have taken or are in the process of taking, including photographs of the corrected condition. If possible, you should fax your response to this office at 412-395-6380.

The complainant involved has been advised of this preliminary response to the complaint of hazards and has been furnished a copy of this letter. Section 11(c) of the OSH Act provides protection for employees against discrimination because of their involvement in protected safety and health related activity.

This letter is not a citation or a notification of proposed penalty which, according to the OSH Act, may be issued only after an inspection or investigation of the workplace. If we do not receive a response from you within 5 working days indicating that appropriate action has been taken or that no hazard exists and why, an inspection may be conducted.

Please note, however, that OSHA selects for inspection a random sample of cases where we have received letters in which employees have indicated satisfactory corrective action. This policy has been established to ensure that employers have actually taken the action asserted in their letters.

Finally, any action taken by you in this matter will not automatically remove your workplace from the possibility of an unannounced inspection by duly authorized representatives of OSHA in accordance with routine scheduling procedures currently in effect.

In addition to its function of inspecting workplaces, the OSHA Area Office has been expanded to become full service resource center, offering a wide range of safety and health related services in response to the needs of the working public, both employers and employees. These services include training and education, consultation, voluntary compliance programs and assistance in correcting hazards.

Your State offers OSHA consultation services, without charge, to assist in resolving all occupational safety and health issues. However, the variety of services available or the scheduling of those services may be limited by the consultation project's requirement to give priority to small businesses in high hazard industries and by its backlog. To discuss or request the services, call or write your State consultation project at the following address:

Indiana University of Pennsylvania
Safety Sciences Department
210 Walsh Hall
302 East Walk
Indiana, PA 15705-1087
Toll Free 1-800-382-1241

You are requested to post a copy of this letter and your response to it where it will be readily accessible for review by all of your employees.

If you have any questions concerning this matter, please contact the Area Office at the address in the letterhead. Your personal support and interest in the safety and health of your employees is appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Robert Szymanski" followed by a stylized flourish that looks like "mb".

Robert Szymanski
Area Director