

FEBRUARY 2, 1976

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DEPARTMENT OF OCCUPATIONAL
SAFETY AND HEALTH -
STAFF INDUSTRIAL HYGIENIST

ASBESTOS - J. C. PENNEY
AUTO REPAIR CENTERS

I had a telephone conversation with Mr. Reff of J. C. Penney's legal office in New York. The discussion concerned OSHA's citations for J. C. Penney's failure to monitor for asbestos and to provide medical examinations for employees working with automotive brake linings. They have reviewed several citations in their repair centers in Wisconsin and Illinois. J. C. Penney only removes and replaces brake linings; they do not grind or otherwise work the brake lining materials.

It is Mr. Reff's opinion that the law is very specific in this matter, and there is no question that it applies to any and all facilities repairing brakes.

J. C. Penney is currently evaluating the business impact with the possible result being their withdrawal from the brake repair business.

Original Signed By F. M. Parker III

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FMP:jts

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