FILE NAME: Sears Roebuck (SEAR)

DATE: 1976

DOC#: SEAR002

DOCUMENT DESCRIPTION: OSHA Inspection Results 1976

U.S. Department of Labor

Occupational Safety and Health Administration
55 North Robinson, Suite 315
Oklahoma City, Oklahoma 73102
Phone: (405) 278-9560
Fax: (405) 278-9572

December 04, 2003

Mrs. Rebecca L. Benson
9617 Beth Drive
Midwest City, OK 73130

Re: FOIA #2004-010
Sears & Roebuck Company
Insp. M-2882-26
Insp. W-2864-122
Insp. W-2864-098

Dear Mrs. Benson:

Enclosed is a copy of the releasable information you requested from the above company.

The information requested was compiled for law enforcement purposes and contained in an investigatory file. Under the Freedom of Information Act, these files may be withheld from public disclosure as stated in Exemption 7 of 5 U. S. C. 552(b), Public Law 93-502.

You will note, some information may have been removed from the reports. This is authorized under the rules and regulations, including exemptions, contained in 29 CFR Part 70, as printed in volume 40, Number 34, part II, of the Federal Register of Wednesday, February 19, 1975, as set forth in paragraph 70.11. Actual sections deleted are indicated, with numbered exemptions noted in each case. For specific paragraph numbers and wording of exemptions, please refer to attachment.

The withholding or exclusion of this information is authorized under the rules and regulations including exemptions contained in 29 CFR Part 70, as printed in Volume 40, Number 34, Part II of the Federal Register of Wednesday, February 19, 1975 as set forth in Paragraph 70.11.

Should you wish to appeal any portion thereof, pursuant to paragraph 70.50, you may file an appeal within 90 days from the date of the denial, stating in writing the grounds for appeal. The appeal must be addressed to the Solicitor of Labor, Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210, and the envelope notated "**FOIA APPEAL**".

The cost for providing these reports, in line with the regulations published under 29 CFR, paragraph 70.62, is as follows:

Reproduction:	(40 pages @ .15 = $)	$ Waived
Transmittal:	(if in excess of $1.00)	2.21
Search Time:	(.30 min. @ 10.00	10.00
Review Time:	(1.00 min.@ 20.00)	40.00

Total: _____

$-waived-

If we may be of further assistance, please let us know.

Sincerely,

Carlos M. Reyes

for James E. Brown, III
Area Director

JEB:fnw

FTN # 711282 # 026

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

Safety and Health or Accident Inspection Report

1. Area	2. Region	3. CSHO No.	4. Report No.	5. CSHO Job Title
315150	06	7C	215191800	7C

6. Inspection Dates — From: Month / Day / Year — To: 12 / 14 / 16

7. SIC: 5513

8. Establishment Name (Print legal name): SEARS ROEBUCK AND COMPANY

9. Site Location: 4141 SOUTHWESTERN

10. City	11. State	12. Zip Code	13. City Code	14. St. Code	15. County Code
OKLAHOMA CITY	OK	73119	35500	40	109

16. Name of Controlling Corporation, Partner or Sole Owner

17. Telephone Number: 405 632 161

18. Citation Mailing Address If Different From Above

MANDATORY FOLLOWUP item corrected

19. Type of Inspection: O

Accident	Complaint	General Schedule	Follow-up
☐	☐	☐	☒

20. Special Programs:

TIP	THHP	Other Health	Special Emphasis	Other
☐	☐	☒	☐	☐

21. If a previous OSHA inspection has been made in this establishment enter the id of the First OSHA Inspection:

Region: 06 — Area: 3151

CSHO Number: 7C — Report Number FY/00: 0126 00

22. Check this box if OSHA Training Received by Establishment: ☐

23. Number of Employees

Employed in Establishment: 470 — Covered by Inspection: 0139

Controlled by Employer: 0-19 ☐ — 20-99 ☐ — Over 99 ☒

24. Advance Notice (Check One):

- ☐ Given; no adverse effect
- ☐ Adverse effect (CSHO)
- ☐ Adverse effect (Employee)

25. Check this box if an employee representative exercised walk around privileges during this inspection: ☐

26. Number Safety or Health Hazards Not Covered by a Standard:

27. Inspection Status Block

Citations Will Be Issued: Yes ☐ — No ☐

Date Case Completed: Month / Day / Year

Abatements Completed ☐

Penalties Paid ☐

Follow-Up Inspection Id: CSHO No. / Report No.

28. Enter Related Complaint Log Numbers

29. Enter "total-occupational injuries and illnesses" from the OSHA 102

Cal. Yr.	Total Cases	Deaths	Lost Workday Cases: Total Lost Workday Cases	Lost Workday Cases: Cases Involving Days Away From Work	Lost Workday Cases: Days Away From Work	Lost Workday Cases: Days of Restricted Work Activity	Nonfatal Cases Without Lost Workdays	Termination or Permanent Transfers
15	117	0	11	11	148	0	3	0

30. Enter cross reference codes if desired for this inspection: N

Accident Data

31. OSHA-36 Prelim. Report No.	32. Date of Accident: Month / Day / Year	33. No. Deaths	34. Hospitalized Injuries	35. Non-hospitalized Injuries

36. Injured/Deceased

Line No.	Name	Disp. Code	Nature of Inj.	Part of Body	Source of Inj.	Event Type	Contr. Envir. Factor	Contr. Human Factor	Task Assn.	Hazardous Substance
01										
02										
03										
04										
05										

CS: —

7C — Area O — 7C — 2/6/16

OSHA-1

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

1.

CSHO NO. 7C | OSHA-1 NO. 26
AREA 3550 | REGION 6

CITATION

U. S. Dept. of Labor, OSHA
Oklahoma City Area Office
50 Penn Place, Suite 408
Oklahoma City, Oklahoma 73118

TO: 2.
Sears Roebuck & Company
44th & South Western
Oklahoma City, Oklahoma 73109

Attn: Mr. Wm. C. Lochmoeller, V. Pres.

3. Citation Number 1

4. Page 1 of 5. 3

6.
TYPE OF ALLEGED VIOLATION(S): NONSERIOUS

An inspection was made on 7. January 13 19 76 of a place of employment located at
8. 44th & South Western, Oklahoma City, Oklahoma and described as follo
9. Automotive Service & Repair

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970 29 U.S.C. 651 *et seq.*, in the following respects:

Item Number	11. Standard, regulation or section of the Act allegedly violated	12. Description of alleged violation	13. Date by which alleged violation must be corrected
1	29 CFR 1910.106(e)(9)(iii)	Combustible waste material was not stored in covered metal receptacles; i.e., saturated rags and debris in sink of Safety Kleen unit.	Feb. 23, 197
2	29 CFR 1910.106(g)(1)(i)(f) 1910.106(g)(1)(i)(f)	Class I liquids were stored within a building having a basement into which flammable vapors may travel; i.e., 120 gallons of premixed windshield washer containing methanol in basement flammable liquid storage room with no ventilation.	Feb. 23, 197
3	29 CFR 1910.106(g)(1)(i)(a)	Combustible liquids were not stored in approved closed containers; i.e., open 10 gallon bucket of carburetor cleaner containing 5 gallons.	Feb. 23, 197
4	29 CFR 1910.132(a)	Personal protective equipment for eyes and extremities were not utilized by employees where necessary by reason of hazard; i.e., no gloves or goggles used when applying sodium silicate.	Feb. 23, 197
5	29 CFR 1910.151(c)	Suitable facilities for quick drenching or flushing of the eyes and body were not provided where necessary by reason of hazard; i.e., no eye wash facility available where sodium silicate is applied to tires.	March 15, 197
6A	29 CFR 1910.1001(c)(1)	Employer did not provide feasible administrative or engineering controls for employees exposed to excessiv concentrations of airborne asbestos fibers located in the following area: Brake Shoe Room.	By March 1, 19 submit and obtain the approval of OSH for a program of engineering and/or administrative controls which will lead to

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near each place that an alleged violation referred to in the citation occurred. The citation must remain posted until all alleged violations cited therein are corrected, or for 3 working days*, whichever period is longer.

RIGHTS OF EMPLOYEES

Any employee or representative of employees who believes that any period of time fixed in this citation for the correction of a violation is unreasonable has the right to contest such time for correction by submitting a letter to the U.S. Department of Labor at the address shown above within 15 working days* of the issuance of this citation.

"No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. 11(c)(1) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, 660(c)(1).

*Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, or Federal Holidays.

14. Area Director's Signature L. A. WARREN Issuance Date January 2

U.S. DEPARTMENT OF LABOR
National Safety and Health Administration

OSHA NO.	OSHA NO.	FY
7C	26	76

AREA	REGION
3550	

CITATION

U. S. Dept. of Labor, OSHA
Oklahoma City Area Office
50 Penn Place, Suite 403
Oklahoma City, Oklahoma 73118

TO: 2.
Sears Roebuck & Company
44th & South Western
Oklahoma City, Oklahoma 73109

Attn: Mr. Wm. C. Lochmoeller, V. Pres.

3. Citation Number 1

4. Page 2 of 5. 3

6.
TYPE OF ALLEGED VIOLATION(S): NONSERIOUS

An inspection was made on 7. January 13 19 76 of a place of employment located at:

8. 44th & South Western, Oklahoma City, Oklahoma and described as follows:

9. Automotive Service & Repair

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 *et seq.*, in the following respects:

Item Number	11. Standard, regulation or section of the Act allegedly violated	12. Description of alleged violation	13. Date by which alleged violation must be corrected
		[Item 6A Continued]	complete abatement of this violation.**
B	29 CFR 1910.1001(d)(3)	The employer did not provide and require the use of special clothing, head coverings, gloves, and foot coverings for any employee exposed to airborne concentrations of asbestos fibers exceeding the permissible levels prescribed in 29 CFR 1910.1001(b); i.e., no gloves, foot coverings, or hoods were used by employees.	Feb. 23 1976
C	29 CFR 1910.1001(d)(4)(c) 1910-1001(d)(4)(iii)(c)	Contaminated clothing was not transported in sealed impermeable bags, or other closed impermeable containers and labeled in accordance with paragraph (g) of 29 CFR 1910.1001; i.e., no impermeable containers were used.	Feb. 23 1976
D	29 CFR 1910.1001(d)(4)(i)	The employer did not provide change rooms for employees exposed to asbestos fibers in excess of the permissible limits prescribed in 29 CFR 1910.1001(b); i.e., no change rooms available at the automotive service center.	March 15, 1976
E	29 CFR 1910.1001(d)(4)(ii)	The employer did not provide two separate lockers or containers for each employee, so separated or isolated as to prevent contamination of the employees street clothes from work clothes; i.e., no lockers or containers were available.	March 15, 1976
	29 CFR 1910.1001(f)(1)	The employer did not cause every place of employment where asbestos fibers are released to be monitored in such a way as to determine whether every employee's exposure to asbestos fibers is below the limits prescribed in 1910.1001(b) of the Federal Register; i.e.,	April 26, 1976

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near each place that an alleged violation referred to in the citation occurred. The citation must remain posted until all alleged violations cited therein are corrected, or for 3 working days*, whichever period is longer.

RIGHTS OF EMPLOYEES

Any employee or representative of employees who believes that any period of time fixed in this citation for the correction of violation is unreasonable has the right to contest such time for correction by submitting a letter to the U.S. Department of Labor the address shown above within 15 working days* of the issuance of this citation.

"No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. 11(c) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, 660(c)(1).

*Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, Federal Holidays.

Area Director's Signature L. A. WARREN January 20

Occupational Safety and Health Administration

1. CITATION

U. S. Dept. of Labor, OSHA
Oklahoma City Area Office
50 Penn Place, Suite 408
Oklahoma City, Oklahoma 73118

7C | 76 | 7(
AREA 3550 | REGION 6

TO: 2. Sears Roebuck & Company
44th & South Western
Oklahoma City, Oklahoma 73109

Attn: Mr. Wm. C. Lochmoeller, V. Pres.

3. Citation Number 1

4. Page 3 of 5. 3

5. TYPE OF ALLEGED VIOLATION(S): NONSERIOUS

7. An inspection was made on January 13 19 76 of a place of employment located at:

8. 44th & South Western, Oklahoma City, Oklahoma and described as follows:

9. Automotive Service & Repair

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 *et seq.*, in the following respects:

Item Number	11. Standard, regulation or section of the Act allegedly violated	12. Description of alleged violation	13. Date by which alleged violation must be corrected
		no asbestos sampling was conducted, environmental or personnel.	
6G	29 CFR 1910.1001(g)(1)(i)	Caution signs were not provided and displayed at the following location (s) where airborne concentrations of asbestos fibers may be in excess of the exposure limits prescribed in 1910.1001(b) of the Federal Register; i.e., no signs were located outside of the brake shoe room entrances.	Feb. 2[illegible], 1976
6H	29 CFR 1910.1001(h)(2)	Asbestos waste, scrap and bags were not collected and disposed of in sealed impermeable bags or other closed containers; i.e., cloth bag from brake shoe grinder exhaust collector used to carry and dispose of asbestos waste.	Feb. 2[illegible], 1976
6I	29 CFR 1910.1001(j)(1)	Medical examinations relative to exposure to asbestos were not provided or made available as required; i.e., no annual preplacement or termination of employment physicals were given relative to asbestos exposure.	March 15, 1976
		** Such plan must include a step by step procedure for abatement with a timetable for completion of each step. Progress reports must be submitted at the end of each 30 day period until abatement is completed. Once the plan is approved, it must be implemented in accordance with the approved timetable. Failure to gain OSHA approval of the timetable will result in the establishment of an abatement period not to exceed one year.	

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near each place that an alleged violation referred to in the citation occurred. The citation must remain posted until all alleged violations cited therein are corrected, or for 3 working days*, whichever period is longer.

RIGHTS OF EMPLOYEES

Any employee or representative of employees who believes that any period of time fixed in this citation for the correction of violation is unreasonable has the right to contest such time for correction by submitting a letter to the U.S. Department of Labor the address shown above within 15 working days* of the issuance of this citation.

"No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint instituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in such proceeding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. 11(c)) of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, 660(c)(1).

*Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, Federal Holidays.

Area Director's Signature Jerry L. Baker L. A. WARREN Issuance Date January 30 19 76

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

OSHA NO.	OSHA NO.	FY
7C	2	76
AREA	REGION	
3550	6	

1.

CITATION

U. S. Dept. of Labor, OSHA
Oklahoma City Area Office
50 Penn Place, Suite 408
Oklahoma City, Oklahoma 73118

TO: 2.
Sears Roebuck & Company
44th & South Western
Oklahoma City, Oklahoma 73109

Attn: Mr. Wm. C. Lochmoeller, V. Pres.

3. Citation Number 2

4. Page 1 of 5. 1

6.
TYPE OF ALLEGED VIOLATION(S): SERIOUS

An inspection was made on 7. January 13 19 76 of a place of employment located at:

8. 44th & South Western, Oklahoma City, Oklahoma and described as follows:

9. Automotive Service & Repair

On the basis of the inspection it is alleged that you have violated the Occupational Safety and Health Act of 1970, 29 U.S.C. 651 *et seq.*, in the following respects:

Item Number	11. Standard, regulation or section of the Act allegedly violated	12. Description of alleged violation	13. Date by which alleged violation must be corrected
	29 CFR 1910.1001(b)(3)	Employee in the following area not wearing respiratory protection was exposed to airborne concentrations of asbestos fibers greater than the permissible levels as stated in 1910.1001(b); i.e., brake shoe grinder.	Require employee to wear approved respiratory protection by Feb. 2, 1976.

The law requires that a copy of this citation shall be prominently posted in a conspicuous place at or near place that an alleged violation referred to in the citation occurred. The citation must remain posted until all ed violations cited therein are corrected, or for 3 working days*, whichever period is longer.

RIGHTS OF EMPLOYEES

Any employee or representative of employees who believes that any period of time fixed in this citation for the correction of ation is unreasonable has the right to contest such time for correction by submitting a letter to the U.S. Department of Labor address shown above within 15 working days* of the issuance of this citation.

"No person shall discharge or in any manner discriminate against any employee because such employee has filed any complaint tituted or caused to be instituted any proceeding under or related to this Act or has testified or is about to testify in such eding or because of the exercise by such employee on behalf of himself or others of any right afforded by this Act." Sec. 11(c) the Occupational Safety and Health Act of 1970, 29 U.S.C. 651, 660(c)(1).

r the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays eral Holidays.

Director's Signature Jerry L. Bailey L. A. WARREN Issuance Date January 30 76

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

CSHO NO.	OSHA-1 NO.	FY
7C	26	76
AREA	REGION	
3550	6	

1. U. S. Dept. of Labor, OSHA
Oklahoma City Area Office
50 Penn Place, Suite 408
Oklahoma City, Oklahoma 73118

TO:
2. Sears Roebuck & Company
44th & South Western
Oklahoma City, Oklahoma 73109

Attn: Mr. Wm. C. Lochmoeller, V. Pres.

cc: Mr. Wm. C. Lochmoeller, V. Pres.
Sears Roebuck & Company
1000 Belleview
Dallas, Texas 75295

Orig to: Mr. Marvin Benninger, Store Mgr.

Subject: Citation(s) for Alleged Occupational Safety and Health Violation(s)

An inspection of a workplace under your operation, ownership, or control has revealed conditions which we believe do not comply with the provisions of the Occupational Safety and Health Act of 1970, 29 U.S.C. 651. The nature of such alleged violation(s) is described in the enclosed citation with references to applicable standards, rules, regulations and provisions of the Act. These conditions must be corrected on or before the date shown to the right of each violation therein, *unless you exercise in good faith your right to contest as described below. The timely and good faith filing of a notice of contest suspends the requirement to abate by the date set forth in the citation, or the payment of the proposed penalty until the issuance of a final order by the Occupational Safety and Health Review Commission.*

The Act requires that a copy of the enclosed citation(s) be prominently posted "in a conspicuous place upon receipt" at or near each place a violation referred to in the citation occurred. It must remain posted until all violations cited therein are corrected, or for 3 working days, whichever is longer. A sufficient number of copies of the attached citation(s) should be prepared to permit posting in accordance with the requirements of the Act.

If you contest the citation you *are required under the rules of the Commission* to post a notice to this effect near the citation contested. The Act contains penalties for violation of the posting requirements.

You are hereby notified, or will soon be notified by certified mail whether or not a proposed penalty will be assessed as a result of the cited violation(s). *In order to clarify the citation or proposed penalty, you may request an informal conference with the Area Director no later than 15 working days after you receive the "Notification of Proposed Penalty."* You also have the right to contest the citation(s), the proposed penalties or both, before the Occupational Safety and Health Review Commission. The Review Commission is an independent quasi-judicial agency with authority to issue decisions regarding citations and proposed penalties. If you do contest, you must so notify the Area Director in writing within 15 working days after receipt of the certified mail notice regarding proposed penalties. If you fail to contest within the 15-working-day period, the citation and the proposed assessment of penalties shall be deemed to be a final order not subject to review by any court or agency.

Alleged violations that are not contested shall be corrected within the abatement period specified in the citation. Failure to correct an alleged violation within the abatement period may result in further proposed assessment of penalties. *However, if the 15-day contest period has expired and you have made a good faith effort to comply with the abatement requirements of the citation, but abatement has not been completed because of factors beyond your control, then you may file a petition for modification of abatement date with the Area Director, requesting more time to comply and explaining why abatement has not been achieved.*

As to alleged violations *which are not contested*, you are directed to promptly advise the Area Director as to the specific corrective action on each such violation and the date of such action.

A followup inspection may be made for the purpose of ascertaining that you have posted the citations as required by the Act and corrected the alleged violations as you have reported. The Act provides that whoever knowingly gives false information is subject to a fine up to $10,000, imprisonment up to 6 months, or both.

If you wish additional information, you may direct such request to the undersigned at the address listed above.

*Under the Occupational Safety and Health Act, the term "Working Day" means Mondays through Fridays but does not include Saturdays, Sundays, or Federal Holidays.

3. Citation(s) Enclosed

Quantity		Pages
1	Other	3
1	Serious	1
	Willful and/or Repeated	

4. Notification of Proposed Penalty enclosed
[X] Yes [ ] No

U.S. Department of Labor
by Area Director
5. L. A. WARREN

Date January 30 19 76

PO 890-453

OSHA-2C
Rev. May 1975

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

CSHO NO.	OSHA NO.	FY
7C	76	76
AREA	REGION	
3550		

U. S. Dept. of Labor, OSHA
Oklahoma City Area Office
50 Penn Place, Suite 408
Oklahoma City, Oklahoma 73118

TO: 2. Sears Roebuck & Company
44th & South Western
Oklahoma City, Oklahoma 73109

Attn: Mr. Wm. C. Lochmoeller, V. Pres.

3. Date January 30, 1976

THERE IS NO REQUIREMENT THAT THIS NOTIFICATION BE POSTED.

NOTIFICATION OF PROPOSED PENALTY

This notification and the penalty (ies) proposed by the Secretary of Labor shall be deemed to be the final order of the Occupational Safety and Health Review Commission (*an independent agency with authority to issue decisions respecting citations and proposed penalties*) and not subject to review by any court or agency unless, within 15 working days from the date of receipt of this notification, you submit a letter of contest. The letter of contest should be mailed or otherwise delivered to the Area Director named below at the address shown at the top of this notification. If no notice of contest is filed within the 15 working day period the proposed penalty (ies) becomes final and is immediately payable.

Payment of all penalties shown is to be made by check or money order payable to the order of "Occupational Safety and Health Labor". Payment of penalties should be remitted to the Area Director at the address shown above.

Section 17(1) of the Act states: "Civil penalties owed under this Act shall be paid into the Treasury of the United States and shall accrue to the United States and may be recovered in a civil action in the name of the United States brought in the United States district court for the district where the violation is alleged to have occurred or where the employer has its principal office."

4. On the 30th day of January, 1976, a citation(s) was issued to you in accordance with the provisions of Section 9(a) of the Occupational Safety and Health Act of 1970 (84 Stat. 1601; 29 U.S.C. 651, et seq.) hereinafter referred to as the Act. You were thus notified of certain alleged violations of the Act, as specified in that citation(s).

YOU ARE HEREBY NOTIFIED that pursuant to the provisions of Section 10(a) of the Act, the penalty(ies) set forth below is/ are being proposed, based on the citation(s).

5. NONSERIOUS VIOLATIONS

5A. Citation No.	5B. Item No.	5C. Proposed Penalty
1	1	NONE
1	2	NONE
1	3	NONE
1	4	$30.00
1	5	$50.00
1	6	$105.00

6. SERIOUS VIOLATIONS

6A. Citation No.	6B. Item No.	6C. Proposed Penalty
2	1	$600.00

7. Total Proposed Penalty for All Alleged Violations $ 785.00

8. Area Director L. A. WARREN — Date Jan. 30, 1976

The proposed penalty for Nonserious Violations of safety and health standards reflects a 50 percent adjustment factor for corrective action to be taken within the period prescribed in the citation. If a particular alleged violation is not corrected within this period, the 50 percent adjustment will be added to such other penalty as may subsequently be proposed for failure to correct a violation within the abatement period. No abatement credit is allowed for violations of recordkeeping or posting requirements.

938-835

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

No. 436772

SENT TO: Sears Roebuck

STREET AND NO.: 24th & So Western

P.O., STATE AND ZIP CODE: OKC

POSTMARK OR DATE: 1-30

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN RECEIPT SERVICES
1. Shows to whom and date delivered ..... 15¢
With delivery to addressee only ..... 65¢
2. Shows to whom, date and where delivered .. 35¢
With delivery to addressee only ..... 85¢

DELIVER TO ADDRESSEE ONLY ..... 50¢

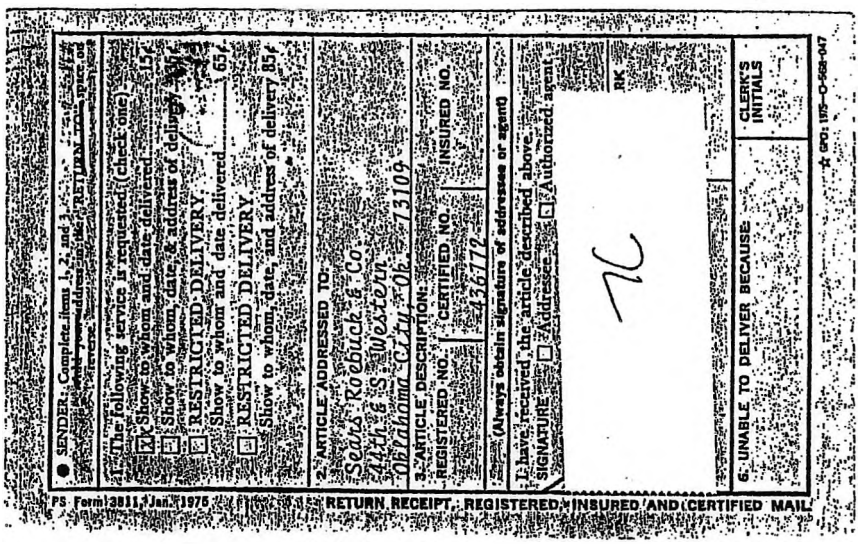
SPECIAL DELIVERY (extra fee required) .....

PS Form 3800 Apr. 1971

NO INSURANCE COVERAGE PROVIDED— NOT FOR INTERNATIONAL MAIL

(See other side)

* GPO : 1974 O - 551-454



SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).
- [X] Show to whom and date delivered 15¢
- [ ] Show to whom, date, & address of delivery 95¢
- [ ] RESTRICTED DELIVERY
- [ ] Show to whom and date delivered 65¢
- [ ] RESTRICTED DELIVERY — Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO: Sears Roebuck & Co. 24th & S Western Oklahoma City, Okla. 73109

3. ARTICLE DESCRIPTION: REGISTERED NO. | CERTIFIED NO. 436772 | INSURED NO.

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE: [ ] Addressee [ ] Authorized agent

RK

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

PS Form 3811, Jan. 1975 RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

* GPO: 1975-O-658-047

U.S. DEPARTMENT OF LABOR

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
SAFETY AND HEALTH OR ACCIDENT INSPECTION REPORT

1. AREA: 31510 2. REGION: 06
3. CASE NO.: 7C 4. REPT. NO.: 612 | 0 | 0

5. INSPECTION DATES — FROM: 01/13/76 TO: 01/26/76 6. SIC: 5531

7. ESTABLISHMENT NAME (print legal name): SEARS Roebuck AND Company

8. SITE LOCATION: 4400 | SOUTH | WESTERN

9. CITY: OKLAHOMA CITY 10. STATE: OK 11. ZIP CODE: 73109 12. CITY CODE: 31510 13. ST. CD: 40 14. CNTY. CD: 109

15. NAME OF CONTROLLING CORPORATION, PARTNER OR SOLE OWNER:

16. TELEPHONE NUMBER: 632-1611

17. CITATION MAILING ADDRESS IF DIFFERENT FROM ABOVE: Mr. MARVIN Bennyger - Store Manager, Sears Roebuck and Company, 4400 South Western, Oklahoma City, Oklahoma 73109

18. TYPE OF INSPECTION: 0

Accident	Complaint	General Schedule	Follow-up
☐	☒	☐	☐

19. SPECIAL PROGRAMS:

TIP	TIWP	Other Health	Special Emphasis	Other
☐	☐	☒	☐	☐

20. If a previous OSHA inspection has been made in this establishment enter the id of the first OSHA inspection:
Region: Area: CSHO NBR: REPORT NBR: FY/QQ:

21. Check this box if OSHA training received by establishment ☐

22. NUMBER OF EMPLOYEES — Employed in Establishment: 470 Covered by Inspection: 0319
CONTROLLED BY EMPLOYER: 0-19 ☐ 20-99 ☐ OVER 99 ☒

23. ADVANCE NOTICE:
☐ Given
☐ Adversely affected inspection in opinion of CSHO
☐ Employee stated Adverse Affect

24. Check this box if an employee representative exercised walk around privileges during this inspection ☐

25. NUMBER INJURY OR HEALTH HAZARDS NOT COVERED BY A STANDARD:

Date Case Completed: MO. 01 DAY 21 YR. 77
☒ Abatements Completed
☒ Penalties Paid
Follow-up inspection id: CSHO NBR: REPORT NO.: 01

26. Enter related complaint log numbers: 01

27. Enter "total-occupational injuries and illnesses" from the OSHA 102

Cal Yr.	LOST WORKDAYS: Fatalities	No. of Cases	Job Term or Transfer	Lost Workdays	NO LOST WORKDAYS: No. of Cases	Job Term or Transfer
74	0	11	0	1617	15	0

C.O asbestos

28. Enter cross reference codes if desired for this inspection: N

Accident Data

29. OSHA-36 Prelim. Report Nbr	30. Date of Accident MO. DAY YR.	31. Nbr. Deaths	32. Hospitalized Injuries	33. Non-hospitalized Injuries

34. Injured/Deceased

Line Nbr.	Name	Disp. Code	Nature of Inj.	Part of Body	Source of Inj.	Event Type	Contr. Envir. Factor	Contr. Human Factor	Task Assn.	Hazardous Substance
01										
02										
03										

36. Area Directors Signature: Jerry H. Bailey — Date: 1/26/76

AREA OFFICE

Prev. Rev. OSHA

U. S. Department of Labor
OSHA

PHOTO WORKSHEET

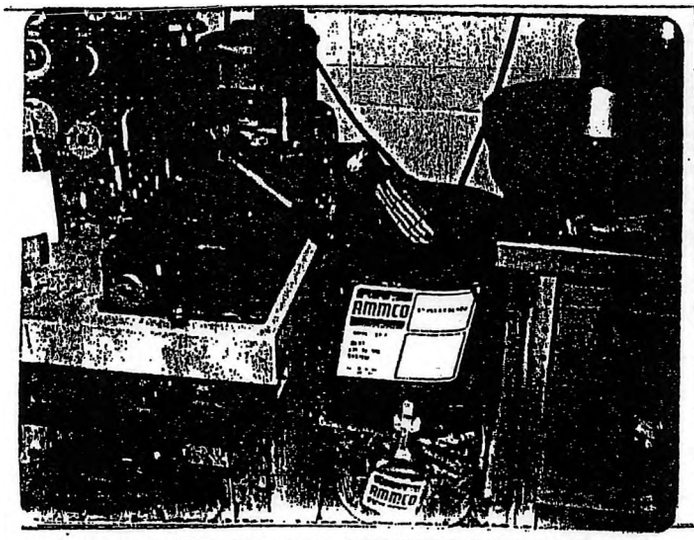
CSHO #	OSHA #
16	26
Area	Region
3550	6

EMPLOYER Sears Roebuck

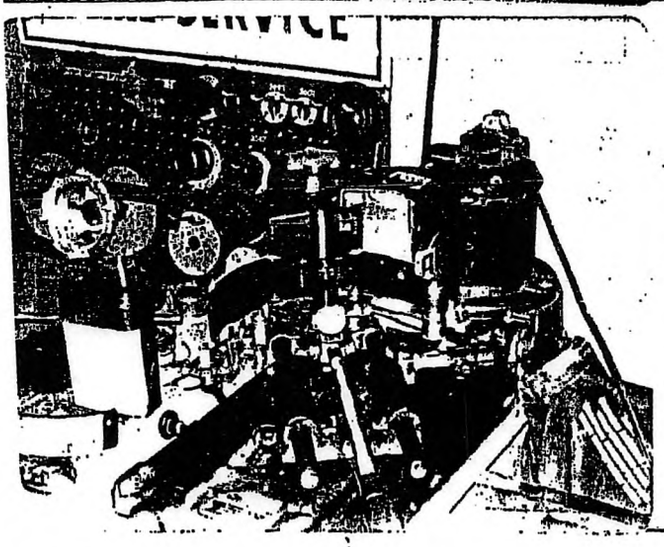
ADDRESS 4411 And South Western

DATE 2-13-76 Group 10

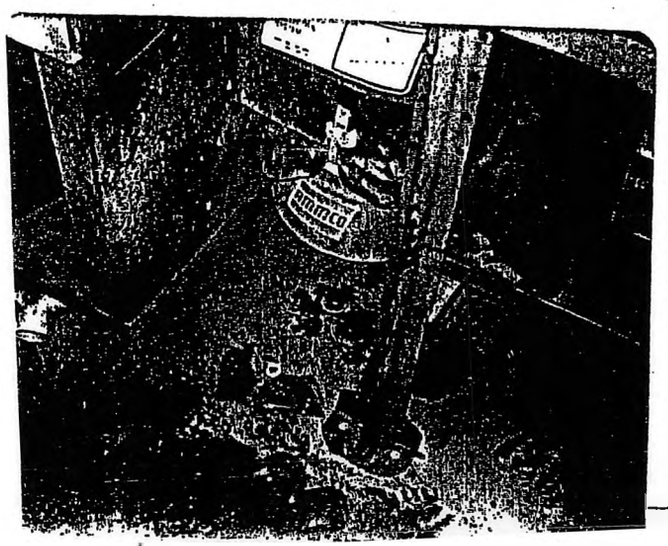
PAGE 1 OF 3



LOCATION IN PLANT: Brake Shoe Room
TIME & DATE: 12:30 1-13-76
DIRECTION: Dir. North
DESCRIPTION: Brake Shoe grinder collection bag for dust in lower right corner states warning contains asbestos dust.
CITATION & ITEM #: Cover 1000 item



LOCATION IN PLANT: Brake Shoe Room
TIME & DATE: 12:30 1-13-76
DIRECTION: Dir. North
DESCRIPTION: Bench Brake Shoe grinder with collection system. Caution sign on collector warns that it contains asbestos fibers.
CITATION & ITEM #:



LOCATION IN PLANT: Brake Shoe Room
TIME & DATE: approximately 3:30 1-14-76
DIRECTION: Dir. North
DESCRIPTION: Asbestos dust on floor after employee grinds Asbestos
CITATION & ITEM #:

PHOTO WORKSHEET

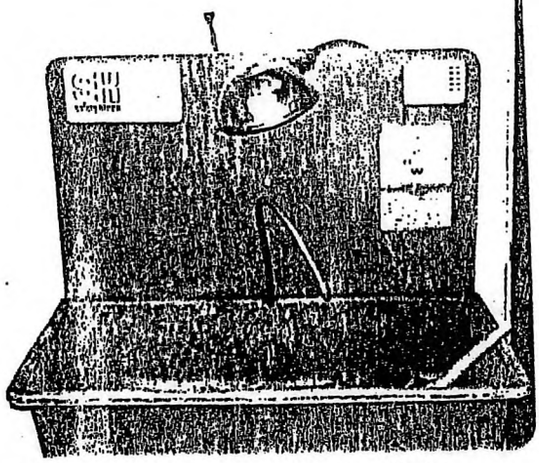
CSHO #	OSHA-
76	26
Area	Region
3550	6

EMPLOYER Sears Roebuck

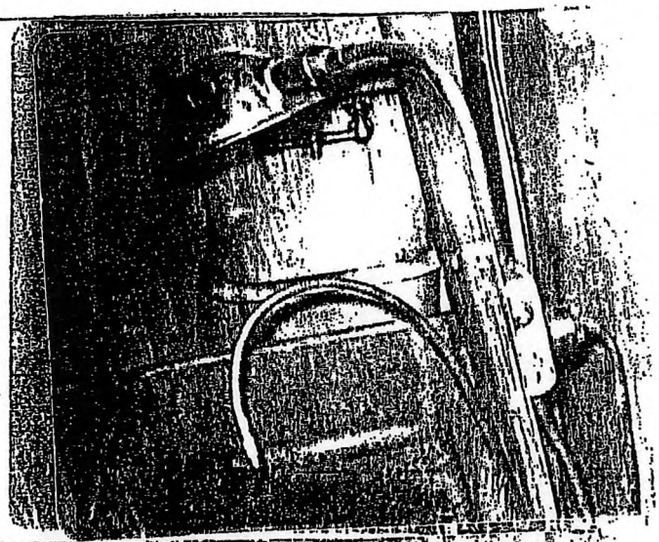
ADDRESS 44th And south Western

DATE 2-13-76

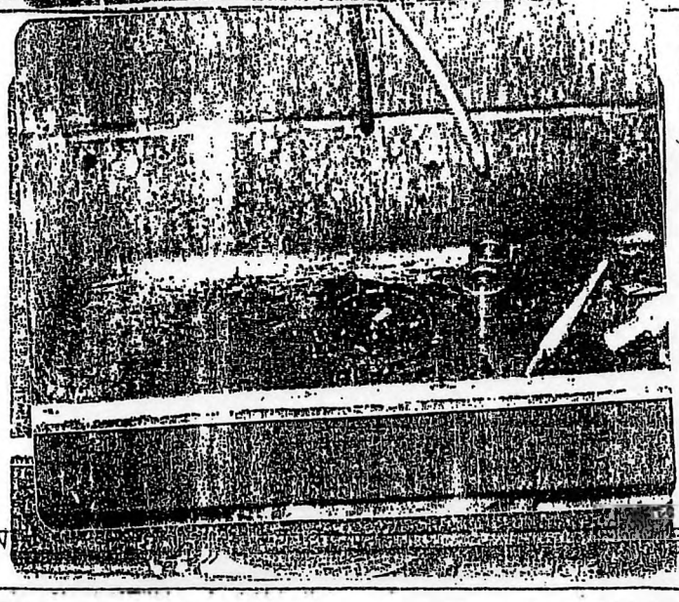
PAGE 1 OF 3



LOCATION IN PLANT: Brake Shoe Room
TIME & DATE: 1-13-76 12:30
DIRECTION: Dir. West
DESCRIPTION: Debris in Safety Kleen unit.
CITATION & ITEM #: 11 1 11 1



LOCATION IN PLANT: Brake Shoe Room
TIME & DATE: 1-13-76 12:30
DIRECTION: Dir. West
DESCRIPTION: Safety Kleen unit
CITATION & ITEM #: 11, 11



LOCATION IN PLANT: Brake Shoe Room
TIME & DATE: 1-13-76 12:30
DIRECTION: Dir. West
DESCRIPTION: Combustable debris in Safety Kleen unit
CITATION & ITEM #: 11

TGW

U S. Department of Labor
OSHA

PHOTO WORKSHEET

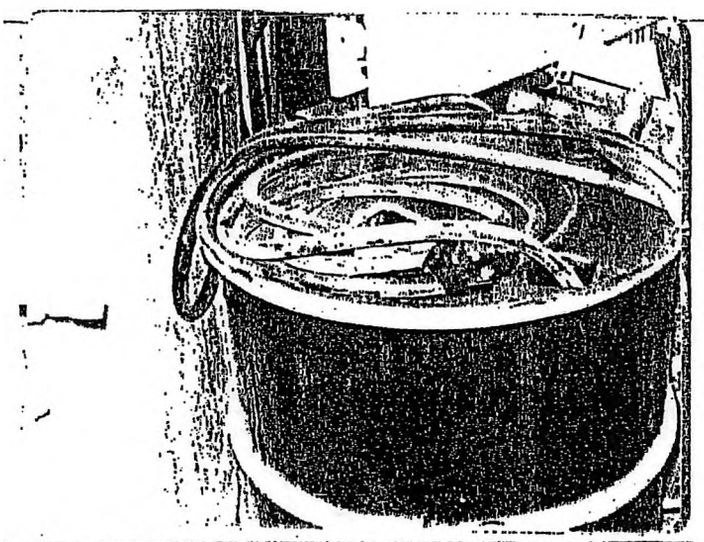
CSHO #	OSHA-1
7C	26
Area	Region
3350	6

EMPLOYER Sears Roebuck

ADDRESS 4th and Southwestern
Oklahoma City

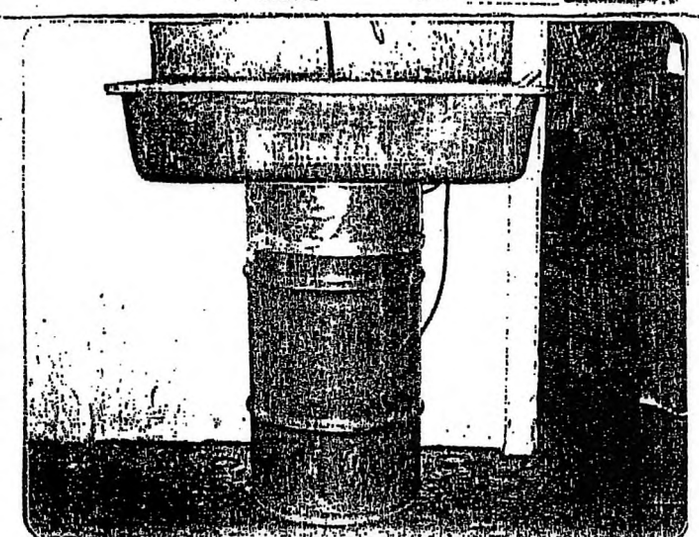
DATE 2-13-76

PAGE 3 OF 3



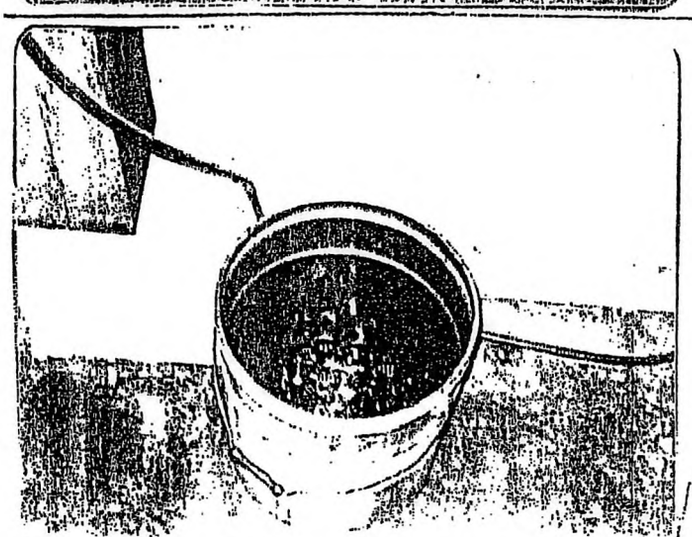
LOCATION IN PLANT: NE Corner of Building
TIME & DATE: 1-13-76
DIRECTION: Duceleon sprayer
DESCRIPTION: Barrel with hose

CITATION & ITEM #: None



LOCATION IN PLANT: Back Side Receiving area
TIME & DATE: 1230 1-13-76
DIRECTION: West
DESCRIPTION: Eastern Plant Weed

CITATION & ITEM #: #1 #1



LOCATION IN PLANT: West Side of Storage
TIME & DATE: 1-13-76
DIRECTION:
DESCRIPTION: 5-Buckets of Scotts Weed with seed in bottom of bucket

SIGNATURE OF CSHO

CITATION & ITEM #

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

Form Approved
OMB No. 044R1

COMPLAINT

For Official Use Only		
Area	Date Received	Time
3550	January 12, 1976	8:55
Region	Received By	
6	TC	

This form is provided for the assistance of any complainant and is not intended to constitute the exclusive means by which a complaint may be registered with the U.S. Department of Labor.

The undersigned *(check one)*

☒ Employee ☐ Representative of employees ☐ Other *(specify)* _____

believes that a violation at the following place of employment of an occupational safety or health standard exists which is a job safety or health hazard.

Does this hazard(s) immediately threaten death or serious physical harm? ☐ Yes ☐ No

Employer's Name *Sears*

Address (Street *44 & South Western* Telephone _____

(City *Oklahoma City,* State *Oklahoma* Zip Code _____

1. Kind of business *Retail Sales & Service*

2. Specify the particular building or worksite where the alleged violation is located, including address.
Automotive Service Area

3. Specify the name and phone number of employer's agent(s) in charge.

4. Describe briefly the hazard which exists there including the approximate number of employees exposed to or threatened by such hazard.

5

(Continue on reverse side if necessary)

Sec. 8(f)(1) of the Williams-Steiger Occupational Safety and Health Act, 29 U.S.C. 651, provides as follows: "Any employees or representative of employees who believe that a violation of a safety or health standard exists that threatens physical harm, or that an imminent danger exists, may request an inspection by giving notice to the Secretary or his authorized representative of such violation or danger. Any such notice shall be reduced to writing, shall set forth with reasonable particularity the grounds for the notice, and shall be signed by the employees or representative of employees, and a copy shall be provided the employer or his agent no later than at the time of inspection, except that, upon request of the person giving such notice, his name and the names of individual employees referred to therein shall not appear in such copy or on any record published, released, or made available pursuant to subsection (g) of this section. If upon receipt of such notification the Secretary determines there are reasonable grounds to believe that such violation or danger exists, he shall make a special inspection in accordance with the provisions of this section as soon as practicable, to determine if such violation or danger exists. If the Secretary determines there are no reasonable grounds to believe that a violation or danger exists he shall notify the employees or representative of the employees in writing of such determination.

(Continued on reverse side)

INVOICE DATE NUMBER

SEARS, ROEBUCK AND CO.

32-62
1110

REPUBLIC NATIONAL BANK OF DALLAS
DALLAS, TEXAS

146
#1091

№ 224390

DATE Oct. 1, 1976

AMOUNT
$ 350.00
PAY ONLY AMOUNT IN BOX

PAY TO THE ORDER OF U. S. Department of Labor O.S.H.A.

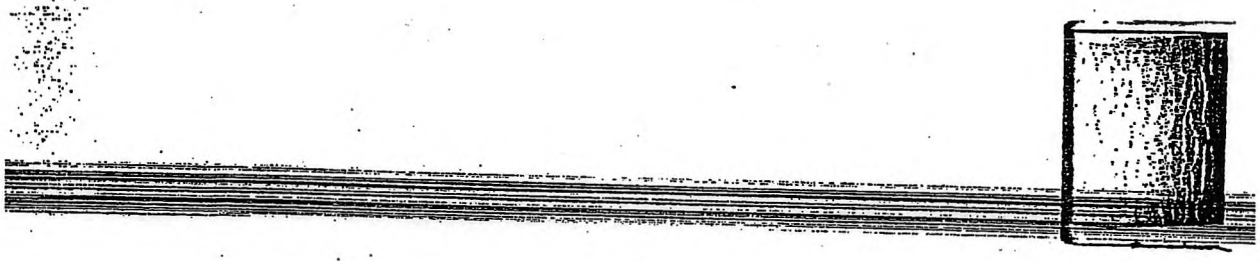
SEARS, ROEBUCK AND CO.
SOUTHWESTERN

7C

14301 REV. 5-75

7C

#400



U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

ANALYST WORKSHEET

Bulk #1

1. SAMPLE NUMBER	2. SEALS	3. DATE RECEIVED
T-39378	☒ INTACT ☐ BROKEN ☐ NONE	2-20-76

4. RECEIVED FROM	5. REGION
TC	VI

6. DESCRIPTION OF SAMPLE: Bulk

7. SUMMARY OF ANALYSIS

Flash Point of Methanol Water Mixture = 35.5° C

8. RESERVE SAMPLE

9. DATE REPORTED	CALCULATIONS CHECKED BY	12. DATE CHECKED
3-5-76		

TC

GPO 931-300

Form OSHA 24
Dec. 1971

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

SAMPLE ACCOUNTABILITY RECORD

1. SAMPLE NUMBER	2. NAME OF ESTABLISHMENT
Bulk # 1	(2-18-76) Sears Roebuck

3. ADDRESS OF ESTABLISHMENT
4415 Western

4. DATE SAMPLE RECEIVED	5. BY WHOM RECEIVED	6. DATE RECORDS RECEIVED
FEB 20 1976	TC	FEB 20 1976

7. METHOD OF SHIPMENT	A. PERSONALLY FROM	C. SHIPPED FROM
	TC	Okla City Area Office
	B. VIA: ☐ PP ☐ REA ☐ FREIGHT ☑ AIR	D. B/L NUMBER

8. DESCRIPTION OF SHIPMENT		NUMBER	TYPE	CONDITION
	A. SHIPPING CONTAINERS	1	Condiment	good
	B. SAMPLE PACKAGES	1	SIZE AND TYPE	CONDITION good
	C. SEAL INSCRIPTION	COPY IN FULL #1 bulk sample		CONDITION Sealed

9. SAMPLE DELIVERED				10. SAMPLE RETURNED			
DATE	AMOUNT	FROM	TO	DATE	AMOUNT	TO	FROM

11. SAMPLE DISPOSITION

when 35.5°C is converted to °F it equals 95.9°F

3-10-76

Converted to °F

$F = (9/5)\,C + 32$

$9/5 \cdot 35.5 + 32 =$

$= 63.9 + 32 = 95.9\ ^{o}F$

ORIGINAL

Form OSHA-22
Dec. 1971

U.S. DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION
REGION NO. 6 AREA OFFICE CITY 3550

RE: Sears, Roebuck & Co.
Employer's name

Pursuant to section 10, Occupational Safety and Health Act of 1970, the above-listed case is hereby certified to the Occupational Safety and Health Review Commission.

The documents listed below which were issued or received on the dates listed are enclosed herewith:

No.	DATE	
1.	1-30-76	Citation issued (if more than one list total number 1 Nonserious 1 Serious).
2.	1-30-76	Notice of proposed penalty sent. Total amount of $ 785.00 .
3.	2-11-76	AO received notice of contest from Employer (Employer or employee) .

If other documents enclosed, list them here with date and item number

APPEARANCES

For the Secretary of Labor	For employer/employees	If others list document item No. where listed
RONALD M. GASWIRTH Regional Solicitor Office of the Solicitor 535 Griffin Square Building - Suite 707 Griffin and Young Streets Dallas, Texas 75202		

(NOV. 1971)

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

ANALYST WORKSHEET

M-1/

1. SAMPLE NUMBER	2. SEALS	3. DATE RECEIVED
T-35639	☒ INTACT ☐ BROKEN ☐ NONE	1-16-76

4. RECEIVED FROM	5. REGION
TC	VI

6. DESCRIPTION OF SAMPLE: Filter

7. SUMMARY OF ANALYSIS

Asbestos fibers greater than five microns in length were counted with a Zeiss Phase contrast microscope having a 40X objective and a 10X eyepiece with a Patterson globe and circle reticle in the eyepiece. A minimum of 100 fields or 100 fibers were counted and the average number of fibers per field was determined.

Asbestos = 17.8 fibers/cc.

8. RESERVE SAMPLE

9. DATE REPORTED	12. DATE CHECKED
1/20/76	1/20/76

GPO 931-300

TC

Form OSHA - 24
Dec. 1971

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

ANALYST WORKSHEET

M-14 (Blank)

1. SAMPLE NUMBER	2. SEALS	3. DATE RECEIVED
T-35640	☒ INTACT ☐ BROKEN ☐ NONE	1-16-76

4. RECEIVED FROM	5. REGION
TC	VI

6. DESCRIPTION OF SAMPLE: Filter

7. SUMMARY OF ANALYSIS

Asbestos fibers greater than five microns in length were counted with a Zeiss Phase contrast microscope having a 40X objective and a 10X eyepiece with a Patterson globe and circle reticle in the eyepiece. A minimum of 100 fields or 100 fibers were counted and the average number of fibers per field was determined.

Asbestos = 0.100 fibers/field.

(always use AA WP0037 membrane by millipore corp for asbestos sampling!)

8. RESERVE SAMPLE

9. DATE REPORTED	10.	12. DATE CHECKED
1/20/76	TC TC	1/20/76

GPO 931-999

Form OSHA - 24
Dec. 1971

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

SAMPLE IDENTIFICATION SHEET

1-16-76

1. SAMPLE NUMBER (REGIONAL)	2. DATE TAKEN	3. DATE SUBMITTED TO LAB
M-11	1-13-76	1-14-76

4. BY	5. LABORATORY NUMBER
TC	T-35639

6. WHERE TAKEN

Sears Roebuck and Company

STREET ADDRESS: 44th and South Western

CITY	COUNTY	STATE
Okla City	Okla	Okla.

7. OPERAT TC TC TC

8. SAMPLING TECHNIQUE: Personal B2

IMPING R ___ BUBBLER ___ ESP ___ FILTER PAPER HA 0.8 μ Pore size Millipore

MATERIAL ___ BAGS ___ SETTLED DUST ___ GRAB SAMPLE ___

9. AIR VOLUME SAMPLED (IN LITERS AND CUBIC FEET): 30 Liters BP (mm) T (C)

10. POSSIBLE INTERFERENCES: nuisance dust ~~are~~ possible

11. ANALYSIS REQUIRED: asbestos

12. DATE REPORTED FROM LAB	13. CHEMISTS
1/20/76	TC

14. REMARKS: Blank M-14

ORIGINAL

Form OSHA-23
Dec. 1971

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

SAMPLE IDENTIFICATION SHEET

1-16-76

1. SAMPLE NUMBER (REGIONAL)	2. DATE TAKEN	3. DATE SUBMITTED TO LAB
M-14 (BLANK)	1-13-76	1-14-76

4. BY WHOM TAKEN	5. LABORATORY NUMBER
TC	T-35640

6. WHERE TAKEN

NAME OF ESTABLISHMENT: Sears Roebuck and Company

STREET ADDRESS: 44th and South Western

CITY	COUNTY	STATE
Okla City	Okla	Okla

7. OPERATION

Blank

8. SAMPLING TECHNIQUE

IMPING R ____ BUBBLER ____ ESP ____ FILTER PAPER 4F 08 MF Millipore

MATERIAL ____ BAGS ____ SETTLED DUST ____ GRAB SAMPLE ____

9. AIR VOLUME SAMPLED (IN LITERS AND CUBIC FEET) Blank -0- BP (mm) T (C)

10. POSSIBLE INTERFERENCES

none

11. ANALYSIS REQUIRED

Asbestos

12. DATE REPORTED FROM LAB	13
1/20/76	TC

14. REMARKS

Blank M-14

ORIGINAL

Form OSHA-23
Dec. 1971

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

SAMPLE
ACCOUNTABILITY RECORD

1. SAMPLE NUMBER	2. NAME OF ESTABLISHMENT
M-14 M-11	Sears Roebuck and Company

3. ADDRESS OF ESTABLISHMENT
44th and South Western

4. DATE SAMPLE RECEIVED	5. BY WHOM RECEIVED	6. DATE RECORDS RECEIVED
JAN 16 1976	TC	JAN - [illegible]

7. METHOD OF SHIPMENT	A. PERSONALLY FROM	C. SHIPPED FROM
	Okla. City Area office 50 Penn Place Suite 408 Bem Mail	Okla. City Area office
	B. VIA ☐ PP ☐ REA ☐ FREIGHT ☒ AIR	D. B/L NUMBER

8. DESCRIPTION OF SHIPMENT		NUMBER	TYPE / SIZE AND TYPE	CONDITION
	A. SHIPPING CONTAINERS	1	Cardboard	good
	B. SAMPLE PACKAGES	2	3 piece CASSettes	Sealed
	C. SEAL INSCRIPTION	COPY IN FULL M-14 1-13-76 M-11 1-13-76	TC	CONDITION

9. SAMPLE DELIVERED				10. SAMPLE RETURNED			
DATE	AMOUNT	FROM	TO	DATE	AMOUNT	TO	FROM

11. SAMPLE DISPOSITION

Filed

ORIGINAL

Form OSHA-22
Dec. 1971

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

SAMPLE IDENTIFICATION SHEET

1-16-76

1. SAMPLE NUMBER (REGIONAL)	2. DATE TAKEN	3. DATE SUBMITTED TO LAB
M-14 (BLANK)	1-13-76	1-14-76

4. BY WHO?	5. LABORATORY NUMBER
TC	T-35640

6. WHERE TAKEN

NAME OF ESTABLISHMENT: Sears Roebuck and Company

STREET ADDRESS: 44th and South Western

CITY	COUNTY	STATE
Okla City	Okla	Okla

7. OPERATION: Blank

8. SAMPLING TECHNIQUE

IMPING R ____ BUBBLER ____ ESP ____ FILTER PAPER AA 0.8μ MF Millipore

MATERIAL ____ BAGS ____ SETTLED DUST ____ GRAB SAMPLE ____

9. AIR VOLUME SAMPLED (IN LITERS AND CUBIC FEET): Blank -0- BP (mm) T (C)

10. POSSIBLE INTERFERENCES: none

11. ANALYSIS REQUIRED: Asbestos

12. DATE REPORTED FROM LAB	13.
1/20/76	TC

14. REMARKS: Blank M-14

Signed

ORIGINAL

Form OSHA-23
Dec. 1971

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration

SAMPLE
ACCOUNTABILITY RECORD

1. SAMPLE NUMBER	2. NAME OF ESTABLISHMENT
M-14 M-11	Sears Roebuck and Company

3. ADDRESS OF ESTABLISHMENT
44th and South Western

4. DATE SAMPLE RECEIVED	5. BY WHOM	6. DATE RECORDS RECEIVED
JAN 16 1976	TC	JAN [illegible]

7. METHOD OF SHIPMENT

A. PERSONALLY FROM: Okla. City Area Office, 50 Penn Place Suite 408 Zip 73118
C. SHIPPED FROM: Okla. City Area Office

B. VIA: ☐ PP ☐ REA ☐ FREIGHT ☒ AIR

D. B/L NUMBER:

8. DESCRIPTION OF SHIPMENT

	NUMBER	TYPE / SIZE AND TYPE	CONDITION
A. SHIPPING CONTAINERS	1	Cardboard	good
B. SAMPLE PACKAGES	2	3 piece Cassettes	Sealed
C. SEAL INSCRIPTION	COPY IN FULL: M-14 1-13-76 TC; M-11 1-13-76		CONDITION:

9. SAMPLE DELIVERED				10. SAMPLE RETURNED			
DATE	AMOUNT	FROM	TO	DATE	AMOUNT	TO	FROM

11. SAMPLE DISPOSITION

Filed

ORIGINAL

Form OSHA-22
Dec. 1971