

July 20, 2004

Les Schwab Tire Centers
Kevin P. Connolly, Corporate Safety Director
P.O. Box 667
Prineville, OR 97754

Dear Mr. Connolly;

I want to thank you for the opportunity to visit your West Salem tire center and see first hand the tire storage rack system.

As you know, Oregon OSHA rules require that every open-sided floor or platform 4 feet or more above adjacent floor or ground level be guarded by a standard railing on all open sides except where there is entrance to a ramp, stairway, or fixed ladder. A standard railing consists of top rail, intermediate rail, and posts with a vertical height of 42 inches nominal from the upper surface of top rail to the floor. The intermediate rail must be approximately halfway between the top rail and the floor.

At the West Salem site, when tires are removed from the lower storage rack on the second level there is an opening created. This opening is protected by a horizontal brace at a height of 36" to 40" which does not meet the definition of a standard railing since there is no intermediate rail. Based on the work process and need to remove tires from the rack on a regular basis it would not be feasible to install an intermediate rail on the tire rack system. After observing the work process at the site and talking with you about the situation I think the hazard of falling through the opening created by the removal of tires would be minimal and not be cited as a violation of Oregon OSHA rules.

If all other Les Schwab Tire Centers have a similar tire rack system and the horizontal brace is between 34" and 44" above the floor they would be treated in the same manner by Oregon OSHA enforcement staff.

If you have any questions please contact me or Gary Beck.

Barry E. Jones
Manager of Enforcement
(503)947-7421