

## U.S. Department of Labor

Occupational Safety and Health Administration  
7 North Wilkes-Barre Blvd.  
Suite 410, The Stegmaier Building  
Wilkes Barre, PA 18702  
Phone: 570-826-6538 Fax: 570-821-4170

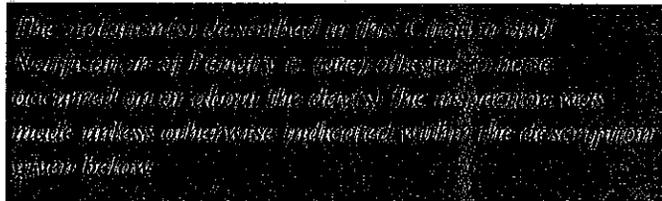


## Citation and Notification of Penalty

**To:**  
DOLGENCORP, LLC, dba Dollar General #398  
and its successors  
30 East Independence Street  
Shamokin, PA 17872

**Inspection Number:** 1114508  
**Inspection Date(s):** 12/22/2015 - 12/22/2015  
**Issuance Date:** 06/15/2016

**Inspection Site:**  
30 East Independence Street  
Shamokin, PA 17872



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 either call to schedule an informal conference (see paragraph below) or 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.

**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).

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 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. You can also make your payment electronically on [www.pay.gov](http://www.pay.gov). On the left side of the pay.gov homepage, you will see an option to Search Public Forms. Type "OSHA" and click Go. From the results, click on **OSHA Penalty Payment Form**. The direct link is:

<https://www.pay.gov/paygov/forms/formInstance.html?agencyFormId=53090334>.

You will be required to enter your inspection number when making the payment. Payments can be made by credit card or Automated Clearing House (ACH) using your banking information. Payments of \$25,000 or more require a Transaction ID, and also must be paid using ACH. If you require a Transaction ID, please contact the OSHA Debt Collection Team at (202) 693-2170.

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

**Notification of Corrective Action** – For each violation which you do not contest, you must provide *abatement certification* to the Area Director of the OSHA office issuing the citation and identified above. This abatement certification is to be provided by letter within 10 calendar days after each abatement date. Abatement certification includes the date and method of abatement. If the citation indicates that the violation was corrected during the inspection, no abatement certification is required for that item. The abatement certification letter must be posted at the location where the violation appeared and the corrective action took place or employees must otherwise be effectively informed about abatement activities. A sample abatement certification letter is enclosed with this Citation. In addition, where the citation indicates that *abatement documentation* is necessary, evidence of the purchase or repair of equipment, photographs or video, receipts, training records, etc., verifying that abatement has occurred is required to be provided to the Area Director.

**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.

**Inspection Activity Data** – You should be aware that OSHA publishes information on its inspection and citation activity on the Internet under the provisions of the Electronic Freedom of Information Act. The information related to these alleged violations will be posted when our system indicates that you have received this citation. You are encouraged to review the information concerning your establishment at [www.osha.gov](http://www.osha.gov). If you have any dispute with the accuracy of the information displayed, please contact this office.



## NOTICE TO EMPLOYEES OF INFORMAL CONFERENCE

An informal conference has been scheduled with OSHA to discuss the citation(s) issued on 06/15/2016. The conference will be held by telephone or at the OSHA office located at 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702 on \_\_\_\_\_ at \_\_\_\_\_. Employees and/or representatives of employees have a right to attend an informal conference.

**CERTIFICATION OF CORRECTIVE ACTION WORKSHEET**

Inspection Number: 1114508

Company Name: DOLGENCORP, LLC, dba Dollar General #398  
Inspection Site: 30 East Independence Street, Shamokin, PA 17872  
Issuance Date: 06/15/2016

List the specific method of correction for each item on this citation in this package that does not read "Corrected During Inspection" and return to: **U.S. Department of Labor – Occupational Safety and Health Administration, 7 North Wilkes-Barre Blvd., Suite 410, The Stegmaier Building, Wilkes Barre, PA 18702**

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

Citation Number \_\_\_\_\_ and Item Number \_\_\_\_\_ was corrected on \_\_\_\_\_  
By (Method of Abatement): \_\_\_\_\_

I certify that the information contained in this document is accurate and that the affected employees and their representatives have been informed of the abatement.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Typed or Printed Name

\_\_\_\_\_  
Title

**NOTE: 29 USC 666(g)** whoever knowingly makes any false statements, representation or certification in any application, record, plan or other documents filed or required to be maintained pursuant to the Act shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment of not more than 6 months or both.

**POSTING:** A copy of completed Corrective Action Worksheet should be posted for employee review

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

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**Citation and Notification of Penalty**

**Company Name:** DOLGENCORP, LLC, dba Dollar General #398  
**Inspection Site:** 30 East Independence Street, Shamokin, PA 17872

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

29 CFR 1910.37(b)(2): Each exit was not clearly visible and marked by a sign reading "Exit":

a) Rear of Facility/Storeroom: The double set of wooden exit doors were not marked with a sign reading "Exit", as observed on or about December 22, 2015.

In accordance with 29 CFR 1903.19(c), abatement certification is required for the violation.

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/05/2016  
\$3300.00

See pages 1 through 4 of this Citation and Notification of Penalty for information on employer and employee rights and responsibilities.



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**Citation 2 Item 1** Type of Violation: **Repeat**

29 CFR 1910.36(d)(1): Employee(s) were not able to open an exit route door from the inside at all times without keys, tools, or special knowledge:

a) Room (south of Storeroom), 30 East Independence Street, Shamokin, PA - The wooden double exit doors on the west wall of the Room were kept closed by various devices that required special knowledge, such as a metal padlock clasp, a wooden board, a Suffolk latch, a steel pin metal latch, and a sliding latch at the bottom of the door, as observed on or about December 22, 2015.

DOLGENCORP, LLC / Dollar General Corporation and its successors was previously cited for repeat violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.36(d)(1), which was contained in OSHA inspection number 1003589, citation number 2, item number 1, affirmed as a final order on January 16, 2015 with respect to a workplace (Dollar General #6125) located at 6010 New Hartford Street, Wolcott, NY 14590.

DOLGENCORP, LLC / Dollar General Corporation and its successors was previously cited for repeat violation of this occupational safety and health standard or its equivalent standard 29 CFR 1910.36(d)(1), which was contained in OSHA inspection number 1012465, citation number 1, item number 1, affirmed as a final order on April 6, 2015 with respect to a workplace (Dollar General #4800) located at 203 Wedowee Street, Bowdon, Georgia 30108.

In accordance with 29 CFR 1903.19(c) and (d), abatement certification and documentation is required for the violation.

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/05/2016  
\$55000.00

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**Citation and Notification of Penalty**

**Company Name:** DOLGENCORP, LLC, dba Dollar General #398  
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**Citation 2 Item 2** Type of Violation: **Repeat**

29 CFR 1910.37(a)(3): Exit routes were not kept free and unobstructed. Materials or equipment were placed, either permanently or temporarily, within the exit route.

a) Stairway, 30 East Independence Street, Shamokin, PA - Items such as but not limited to cardboard boxes, plastic baskets, metal shelving, and bags of ice/snow melt product were temporarily stored along the exit route and partially blocking the exit from the stairwell leading to the 2nd floor Employee Break Area and Manager's Office, as observed on or about December 22, 2015.

Dollar General Corporation was previously cited for a repeat violation of this occupational safety and health standard, 1910.37(a)(3) which was contained in OSHA Inspection Number 728361, Citation Number 1, Item Number 2 issued on November 19, 2012 and was affirmed as a Final Order on December 18, 2012 with respect to a workplace located at 405 N. Main St, Madisonville, TX 77864

Dollar General Corporation was previously cited for a violation of this occupational safety and health standard, 1910.37(a)(3) which was contained in OSHA inspection number 1012465, Citation number 1, Item number 2 and was affirmed as a final order on April 7, 2015, with respect to a workplace located at 203 Wedowee Street, Bowdon, GA, 30108

Dollar General Corporation was previously cited for a violation of this occupational safety and health standard, 1910.37(a)(3) which was contained in OSHA inspection 992417, Citation 1, Item number 1, and was affirmed as a final order on October 10, 2014 with respect to a workplace located at 7118 Highway 278, Covington, GA 30014

Dollar General Corporation was previously cited for a violation of this occupational safety and health standard, 1910.37(a)(3) which was contained in OSHA Inspection 907752, Citation 1, Item number 1, and was affirmed as a final order on August 15, 2013 with respect to a workplace located at 1523 E. Main St, El Dorado, AR 71730

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Dollar General Corporation was previously cited for a violation of this occupational safety and health standard, 1910.37(a)(3) which was contained in OSHA Inspection 588783, Citation 1, Item Number 1 and was affirmed as a final order on October 3, 2012 with respect to a workplace located at 380 W. Galena Suite B, Aurora, IL 60506

Abatement Certification and Documentation Required

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/05/2016  
\$5500.00

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**Citation and Notification of Penalty**

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**Citation 2 Item 3** Type of Violation: **Repeat**

29 CFR 1910.305(g)(1)(iv)(A): Flexible cords and/or cables were used as a substitute for the fixed wiring of a structure:

a) Doorway, 30 East Independence Street, Shamokin, PA - An extension cord - (white) had two (2) flexible cords (extension cords - one white and one brown) plugged into the female end which were used as a substitute for the fixed wiring of a structure to provide electrical power to equipment, as observed on or about December 22, 2015.

DOLGENCORP, LLC / Dollar General Corporation and its successors was previously cited for a violation of this occupational safety and health standard or its equivalent standard, 1910.305(g)(1)(iv)(A) which was contained in OSHA Inspection Number 985177, Citation Number 1, Item Number 1b issued on July 18, 2014 and was affirmed as a Final Order on July, 25, 2014, with respect to a workplace located at 2297 Curryville Road, Martinsburg, PA 16662.

DOLGENCORP, LLC / Dollar General Corporation and its successors was previously cited for a repeat violation of this occupational safety and health standard or its equivalent standard, 1910.305(g)(1)(iv)(A) which was contained in OSHA Inspection Number 316034271, Citation Number 1, Item Number 2 issued on February 21, 2012 and was affirmed as a Final Order on March 13, 2012, with respect to a workplace located at 320 North Main Street, Newton, KS 67114.

DOLGENCORP, LLC / Dollar General Corporation and its successors was previously cited for a violation of this occupational safety and health standard or its equivalent standard, 1910.305(g)(1)(iii) which was contained in OSHA Inspection Number 315884858, Citation Number 1, Item Number 4 issued on October 3, 2011 and was affirmed as a Final Order on October 18, 2011, with respect to a workplace located at 600C South State Road, Marysville, PA 17053.

**Abatement Certification and Documentation Required**

**ABATEMENT DOCUMENTATION REQUIRED FOR THIS ITEM**

Date By Which Violation Must be Abated:

07/05/2016

Proposed Penalty:

\$5500.00

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**Company Name:** DOLGENCORP, LLC, dba Dollar General #398  
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**Citation 3 Item 1** Type of Violation: **Other-than-Serious**

29 CFR 1910.303(f)(2): Each service, feeder, and branch circuit, at its disconnecting means or overcurrent device, was not legibly marked to indicate its purpose, nor located and arranged so the purpose was evident:

a) South Wall, Storeroom, 30 East Independence Street, Shamokin, PA - Twenty-seven (27) of the thirty-eight (38) circuit breakers were not properly labeled to indicate their purpose in a forty-two (42) space electrical panel box, as observed on or about December 22, 2015.

In accordance with 29 CFR 1903.19(c), abatement certification is required for this violation.

Date By Which Violation Must be Abated:  
Proposed Penalty:

07/05/2016  
\$0.00

A handwritten signature in black ink, appearing to read "Mark Stelmack", written over a horizontal line.

**Mark Stelmack**  
Area Director