

**U.S. Department of Labor**

Occupational Safety and Health Administration  
Fairview Heights Area Office  
11 Executive Drive, Suite 11  
Fairview Heights, IL 62208



April 26, 2022

Xseed Delivery LLC  
Attn: Mr. Kenneth Cobbs  
285 Tecumseh Drive  
Bolingbrook, IL 60490

Re: Inspection No. 1569037

Dear Mr. Cobbs:

The Occupational Safety and Health Administration (OSHA) Fairview Heights Area Office conducted an inspection and evaluation of one of your contracted employers' facilities located at 3077 Gateway Commerce Center Dr. S, Edwardsville, IL. 62025. The inspection was initiated on December 11, 2021, in response to media reports which indicated the building received a direct hit from a Category 3 tornado and multiple workers were missing. The inspection included management and private employee interviews, a review of relevant documents associated with the contracted employers site Emergency Action Plan (EAP), as well as contractor safety and training records. The inspection disclosed two items which raised concerns about the potential risk to your employees during severe weather emergencies.

On or about December 10, 2021, after a tornado struck the Amazon DLI4 facility in Edwardsville, IL, six delivery service provider (DSP) employees were fatally injured, along with one DSP employee who was critically wounded. Three other DSP employees sustained minor injuries. The following workplace conditions have been identified as risk factors:

1. Based on interviews with DSP personnel, some employees did not recall the location of the DLI4 designated severe weather shelter-in-place. The personnel did not recall ever participating in any severe weather or shelter-in place drills. Amazon managers began directing employees to go to the restroom in response to local weather alerts and tornado warnings approximately 10 minutes prior to the tornado's touch down. Some employees were unaware the designated tornado shelter was the restroom located in the northern portion of the building and instead took shelter in the restroom located in the southern portion of the building.
2. Xseed Delivery LLC. adopted Amazon's written EAP, which contained a section addressing severe weather emergencies. The severe weather plan was not clear and did not specifically identify the location of the designated shelter area for the Amazon DLI4 facility but contained elements that would not be encountered in Edwardsville, IL, such as a hurricane. Amazon had posted facility evacuation maps which indicated the location of the designated tornado shelter. The plan was general in nature and not customized with specific instructions associated with

clearly defined roles, responsibilities, and communication procedures. The severe weather response procedures did not include how and when a dispatcher alerts drivers in the field for severe weather notifications, the expected driver response on their routes - either return to the facility or shelter-in-place, and a system for accounting for drivers working in the field during severe weather.

Section 5(a)(1), the General Duty Clause of the Occupational Safety and Health Act, requires each employer to furnish employment and a place of employment which are free from recognized hazards that are causing or are likely to cause death or serious physical harm to employees. Since no OSHA standard applies and it is not considered appropriate at this time to invoke Section 5(a)(1), I recommend that you voluntarily take the necessary steps to eliminate or materially reduce your employees' exposure to the risk factors described above. Feasible methods of control may include, but are not limited to, the following:

1. Ensure that all employees who work throughout the host facility are provided training and participate in drills associated with the layout of the facility, warning and alert methods, and severe weather shelter locations.
2. Severe weather emergency plans associated with a host employers' site should contain site specific information. When addressing severe weather emergency plan guidance, hazards beyond conditions involving a fire, any applicable exit route, exit door, shelter-in-place, or any other emergency plan guidance, should be identified within the written emergency plan. The severe weather response plan should clearly establish procedures for field staff alerts and notifications as well as the expected driver response and accountability.

OSHA welcomes any report of your efforts to reduce the above-mentioned exposures. If you have any questions concerning this matter, please feel free to contact this office.

Sincerely,

Aaron Priddy  
Area Director

cc. Valerie N. Butera, Esq.