

OSHA Enforcement Update

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Occupational Safety and Health Administration**

Agenda

- **OSHA's National Emphasis Programs**
 - **Walking Working Surfaces**
- **Field Operations Manual Update**
 - **Site Specific Targeting**
- **Recordkeeping Rule Changes**
 - **Amputations**
 - **Top 10 Violations**

OSHA's National Emphasis Programs

National Emphasis Programs

- COMBUSTIBLE DUST
- FEDERAL AGENCIES -- FEDTARG
- HAZARDOUS MACHINERY -- AMPUTATIONS
- HEXAVALENT CHROMIUM
- LEAD
- PRIMARY METAL INDUSTRIES
- PROCESS SAFETY MANAGEMENT
- SHIPBREAKING
- SILICA
- TRENCHING & EXCAVATION
- <https://www.osha.gov/dep/neps/nep-programs.html>

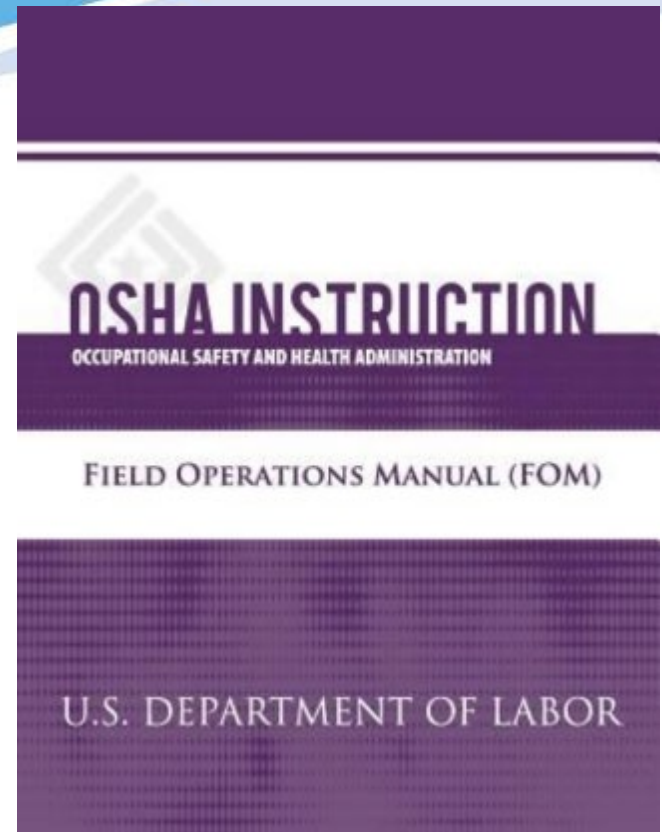
Walking Working Surfaces

- Published November 18, 2016
- Provides greater flexibility in choosing a fall protection system.
- OSHA continues to update FAQ information.
- Currently a draft directive being circulated



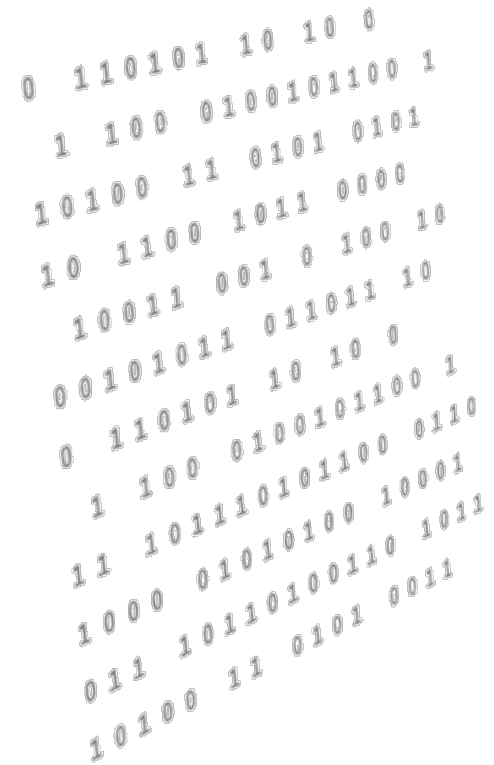
FOM Update

- FOM revisions include:
 - Revised Chapter 6 on Penalties
 - Updated guidance and procedures reflecting recent enforcement history.



Site-Specific Targeting

- OSHA's targeting program is based on data from employer injury reports
- SST includes establishments reflecting high-hazard worksites, non-responders, and a small sample of low rate establishments
- This will allow us to most effectively use our resources in areas with the greatest need



Recordkeeping Rule Changes

- The new Recordkeeping rule eliminates the requirement for establishments with 250 or more employees to electronically submit to OSHA information from the OSHA Form 300 (Log of Work-Related Injuries and Illnesses) and OSHA Form 301 (Injury and Illness Incident Report)
- Adds the requirement for employers to submit their Employer Identification Number (EIN) electronically along with their injury and illness data submission beginning with collection of CY2019 OSHA Form 300A

Amputations NEP

- OSHA analyzed OSHA Information System (OIS) data involving calendar years 2015-2018 and the Bureau of Labor Statistics (BLS) data for calendar years 2014-2017.
- The NEP focuses only on manufacturing industries.

Top 10 Most Frequently Cited General Industry Standards by Federal OSHA During FY 15 – FY 19

Standard	Description	Total Violations
1910.119	Process Safety Management	617
1910.134	Respiratory Protection	552
1910.147	Lockout/Tagout	471
1910.1200	Hazard Communication	443
1910.212	Machine Guarding	192
1910.178	Powered Industrial Trucks	185
1910.132	Personal Protective Equipment	185
1910.305	Electrical/Wiring Methods	111
1910.146	Permit-required Confined Space	105
1910.303	Electrical/General	100

Top 10 Most Frequently Cited Process Safety Management Standards by Federal OSHA During FY 15 – FY 19

Standard	Description	Total Violations
1910.119(j)(2)	Mechanical Integrity/Written Procedures	48
1910.119(d)(3)(i)(B)	Piping and Instrumentation Diagrams	29
1910.119(d)(3)(ii)	Equipment Compliance with Recognized and Generally Accepted Good Engineering Practices	28
1910.119(j)(4)(i)	Process Equipment Inspection and Testing	28
1910.119(l)(1)	Management of Change Procedures	26
1910.119(e)(1)	Process Hazard Analysis	19
1910.119(f)(3)	Operating Procedures/Current	17
1910.119(f)(4)	Operating Procedures/safe work practices	16
1910.119(j)(5)	Mechanical Integrity/Equipment Deficiencies	16
1910.119(n)	Emergency Planning/Response	16



SOCMA Policy Summit 2019

OSHA Regulatory Update

Maureen Ruskin
Deputy Director
Directorate of Standards and
Guidance

Regulatory update

- Update on PSM
- Update on Hazard Communication Standard
- Other Regulatory Agenda Items

PSM Rulemaking Update

- **Request for Information (RFI)**
 - published on 12/9/13
 - comment period ended 3/31/15
- **SBREFA Panel**
 - Initiated SBREFA on 6/9/15 (delayed to wait for EPA RMP SBREFA panel)
 - Final panel report complete on 8/1/16
- **Current Status – Long Term Action**

PSM scope issues being considered

- Clarify the atmospheric storage tank exemption
- Expanding coverage and requirements for reactive chemical hazards.
- Covering oil and gas drilling and servicing operations that currently are exempt from PSM coverage.
- Addressing ammonium nitrate hazards through one or both of the following options: 1) covering reactive chemical hazards under the PSM 2) adding ammonium nitrate specifically to the PSM Appendix A highly hazardous chemicals list
- Adding substances or classes of substances to the PSM Appendix A
- Expanding the Requirements of § 1910.109 To Cover Dismantling & Disposal

PSM requirement issues being considered

- Requiring mechanical integrity of safety-critical equipment
- Requiring additional management system elements
 - Expanded employee involvement, stop work authority
 - Evaluation
- Requiring root cause incident investigation
- Require evaluation of updates to applicable RAGAGEP
- Adding a definition for RAGAGEP
- Require third party compliance audits
- Requiring analysis of safer technology and alternatives.
- Requiring management sign off on rejected PHA recommendations
- Requiring coordination between chemical facilities & emergency responders
- Modifications to codify existing interpretations
- Continuing harmonization with EPA's RMP regulation.

Preparation for HCS Update

**The standard that gave workers the right
to know, now gives them the right to
understand**

Purpose of Future HCS Rulemaking

- Maintain alignment with GHS
- Address issues identified during implementation of HCS 2012
- Identify issues of concern for those complying with WHMIS 2015

Principles & Assumptions

- As with HCS 2012, OSHA plans to modify only the provisions of the HCS that must be changed to align with the GHS
 - The basic framework of the HCS will remain the same
 - Chemical manufacturers and importers are responsible for providing information about the identities and hazards of chemicals they produce or import
 - All employers with hazardous chemicals in their workplaces are required to have a hazard communication program, and provide information to employees about their hazards and associated protective measures
- OSHA will maintain or enhance the overall current level of protection of the HCS

Maintaining Alignment with GHS

- Align with Revision 7
- Appendix A (health hazards): mostly editorial
- Appendix B (physical hazards):
 - Flammable gases, Desensitized explosives
 - Aerosols – align with GHS Rev 6/7, include Category 3
- Appendix C (label elements)
 - New or updated hazards, updated guidance, and precautionary statements
- Appendix D (SDS)
 - Updates to SDS Sections 2, 5, 7, 9

Implementation Issues

- Hazard classification Issues
 - Health Hazards; Physical Hazards; Hazards not otherwise classified or Mixtures/cut-off values
- Labeling issues
 - Guidance versus Regulatory actions
 - Small packages; kits; OSHA versus other jurisdictions and timing of updating labels
- Safety Data Sheet

REGULATORY AGENDA

Request For Information (RFI)

- **Silica**
 - OSHA is interested in information on the effectiveness of control measures not currently included for tasks and tools listed in Table 1
- **LOTO**
 - in understanding the strengths and limitations of this new technology, as well as potential hazards to workers.
- **PITs**
 - Powered Industrial Trucks are ubiquitous in industrial (and many retail) worksites.
- **Mechanical Power presses**
 - The current OSHA standard on mechanical power presses does not address the use of hydraulic or pneumatic power presses. The Agency would like to update the public record to determine how best to proceed.
- **Lead ANPRM**
 - OSHA is exploring regulatory options to lower BLLs in affected workers

Small Business Regulatory Enforcement Fairness Act

- When an OSHA proposal is expected to have a significant impact on a substantial number of small entities, OSHA convenes a Small Business Advocacy Review Panel
- OSHA has Three SBREFA panels schedule for 2019
 - Emergency Response and Preparedness
 - Prevention of Workplace Violence in Health Care and Social Assistance

Questions?



www.osha.gov

800-321-OSHA (6742)