



# OSHA Regulatory Activities - Health

EEI Safety and Health  
Committee Conference  
Fall 2008



# OSHA Activities

- Status of Rule Development
- National Emphasis Program



# Unified Regulatory Agenda

- May 5, 2008 Federal Register -

## ■ Prerule Stage

- Beryllium
- Crystalline Silica
- Emergency Response and Preparedness

## ■ Proposed Rule Stage

- Hazard Communication
- Confined Spaces in Construction

# Beryllium - Prerule

- **Summary:** On November 26, 2002 OSHA issued a “Request for Information” and then plans to evaluate the extensive research to identify the best ways of reducing employee exposure to beryllium. OSHA will also be identifying processes, industries and kinds of businesses that involve the use of beryllium.

In the “Request for Information”, OSHA identified abrasive blasting with coal slag as a potential occupational exposure.

- **Impact:** Coal slag and coal ash may contain trace quantities of beryllium

- **Time Table:**

- |  |                      |
|--|----------------------|
| <input type="checkbox"/> Request for information     | November 2002        |
| <input type="checkbox"/> Complete SBREFA Report      | January 2008         |
| <input type="checkbox"/> <b>Complete Peer Review</b> | <b>November 2008</b> |

(Small Business Regulatory Enforcement Fairness Act of 1996)

# Crystalline Silica - Prerule

- **Summary:** Crystalline silica is a significant component of the earth's crust and many workers are exposed to it. The current PEL was based upon recommendations from 1971. OSHA believes that the PEL should be lowered to protect employees from developing chronic silicosis. OSHA also believes that, in addition to lowering the PEL, provisions, such as engineering controls, provided by a comprehensive standard will be necessary to reduce worker exposure to crystalline silica. OSHA plans in this rulemaking to modernize and standardize the Agency's current PELs for silica so that they will be consistent across all sectors.
- **Impact:** Will affect activities that generate sand dust, concrete dust, fly ash dust and other silica containing dust
- **Time Table:**
  - Completed SBREFA Report December 2003
  - Complete Peer Review (January 2008) **August 2008**

# Emergency Response and Preparedness - Prerule

- **Summary:** Emergency Responder health and safety is regulated primarily under the following standards:

- Fire brigade standard*
- Hazardous waste operations and emergency response*
- Respiratory protection standard*
- Permit-required confined space standard*
- Bloodborne pathogens standard*

Some of these standards were promulgated decades ago and none were designed as comprehensive emergency response standards. OSHA is asking the public to evaluate what action the Agency should take.

- **Impact:** OSHA may incorporate NFPA and ANSI Safety & Health Practices

- **Time Table:**

- |  |                                |
|--|--------------------------------|
| <input type="checkbox"/> Request for Information | Published - September 11, 2007 |
| <input type="checkbox"/> Comments Due            | December 10, 2007              |
| <input type="checkbox"/> <b>Analyze Record</b>   | <b>July 2008</b>               |

# Hazard Communication - Proposed Rule

- **Summary:** OSHA is considering modifying its HCS to make it consistent with the Globally Harmonized System of Classification and Labeling of Chemicals (GHS). This would involve changing the criteria for classifying health and physical hazards, adopting standardized labeling requirements and requiring a standardized order on MSDS.
  
- **Impact:** Current MSDS and Labels would need to be revised by the manufacturer.
  
- **Time Table:**
  - ANPRM September 12, 2006
  - Comment Period Closed November 13, 2006
  - Complete Peer Review November 2007
  - **Notice for Proposed Rulemaking** **October 2008**

# Confined Spaces in Construction - Proposed Rule

- **Summary:** In January 1993, OSHA issued a general industry rule to protect employees who enter confined spaces. This standard does not apply to the construction industry because of differences in the nature of the worksite in the construction industry. In discussions with the United Steel Workers of America on a settlement agreement for the general industry standard, OSHA agreed to issue a proposed rule to extend confined-space protection to construction workers appropriate to their work environment.
- **Impact:** Proposed standard is different than current General Industry Standard. Differences will lead to confusion and compliance difficulty – particularly when Construction and General Industry confined spaces are on the same site.
- **Time Table:**

|  |           |                   |
|--|-----------|-------------------|
| <input type="checkbox"/> Proposal              | Published | November 28, 2007 |
| <input type="checkbox"/> Written Comments Due  |           | February 28, 2008 |
| <input type="checkbox"/> <b>Public Hearing</b> |           | <b>July 2008</b>  |



# National Emphasis Program - Crystalline Silica

- Issued January 24, 2008
- The industry does not appear to be subject to an NEP inspection
- Local Area Office may include coal plants based on previous experience

# Inspection Procedures – Crystalline Silica

- Cite under 1910.1000(c) Z-3 table calculations for PEL
- Document work practice and engineering controls
- Evaluate respiratory protection being used
- Haz Comm
- Housekeeping:
  - Exposed surfaces should be as free as practical of silica containing dusts....
  - Contaminated surfaces should not be blown clean...
  - Wet sweeping...
  - If vacuuming, exhaust air should be properly filtered....
  - Separate break areas...free of silica containing materials.
  - Clothes contaminated should not be blown or shaken to remove dust...
- Employee Exposure and Medical Records
- Abrasive Blasting



Questions ???