



OSHA Regulatory Activities - Health

EEI Safety and Health
Committee Conference
Spring 2009



OSHA Health Agenda

- BNA Identified Priority Issues

- Beryllium
- Crystalline Silica
- Ergonomics

- Published Unified Regulatory Agenda

- Pre-rule
- Proposed Rule



Unified Regulatory Agenda

- Updated from November 24, 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"/> Complete Peer Review | March 2009 |

(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:**

<input type="checkbox"/> Completed SBREFA Report	December 2003
<input type="checkbox"/> Complete Peer Review	February 2009

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"/> Analyze Record | November 2008 |

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:**

<input type="checkbox"/> ANPRM	September 12, 2006
<input type="checkbox"/> Comment Period Closed	November 13, 2006
<input type="checkbox"/> Complete Peer Review	November 11, 2007
<input type="checkbox"/> Notice for Proposed Rulemaking	December 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"/> Public Hearing	July 22, 2008
<input type="checkbox"/> Close	November 2008



Questions ???