

SAFETY / OSHA UPDATE

A Newsletter from High Safety Consulting Services, Ltd.

Information on Safety & Health in Your Workplace



SAFETY / OSHA UPDATE – “DARN IT’S COLD” ISSUE

We’ve seen record low temperatures in the northeast. My hands and feet are cracking as cold weather dermatitis sets in; my shower drain pipe froze; and my heating system is working overtime. My father called me last month while visiting Florida indicating that it was very cold there (a mere 50°F) while my thermometer reads ‘5’ – poor guy!

OSHA issued guidance for protecting workers in cold weather. This is available on their website (home page: www.osha.gov). The American Conference of Industrial Hygienists has a guideline for working in cold weather. The entire summary is available from ACGIH in their Threshold Limit Values for Chemical Substance and Physical Agents at www.acgih.org. Note that for fine hand work exceeding 10-20 minutes in temperatures of 60.8°F, special provisions should be provided to keep workers’ hands warm. At temperatures below 60.8°F for sedentary work, workers should use gloves which protect from heat loss. In temperatures at 0°F or below, mittens are to be worn and job tasks should be adjusted to allow for the use of mittens. Use of solvents at low temperatures can also increase the risk of frostbite as evaporative cooling takes place. Whole body protection is required as well when temperatures are below 39.2°F. Cold exposure is affected by metabolic (body) heat generation, solar heat, evaporative cooling effects (wind chill), conductive heat loss (holding a metal tool handle) and ambient temperatures. Does your company have a cold-exposure protection program? If you perform work outside or have a potential for this type of exposure, such a program may be prudent.

AED BLOW OUT!

Our promotion on FirstSave AED units is still running. The list price for these units is \$2995. For a limited time (until February, 28 2004), or while supplies last, we will be selling these at the low, low cost of \$1895! This is the lowest price for this quality unit that we have ever offered. You MUST mention this newsletter offer to receive this pricing.

If you want a less expensive unit, you CAN obtain other brands at lower costs. There are some units on the market now for \$1200. I won’t sell them. Some units shock at the same maximum energy level of 150 J. While the lowest effective energy level should be used for defibrillation, limiting peak energy potential may deprive some victims of a needed higher-energy shock. Another unit requires “D” cell batteries. This is convenient for replacement, but read the instruction manual carefully, only alkaline batteries of specific brands can be used or the unit may fail to operate. A third unit requires you to replace electrode pads every six months vs. most brands’ two year pads.

OSHA issued a new publication supporting the use of AED’s in the workplace. This is the second such publication issued. It can be viewed at: <http://www.osha.gov/SLTC/aed/recognition.html> (First Document). Also see: www.highaed.com

NEW OSHA INSPECTION GUIDELINES

In the last quarter of 2003, OSHA issued a new guideline on a program called the Enhanced Enforcement Program (EEP). In this document they define a Priority Enforcement Case (PEC) – (1) a case involving a fatality with high-gravity willful or serious violation or (2) inspection with three or more repeat or willful violations or (3) two failures to

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abate violations which were high-gravity. If you qualify, (most of you shouldn't!) you will be subject to a follow-up inspection following the initial inspection. If you have a PEC, you can expect OSHA to show up at all of your facilities company-wide. If you are in construction, they would intend to visit at least one other active jobsite. The top executive of the organization may also get a letter from the Assistant Secretary of OSHA regarding the citations. OSHA will try to reach a settlement which will affect all of the company's site locations. This document has an interesting Appendix A which outlines investigative questions for compliance officers to determine the company structures and accountability for safety and health issues. You can view this document at: http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=24649

EGREGIOUS POLICY IN PERIL?

OSHA has a policy by which they can issue instance-by-instance penalties in cases which are egregious (really bad). So instead of one \$70,000 willful violation for fall protection, they would issue 10 instances of willful violations for the ten individuals exposed at a penalty of \$700,000. The OSHA Review Commission recently issued a decision that could impact OSHA's ability to use this approach. From OSHA's news release December 8, 2003:

"OSHA has appealed a decision that could harm its ability to protect worker safety and health. When an employer commits especially flagrant violations of its requirements, OSHA has a longstanding policy of citing each instance of the violative conduct. In the case we have just appealed, however, the independent Occupational Safety and Health Review Commission held that Eric K. Ho, an employer who failed to provide protective equipment or training to 11 workers exposed to asbestos committed only a single violation of OSHA personal protective equipment and training requirements. We are asking the United States Court of Appeals for the Fifth Circuit to reverse that decision." It reduced the proposed penalties for these violations by more than 80%, from \$858,000 to \$140,000."

These violations are usually reserved for unethical and non-concerned employers. I believe OSHA needs a mechanism by which these types of employers can be provided their due. Sacrificing employee safety or health for profit leaves a really bad taste in my mouth. At this point, the federal government has more teeth in dealing with polluters than they do dealing with employers that put people in harm's way -- Something's not right here! There is talk of increasing the penalty structure for OSHA violations. It has been a good number of years since OSHA increased their penalty structure. The last increase was a 700% increase in the early 90's.

FLOOD & MOLD PREVENTION

Often mold contaminations result when water enters a structure and is not cleaned-up quickly (within 24-48 hours). After this time period, the potential for mold growth increases substantially. Therefore, some of the greatest risk for a mold problem can occur when a system that uses water is left unattended. Frozen water pipes, damaged sprinkler systems, or process systems that release steam can all be sources of a problem. If you have facilities which are not occupied on a regular basis (remote offices, storage areas, etc.) consider a water detection alarm system. These systems could be connected to existing monitoring systems. The technology for leak-detection is quite simple, and the cost for a system might be well-worth the investment when compared to a substantial mold remediation and the damage caused to a building structure. I am aware of two situations occurring within the last month in which significant damage occurred in a facility as a result of a water leak which went undetected for several days. Does your emergency response plan include this potential? Do you have the facility water supplies identified for rapid shutdown? If you are concerned about a water-intrusion that may have sprouted mold, be sure to call an expert (CIH with experience in fungi assessments). You can reach Curt Wittman at 717-293-4450.

UPCOMING TRAINING PROGRAMS presented by HSCSL:

See our training page for more details on the following programs: <http://www.highsafety.com/hsl/resources/courses/>

Safety Committee Certification Class (April 23, 2004) Half-day course. Meets PENNSAFE requirements for certified safety committee member annual training.

Understanding and Managing Mold Contamination (July 9, 2004) Half-day course. Presents health effects and techniques to handle mold contamination.

Practical "Hands On" Industrial Hygiene (August 23-25, 2004) Three-day course. Allows participants practice sampling for noise, dust and vapors. Students will also practice interpreting laboratory results and calculating 8-hour TWAs.

OSHA 10-Hour General Industry Course (September 13-14, 2004) Two-day, OSHA-authorized course. 2.0 ABIH CM points.

OSHA Instructor's Course for Construction (September 20-23, 2004) Four-day course. This program will be offered through the Keystone Occupational Safety and Health Center (KOSH) – an Authorized OSHA Training Institute.

OSHA 30-Hour General Industry Course (October 18-22, 2004) Five-day, OSHA-authorized course. 4.5 ABIH CM points. Tour a VPP STAR site as part of this course.

Topics in Safety Management (December 2-3, 2004) Two-day course. Designed for the safety manager with five or more years experience in the safety field.

NOTE: All of our prior newsletters are archived on our website under the "Contact Us" Tab

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