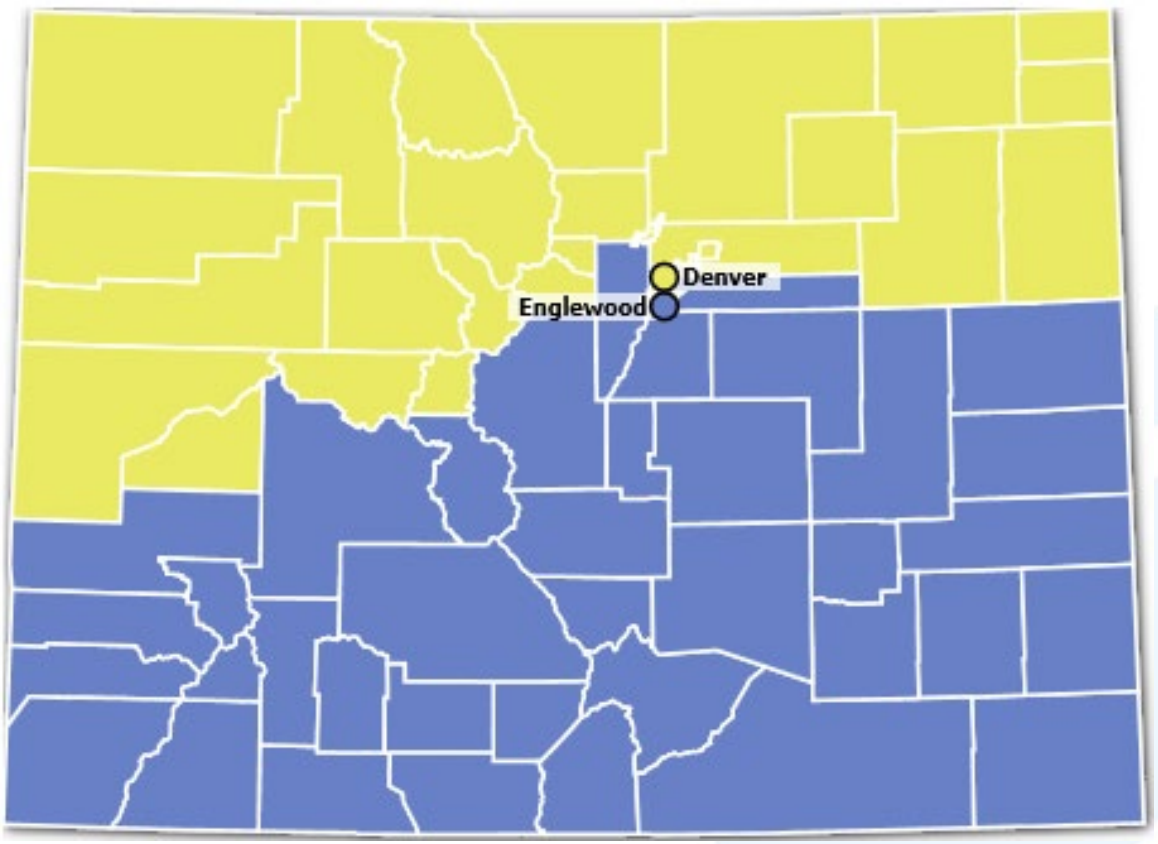
OSHA Inspections Under the Local Emphasis Program for Beverage Manufacturing

OSHA® Occupational Safety and Health Administration

Denver AO - 303-844-5285



Englewood AO
303-843-4500

OSHA® Occupational Safety and Health Administration
Region VIII

Overview

- Why Beverage Makers?
- The Inspection Process
- OSHA Standards and Potential Hazards
- Compliance Assistance Resources

- Questions

OSHA® Occupational Safety and Health Administration
Region VIII

What does OSHA do?

- Develops safety and health standards
- Conducts inspection and enforcement activities
- Produces compliance assistance products

OSHA® Occupational Safety and Health Administration
Region VIII

Employer Rights and Responsibilities

- Employers must provide workplaces free from serious hazards
- Employers must provide training and protective equipment to employees
- Employers may develop workplace safety rules that exceed OSHA requirements
- Employers must enforce work rules to keep employees safe

OSHA® Occupational Safety and Health Administration
Region VIII

How Does OSHA come to inspect a facility?

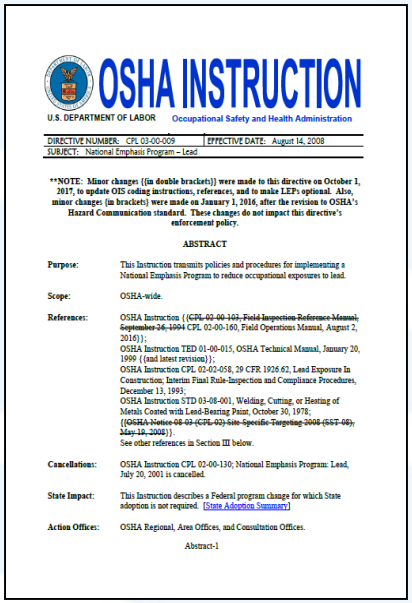
- Programmed Inspections
  - National, Regional or Local Emphasis Programs

- Unprogrammed Inspections
  - Complaints (from employees or their reps)
  - Referrals (from other sources)
  - Reports of fatalities or accidents

OSHA® Occupational Safety and Health Administration
Region VIII

FY 19 NEPs

- Amputations in Manufacturing
- Lead Exposures (GI and Construction)
- Federal Agency Targeting Inspection Program
- Hexavalent Chromium Exposures
- Process Safety Management
- Combustible Dust
- Trenching and Excavation (Updated)
- Primary Metals Industries (Foundries)
- Shipbreaking
- Site Specific Targeting (SST) 2016



OSHA INSTRUCTION

U.S. DEPARTMENT OF LABOR Occupational Safety and Health Administration

DIRECTIVE NUMBER: CPL 03-00-009 | EFFECTIVE DATE: August 14, 2008

SUBJECT: National Emphasis Program – Lead

**NOTE: Minor changes {{in double brackets}} were made to this directive on October 1, 2017, to update OIS coding instructions, references, and to make LEP: optional. Also, minor changes {in brackets} were made on January 1, 2016, after the revision to OSHA's Hazard Communication standard. These changes do not impact this directive's enforcement policy.

ABSTRACT

Purpose: This Instruction transmits policies and procedures for implementing a National Emphasis Program to reduce occupational exposures to lead.

Scope: OSHA-wide.

References: OSHA Instruction {{~~CPL 02-00-103, Field Inspection Reference Manual, September 26, 1994~~ CPL 02-00-160, Field Operations Manual, August 2, 2016}};
OSHA Instruction TED 01-00-015, OSHA Technical Manual, January 20, 1999 {{and latest revision}};
OSHA Instruction CPL 02-02-058, 29 CFR 1926.62, Lead Exposure In Construction; Interim Final Rule-Inspection and Compliance Procedures, December 13, 1993;
OSHA Instruction STD 03-0E-001, Welding, Cutting, or Heating of Metals Coated with Lead-Bearing Paint, October 30, 1978;
{{~~OSHA Notice 08-03 (CPL 02) Site Specific Targeting 2008 (SST-08), May 19, 2008~~}}.
See other references in Section III below.

Cancellations: OSHA Instruction CPL 02-00-130; National Emphasis Program: Lead, July 20, 2001 is cancelled.

State Impact: This Instruction describes a Federal program change for which State adoption is not required. [State Adoption Summary]

Action Offices: OSHA Regional, Area Offices, and Consultation Offices.

Abstract-1

– https://www.osha.gov/dep/neps/nep-programs.html

OSHA® Occupational Safety and Health Administration
Region VIII

FY 19 Regional and Local Eps (Region VIII)

- Regional Emphasis Programs
  - Fall Hazards in Construction
  - Roadway Work Zone Activities
  - Oil and Gas Industry
  - Grain Handling Facilities
  - Workplace Violence in Residential Intellectual and Developmental Disability Facilities

- Local Emphasis Programs
  - Hazards in Automotive Services (Billings/Bismarck/Englewood)
  - Asbestos Abatement (Englewood)
  - Scrap & Recycling (Englewood)
  - Wood Manufacturing and Processing (Billings)
  - Aircraft Support and Maintenance Facilities (Englewood)
  - Beverage Manufacturing (Englewood)

OSHA® Occupational Safety and Health Administration
Region VIII

Who will be covered by the program?

- NAICS codes:
  - 312111 (Soft Drink Mfg)
  - 312112 (Bottled Water Mfg)
  - 312113 (Ice Mfg)
  - 312120 (Breweries)
  - 312130 (Wineries)
  - 312140 (Distilleries)
- Emphasis Programs can be found at: https://www.osha.gov/dep/leps/leps.html

OSHA® Occupational Safety and Health Administration
Region VIII

Why Beverage Makers?

- Bureau of Labor Statistics (BLS) data reported injury and illness rates higher than national averages
  - Most injury and illness rates around **double** nat'l avg
  - Musculoskeletal Disorders **three times** nat'l average.
  - Hearing Loss Cases ***FIVE TIMES*** nat'l average

OSHA® Occupational Safety and Health Administration
Region VIII

Why Beverage Makers?

- In past 4 years, 22 OSHA inspections in CO, 29 citations issued
- Most common citations:
  - Respiratory Protection
  - Hazard Communication
  - Control of Hazardous Energy (Lockout/Tag-out)
  - Medical Services and First Aid
  - Personal Protective Equipment

OSHA® Occupational Safety and Health Administration
Region VIII

Why Beverage Makers?

- When inspections are focused on high-risk industries, injury/illness rates improve for next 3 yrs
- Rapid growth industry, 40% increase in workers employed in beverage manufacturing industry in CO (2011-2016)
- High injury/illness rates in beverage manufacturing indicate potential area of improvement
- Improving safety means better productivity, lower insurance costs, and happier employees

OSHA® Occupational Safety and Health Administration
Region VIII

The Inspection Process

- No-notice
  - Inspectors need access to site in timely manner
  - Representatives can be appointed to act in owner's stead if owner is not immediately available
  - Inspector will present credentials and request entry

OSHA® Occupational Safety and Health Administration
Region VIII

The Inspection Process

- Opening conference
  - Discuss purpose and scope of inspection, inform employer of rights, and request documents
- Walkthrough/Inspection
  - Visual inspection of facility
  - Audio/Visual Recording/ Photos
  - Sampling (noise, inhalation hazards)
  - Measurements
  - Employee Interviews (private and confidential)

The Inspection Process

- Closing Conference
  - Summarize potential violations observed
  - Discuss employer rights/responsibilities
  - Discuss citation categories
    - Repeat
    - Willful
    - Serious
    - Other than Serious

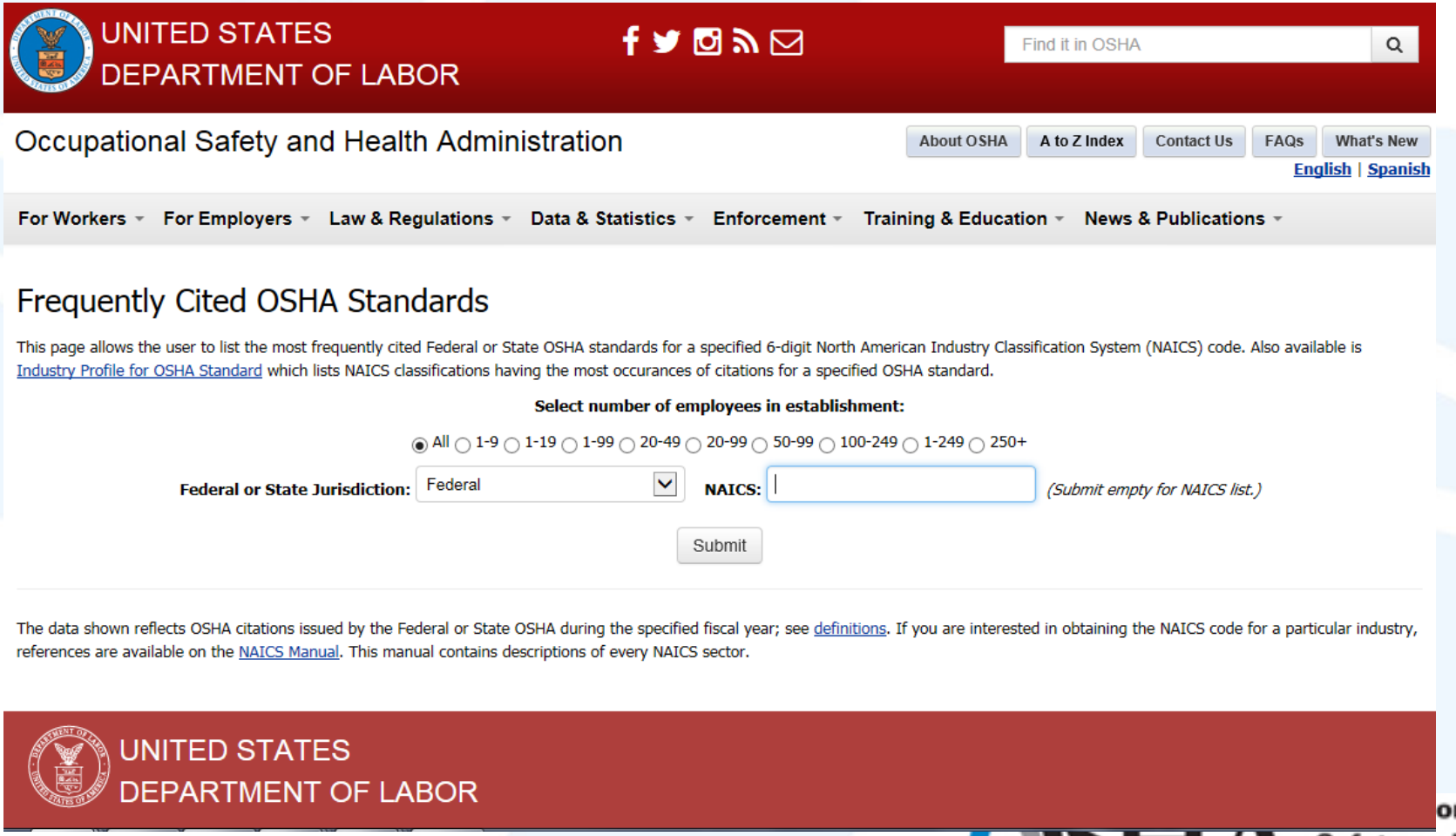
OSHA® Occupational Safety and Health Administration
Region VIII

Tips for a Successful OSHA Inspection

- Know the hazards in your industry
- Know your injury history/trends
- OSHA Top 10
- Written Programs and Training Records
- Prepare your staff to participate
- Understand general employer requirements: https://www.osha.gov/as/opa/worker/employer-responsibility.html

OSHA® Occupational Safety and Health Administration
Region VIII

Frequently Cited OSHA Standards



https://www.osha.gov/pls/imis/citedstandard.html

onal Safety and Health Administration
Region VIII

NAICS Code: 312120 *Breweries*

Listed below are the standards which were cited by **Federal OSHA** for the specified NAICS Code during the period October 2017 through September 2018. Penalties initial amounts. For more information, see definitions.

Standard	Citations	Inspections	Penalty	Description
Total	25	11	$55,558	*All Standards cited for Breweries*
19101200	7	4	$4,000	Hazard Communication.
19100146	4	2	$5,543	Permit-required confined spaces
19100178	3	2	$500	Powered industrial trucks.
19100212	3	3	$13,096	General requirements for all machines.
19100147	2	2	$6,250	The control of hazardous energy (lockout/tagout).
19040029	1	1	$300	Forms.
19040033	1	1	$0	Retention and updating.
19100028	1	1	$7,391	Safety requirements for scaffolding.
19100119	1	1	$18,478	Process safety management of highly hazardous chemicals.
19100132	1	1	$0	General requirements.
19100151	1	1	$0	Medical services and first aid.

Anticipated OSHA Standards

The following list is derived from the citations most commonly issued in the Beverage Manufacturing Industry. Inspectors may note potential violations of other standards during the inspection.

OSHA® Occupational Safety and Health Administration
Region VIII

Anticipated OSHA Standards

- Powered Industrial Trucks (1910.178)
- Control of Hazardous Energy (1910.147)
- Ergonomics (OSH Act 1970, Section (5)(a)(1))
- Process Safety Management (1910.119)
- Hazardous Noise (1910.95)
- Confined Spaces (1910.146)
- Hazardous Chemical Exposure (1910.1000, 1910.1200)
- Materials Handling and Storage (1910.176)

OSHA® Occupational Safety and Health Administration
Region VIII

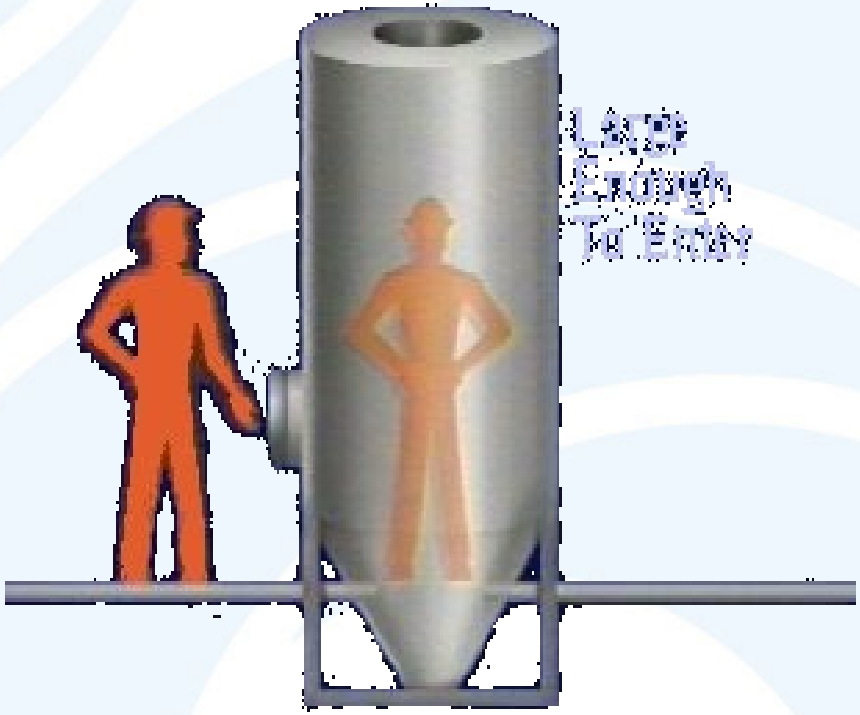
Process Safety Management

- You are covered by the Process Safety Management standard if:
  - 10,000 lbs of flammable gas or liquid
  - Use a Highly Hazardous Chemical in the quantity listed in Appendix A
    - 10,000 lbs of Anhydrous Ammonia
      - (commonly used in refrigeration systems)

OSHA® Occupational Safety and Health Administration
Region VIII

A Confined Space is…

- Large enough for an employee to enter
- Limited or restricted means for entry/exit
- Not designed for continuous worker occupancy
  - No ventilation
  - No lighting
  - Normally holds materials, water, grain, etc



OSHA® Occupational Safety and Health Administration
Region VIII

What is a Permit-Required Confined Space?

- A Confined Space WITH:
  - Hazardous or potentially hazardous atmosphere;
  - Engulfment hazard;
  - Physical Hazard;
  - Other serious safety or health hazard

OSHA® Occupational Safety and Health Administration
Region VIII

Examples of Confined Spaces

- Crawl Spaces
- Pits
- Vaults
- Manholes
- Storage bins
- Sewers
- Tanks
- Silos
- Attics
- Shafts
- Pipelines

OSHA® Occupational Safety and Health Administration
Region VIII

Confined Space Evaluation

Any employer whose employee may enter a confined space must conduct an evaluation of their site.

Will there be entry?

- **No**: Employer must take effective action to prevent employees from entering the permit space.

- **Yes**: Employer must implement a permit program or use “alternative procedures”.

OSHA® Occupational Safety and Health Administration
Region VIII

Written Permit Space Program

- Prevent unauthorized entry
- Permits for entry
- Develop procedures for safe permit entry
- Provide necessary equipment
- Training of entrant, attendant, supervisor
- Rescue and emergency services
- Employee Participation
- More information: https://www.osha.gov/SLTC/confinedspaces/index.html

OSHA® Occupational Safety and Health Administration
Region VIII

Hazard Communication

- 29 CFR 1910.1200

- Written Hazard Communication Program
- Labeling
- Safety Data Sheets
- Training requirements

- More information: https://www.osha.gov/dsg/hazcom/index.html

OSHA® Occupational Safety and Health Administration
Region VIII

Hazard Communication

SAMPLE LABEL

CODE _____
Product Name _____

Product Identifier

Company Name _____
Street Address _____
City _____ State _____
Postal Code _____ Country _____
Emergency Phone Number _____

Supplier Identification

Hazard Pictograms

Signal Word
Danger

Keep container tightly closed. Store in a cool, well-ventilated place that is locked.
Keep away from heat/sparks/open flame. No smoking.
Only use non-sparking tools.
Use explosion-proof electrical equipment.
Take precautionary measures against static discharge.
Ground and bond container and receiving equipment.
Do not breathe vapors.
Wear protective gloves.
Do not eat, drink or smoke when using this product.
Wash hands thoroughly after handling.
Dispose of in accordance with local, regional, national, international regulations as specified.

Precautionary Statements

In Case of Fire: use dry chemical (BC) or Carbon Dioxide (CO_2) fire extinguisher to extinguish.

First Aid
If exposed call Poison Center.
If on skin (or hair): Take off immediately any contaminated clothing. Rinse skin with water.

Highly flammable liquid and vapor.
May cause liver and kidney damage.

Hazard Statements

Supplemental Information

Directions for Use
_____
_____
_____

Fill weight: _____ Lot Number: _____
Gross weight: _____ Fill Date: _____
Expiration Date: _____

OSHA® Occupational Safety and Health Administration
Region VIII

Air Contaminants
29 CFR 1910.1000

TABLE Z-1. - LIMITS FOR AIR CONTAMINANTS

Substance	CAS No. (c)	ppm (a)(1)	mg/m(3) (b)(1)	Skin designation
Acetaldehyde.....	75-07-0	200	360	
Acetic acid.....	64-19-7	10	25	
Acetic anhydride.....	108-24-7	5	20	
Acetone.....	67-64-1	1000	2400	
Acetonitrile.....	75-05-8	40	70	
2-Acetylaminofluorene; see 1910.1014.....	53-96-3			
Acetylene dichloride; see 1,2-Dichloroethylene.				
Acetylene tetrabromide.	79-27-6	1	14	
Carbon dioxide.....	124-38-9	5000	9000	

OSHA® Occupational Safety and Health Administration
Region VIII

Electronic Recordkeeping

- Most employers with more than 10 employees in their company must keep OSHA 300 injury and illness logs

- Some of the those employers must submit that information electronically per the schedule below:

Submission year	Establishments with 250 or more employees in industries covered by the recordkeeping rule	Establishments with 20-249 employees In select industries	Submission deadline
2017	CY 2016 300A Form	CY 2016 300A Form	Dec 1, 2017
2018	CY 2017 300A, 300, 301 Forms	CY 2017 300A Form	July 1, 2018
2019 and beyond	300A, 300, 301 Forms	300A Form	March 2

Compliance Assistance Resources

- OSHA Consultation Office
  - Free
  - Confidential
  - On-site audits
  - Training
  - Sampling/Monitoring
  - Program Review

http://csu-cvmbs.colostate.edu/academics/erhs/osha/Pages/default.aspx

OSHA® Occupational Safety and Health Administration
Region VIII

Compliance Assistance Resources

New Compliance Assistance Products

The following are some of OSHA's recently issued or updated compliance assistance products. Many publications with an OSHA publication number can be downloaded or ordered from the OSHA Publication page. They can also be ordered by telephone from the OSHA Publications Office at (202) 693-1888 or (800) 321-OSHA (6742).

Quarterly New Resources Reports
New Products Archive

Hazard Alerts

- Working Safety with Scissor Lifts (PDF*). OSHA Publication HA-3842, (updated 2016, February).

Web Resources

- Process Safety Management Rulemaking (2016, January).
- Restrooms and Sanitation (2016, January).
- Worker Rights (updated 2016, January).

Draft Safety and Health Program Management Guidelines

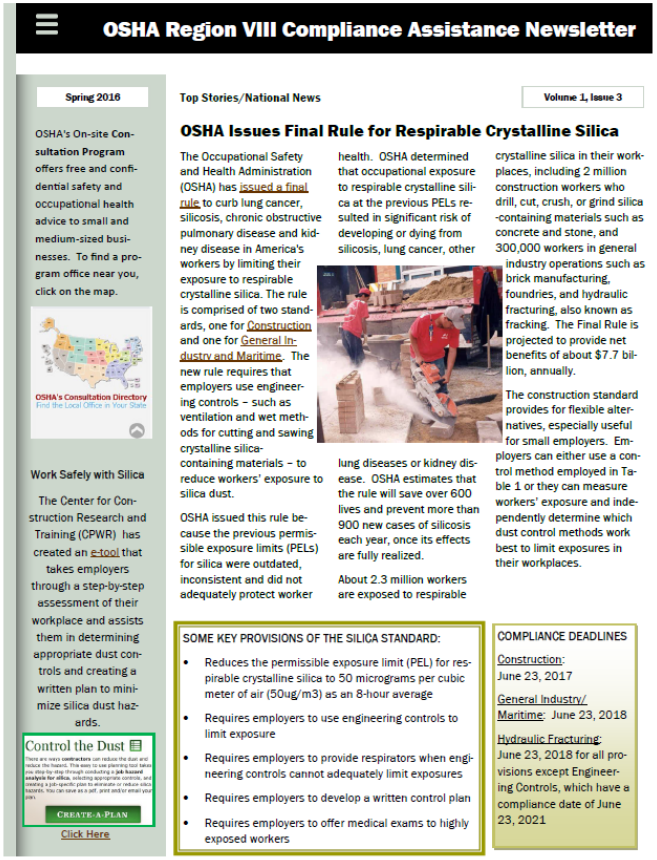
- Program Management Guidelines
- Trenching and Excavation
- Confined Spaces
- Temporary Workers
- Reporting Requirements

OSHA Region VIII

al Safety and Health Administration

Compliance Assistance Resources

- Regional Compliance Assistance Newsletter
- Send request to olaechea.john@dol.gov to subscribe



OSHA Region VIII Compliance Assistance Newsletter

Spring 2016

Top Stories/National News

Volume 1, Issue 3

OSHA's On-site Consultation Program offers free and confidential safety and occupational health advice to small and medium-sized businesses. To find a program office near you, click on the map.

OSHA's Consultation Directory
Find the Local Office in Your State

Work Safely with Silica

The Center for Construction Research and Training (CPWR) has created an e-tool that takes employers through a step-by-step assessment of their workplace and assists them in determining appropriate dust controls and creating a written plan to minimize silica dust hazards.

Control the Dust

CREATE-A-PLAN

Click Here

OSHA Issues Final Rule for Respirable Crystalline Silica

The Occupational Safety and Health Administration (OSHA) has issued a final rule to curb lung cancer, silicosis, chronic obstructive pulmonary disease and kidney disease in America's workers by limiting their exposure to respirable crystalline silica. The rule is comprised of two standards, one for Construction and one for General Industry and Maritime. The new rule requires that employers use engineering controls – such as ventilation and wet methods for cutting and sawing crystalline silica-containing materials – to reduce workers' exposure to silica dust.

OSHA issued this rule because the previous permissible exposure limits (PELs) for silica were outdated, inconsistent and did not adequately protect worker health. OSHA determined that occupational exposure to respirable crystalline silica at the previous PELs resulted in significant risk of developing or dying from silicosis, lung cancer, other lung diseases or kidney disease. OSHA estimates that the rule will save over 600 lives and prevent more than 900 new cases of silicosis each year, once its effects are fully realized.

About 2.3 million workers are exposed to respirable crystalline silica in their workplaces, including 2 million construction workers who drill, cut, crush, or grind silica -containing materials such as concrete and stone, and 300,000 workers in general industry operations such as brick manufacturing, foundries, and hydraulic fracturing, also known as fracking. The Final Rule is projected to provide net benefits of about $7.7 billion, annually.

The construction standard provides for flexible alternatives, especially useful for small employers. Employers can either use a control method employed in Table 1 or they can measure workers' exposure and independently determine which dust control methods work best to limit exposures in their workplaces.

SOME KEY PROVISIONS OF THE SILICA STANDARD:

- Reduces the permissible exposure limit (PEL) for respirable crystalline silica to 50 micrograms per cubic meter of air (50ug/m3) as an 8-hour average
- Requires employers to use engineering controls to limit exposure
- Requires employers to provide respirators when engineering controls cannot adequately limit exposures
- Requires employers to develop a written control plan
- Requires employers to offer medical exams to highly exposed workers

COMPLIANCE DEADLINES

Construction: June 23, 2017

General Industry/ Maritime: June 23, 2018

Hydraulic Fracturing: June 23, 2018 for all provisions except Engineering Controls, which have a compliance date of June 23, 2021

OSHA Occupational Safety and Health Administration
Region VIII

Interactive Hazard ID Safety Tool

- Helps small businesses learn how to identify workplace hazards
- Interactive features challenge users: “Can you spot all the hazards?”
- Now updated with a new healthcare scenario and two new visual inspections

osha.gov/hazfinder

OSHA® Occupational Safety and Health Administration
Region VIII

Questions?

OSHA® Occupational Safety and Health Administration
Region VIII

Disclaimer

- This information has been developed by an OSHA Compliance Assistance Specialist and is intended to assist employers, workers, and others as they strive to improve workplace health and safety. While we attempt to thoroughly address specific topics, it is not possible to include discussion of everything necessary to ensure a healthy and safe working environment in a presentation of this nature. Thus, this information must be understood as a tool for addressing workplace hazards, rather than an exhaustive statement of an employer's legal obligations, which are defined by statute, regulations, and standards. Likewise, to the extent that this information references practices or procedures that may enhance health or safety, but which are not required by a statute, regulation, or standard, it cannot, and does not, create additional legal obligations. Finally, over time, OSHA may modify rules and interpretations in light of new technology, information, or circumstances; to keep apprised of such developments, or to review information on a wide range of occupational safety and health topics, you can visit OSHA's website at www.osha.gov.

OSHA® Occupational Safety and Health Administration
Region VIII