



# OSHA REGIONAL NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

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**DIRECTIVE NUMBER:** CPL 2-16-03

**EFFECTIVE DATE:** January 25, 2016

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**SUBJECT:** Region-wide Local Emphasis Program (REP) High Hazard Safety and Health Workplace Inspections

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**REGIONAL IDENTIFIER:** Region VII

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## ABSTRACT

- Purpose:** This Regional Notice implements a Region-wide Local Emphasis Program (REP) for programmed safety and health inspections of general industry establishments in high hazard industries.
- Scope:** This Notice applies to all Region VII Federal Enforcement Offices.
- References:**
- OSHA Instruction, CPL 02-00-159, Field Operations Manual, October 1, 2015 (or most current version).
  - OSHA Instruction, CPL 04-00-001, Procedures for Approval of Local Emphasis Programs (LEPs), November 10, 1999.
  - OSHA Instruction, CPL 02-00-025, Scheduling System for Programmed Inspections, January 4, 1995.
  - OSHA Instruction, CPL 02-00-051, Exemptions and Limitations Under the Current Appropriations Act, dated May 28, 1998, Appendix A, change effective January 30, 2015 (or most current version).
  - OSHA Instruction, CPL 2-2.45A CH-1, Process Safety Management of Highly Hazardous Chemicals--Compliance Guidelines and Enforcement Procedures, September 1, 2015.
  - OSHA Instruction, CPL 03-00-014, PSM Covered Chemical Facilities National Emphasis Program, November 29, 2011.

Memorandum from Thomas Galassi to Regional Administrators, Procedures for Local and Regional Emphasis Programs, December 3, 2014.

Memorandum from Francis Yebesi to Regional Administrators, Establishment-Targeting Lists for Emphasis Programs, November 12, 2014.

**Expiration:** September 30, 2016

**Action Offices:** Region VII Federal Enforcement Area Offices

**Originating Office:** Kansas City Regional Office – Enforcement Programs

**Contact:** Enforcement Programs (816) 283-8745

By and Under the Authority of:

  
for **Marcia P. Drumm**  
Regional Administrator

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- I. Purpose. This Regional Notice implements a Region-wide Local Emphasis Program (REP) for programmed safety and health inspections of general industry establishments in high hazard industries as identified by injury and illness rates in Region VII. This would potentially affect all establishments in high hazard industries with more than 3,000 workers per state and establishments with more than 10 employees within the jurisdictional boundaries of Region VII.
- II. Scope. This Notice applies to general industry establishments within the jurisdictional boundaries of Region VII.
- III. Action. The Regional Administrator and Area Directors shall ensure that the procedures established in this Notice are adhered to in the scheduling of programmed inspections.
- IV. Expiration. This Notice will expire on September 30, 2016 and may be renewed based on the program's evaluation at that time.
- V. References.
  - A. The Occupational Safety and Health Act of 1970.
  - B. OSHA Instruction CPL 02-00-159, Field Operations Manual (FOM), October 1, 2015 (or current version).
  - C. OSHA Instruction CPL 04-00-001, Procedures for Approval of Emphasis Programs (LEPs), November 10, 1999.
  - D. OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, dated January 4, 1995.
  - E. OSHA Instruction CPL 02-00-051, Exemptions and Limitations Under the Current Appropriations Act, dated May 28, 1998, Appendix A, change effective January 30, 2015 (or most current version).
  - F. OSHA Instruction CPL 2-2.45A CH-1, Process Safety Management of Highly Hazardous Chemicals--Compliance Guidelines and Enforcement Procedures, September 1, 2015.
  - G. OSHA Instruction CPL 03-00-014, PSM Covered Chemical Facilities National Emphasis Program, November 29, 2011.
  - H. Environmental Protection Agency, Enforcement and Compliance History Online (ECHO), <http://echo.epa.gov>.
  - I. OSHA Technical Links Web Page, Ergonomics Enforcement Policy, <https://www.osha.gov/SLTC/ergonomics/faqs.html>.

- J. Furniture and Related Products,  
<https://www.osha.gov/SLTC/woodproducts/index.html>.
- K. Computer and Electronic Products,  
<https://www.osha.gov/SLTC/semiconductors/index.html>.
- L. Meat Packing, <https://www.osha.gov/SLTC/meatpacking/index.html>.
- M. Poultry Processing,  
<https://www.osha.gov/SLTC/poultryprocessing/index.html>.
- N. Silica <https://www.osha.gov/dsg/topics/silicacrystalline/index.html>.
- O. Concrete and Concrete Products,  
<https://www.osha.gov/SLTC/concreteproducts/index.html>.
- P. Toxic Metals, <https://www.osha.gov/SLTC/metalsheavy/index.html>.
- Q. Synthetic Mineral Fibers (Fiberglass),  
<https://www.osha.gov/SLTC/syntheticmineralfibers/index.html>.
- R. Metalworking Fluids,  
<https://www.osha.gov/SLTC/metalworkingfluids/index.html>.
- S. Welding, Cutting, and Brazing,  
<https://www.osha.gov/SLTC/weldingcuttingbrazing/index.html>.
- T. Memorandum from Thomas Galassi to Regional Administrators,  
Procedures for Local and Regional Emphasis Programs, December 3,  
2014.
- U. Memorandum from Francis Yebesi to Regional Administrators,  
Establishment-Targeting Lists for Emphasis Programs, November 12,  
2014.

VI. Background. Under currently used targeting directives to select high hazard establishments for programmed inspections, it is not unusual for some establishments to receive comprehensive inspections every three years while other establishments have never received a comprehensive OSHA inspection. The priority for General Industry inspections is based on the most recent U. S. Bureau of Labor Statistics (BLS) Days Away, Restricted or Transferred (DART) rates in addition to Days Away From Work Injury and Illnesses (DAFWII) rates.

DART rates for targeted industries, as reported by BLS for CYs 2013 and 2014:

Number and rate of nonfatal occupational injuries and illnesses by selected industry, All U.S., private industry, (Numbers in thousands) - Furniture and Related Product manufacturing								
Characteristic	2013				2014			
	Private industry		Furniture and Related Product manufacturing		Private industry		Furniture and Related Product manufacturing	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate
<b>Injuries and Illnesses</b>								
Total cases	3007.3	3.3	16.9	4.9	2953.5	3.2	16.8	4.8
Cases with days away from work job transfer or restriction	1572.7	1.7	9	2.6	1580	1.7	9.2	2.6
Cases with days away from work	917.1	1	4.3	1.2	916.4	1	4.2	1.2
Cases with job transfer or restriction	655.6	0.7	4.7	1.3	663.6	0.7	5	1.4
Other recordable cases	1434.6	1.6	7.9	2.3	1373.5	1.5	7.6	2.2
<b>Injuries</b>								
Total cases	2855	3.1	16.1	4.6	2809.8	3	15.9	4.5
<b>Illnesses</b>								
Total cases	152.3	16.6	0.8	22.5	143.7	15.3	1	27.2
<b>Illness categories</b>								
Sprains, strains, tears	-	35.6	-	38.9	-	35.4	-	35.5
Skin disorders	26	2.8	0.1	1.8	21.8	2.3	0.1	1.7
Respiratory conditions	13	1.4	(6) 0.0	(6) -	12.1	1.3	(6) 0.0	0.6
Poisoning	1.6	0.2	(6) 0.0	(6) -	1.5	0.2	(7) 0.0	(7) -
Hearing loss	18.1	2	0.3	10.1	18.2	1.9	0.4	11.2
All other illness cases	93.5	10.2	0.4	10.4	90.1	9.6	0.5	13.8

Number and rate of nonfatal occupational injuries and illnesses by selected industry, All U.S., private industry, (Numbers in thousands) - Computer and electronic product manufacturing								
Characteristic	2013				2014			
	Private industry		Computer and electronic product manufacturing		Private industry		Computer and electronic product manufacturing	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate
<b>Injuries and Illnesses</b>								
Total cases	3007.3	3.3	13.9	1.3	2953.5	3.2	13.5	1.3
Cases with days away from work job transfer or restriction	1572.7	1.7	7.4	0.7	1580	1.7	7.1	0.7
Cases with days away from work	917.1	1	3.7	0.3	916.4	1	3.9	0.4
Cases with job transfer or restriction	655.6	0.7	3.7	0.4	663.6	0.7	3.2	0.3
Other recordable cases	1434.6	1.6	6.5	0.6	1373.5	1.5	6.4	0.6
<b>Injuries</b>								
Total cases	2855	3.1	12.4	1.2	2809.8	3	11.7	1.1
<b>Illnesses</b>								
Total cases	152.3	16.6	1.5	14.2	143.7	15.3	1.8	16.8
<b>Illness categories</b>								
Sprains, strains, tears	-	35.6	-	11.4	-	35.4	-	10.0
Skin disorders	26	2.8	0.2	1.9	21.8	2.3	0.3	2.5
Respiratory conditions	13	1.4	0.1	0.6	12.1	1.3	(6) 0.0	0.4
Poisoning	1.6	0.2	(6) 0.0	(6) -	1.5	0.2	(7) 0.0	(7) -
Hearing loss	18.1	2	0.1	0.7	18.2	1.9	0.2	2.1
All other illness cases	93.5	10.2	1.2	11.1	90.1	9.6	1.2	11.9

Number and rate of nonfatal occupational injuries and illnesses by selected industry, All U.S., private industry, (Numbers in thousands) - Food manufacturing								
Characteristic	2013				2014			
	Private industry		Food manufacturing		Private industry		Food manufacturing	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate
<b>Injuries and Illnesses</b>								
<b>Total cases</b>	3007.3	3.3	71.8	5	2953.5	3.2	76.6	5.1
<b>Cases with days away from work job transfer or restriction</b>	1572.7	1.7	47	3.3	1580	1.7	49.5	3.3
<b>Cases with days away from work</b>	917.1	1	18.4	1.3	916.4	1	19.9	1.3
<b>Cases with job transfer or restriction</b>	655.6	0.7	28.6	2	663.6	0.7	29.5	2
<b>Other recordable cases</b>	1434.6	1.6	24.8	1.7	1373.5	1.5	27.2	1.8
<b>Injuries</b>								
<b>Total cases</b>	2855	3.1	61.2	4.2	2809.8	3	66.1	4.4
<b>Illnesses</b>								
<b>Total cases</b>	152.3	16.6	10.6	73.7	143.7	15.3	10.6	70.4
<b>Illness categories</b>								
<b>Sprains, strains, tears</b>	-	35.6	-	38.6	-	35.4	-	39.1
<b>Skin disorders</b>	26	2.8	0.5	3.2	21.8	2.3	0.6	3.7
<b>Respiratory conditions</b>	13	1.4	0.3	2	12.1	1.3	0.4	2.4
<b>Poisoning</b>	1.6	0.2	(6) 0.0	0.2	1.5	0.2	(6) 0.0	0.1
<b>Hearing loss</b>	18.1	2	3	20.7	18.2	1.9	3.1	20.7
<b>All other illness cases</b>	93.5	10.2	6.9	47.6	90.1	9.6	6.5	43.5

Number and rate of nonfatal occupational injuries and illnesses by selected industry, All U.S., private industry, (Numbers in thousands) - Nonmetallic mineral product manufacturing								
Characteristic	2013				2014			
	Private industry		Nonmetallic mineral product manufacturing		Private industry		Nonmetallic mineral product manufacturing	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate
<b>Injuries and Illnesses</b>								
<b>Total cases</b>	3007.3	3.3	18.8	5	2953.5	3.2	19.8	5.1
<b>Cases with days away from work job transfer or restriction</b>	1572.7	1.7	10.7	2.8	1580	1.7	12.2	3.2
<b>Cases with days away from work</b>	917.1	1	5.5	1.4	916.4	1	6.5	1.7
<b>Cases with job transfer or restriction</b>	655.6	0.7	5.3	1.4	663.6	0.7	5.8	1.5
<b>Other recordable cases</b>	1434.6	1.6	8.1	2.1	1373.5	1.5	7.6	2
<b>Injuries</b>								
<b>Total cases</b>	2855	3.1	17.7	4.7	2809.8	3	18.9	4.9
<b>Illnesses</b>								
<b>Total cases</b>	152.3	16.6	1.1	28.3	143.7	15.3	0.9	23.8
<b>Illness categories</b>								
<b>Sprains, strains, tears</b>	-	35.6	-	46.6	-	35.4	-	60.3
<b>Skin disorders</b>	26	2.8	0.3	7.1	21.8	2.3	0.1	3.6
<b>Respiratory conditions</b>	13	1.4	(6) 0.0	0.8	12.1	1.3	(6) 0.0	1
<b>Poisoning</b>	1.6	0.2	-	-	1.5	0.2	-	-
<b>Hearing loss</b>	18.1	2	0.4	10.8	18.2	1.9	0.5	13.5
<b>All other illness cases</b>	93.5	10.2	0.4	9.2	90.1	9.6	0.2	5.5

Number and rate of nonfatal occupational injuries and illnesses by selected industry, All U.S., private industry, (Numbers in thousands) - Fabricated Metal Product Manufacturing								
Characteristic	2013				2014			
	Private industry		Fabricated Metal Product Manufacturing		Private industry		Fabricated Metal Product Manufacturing	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate
<b>Injuries and Illnesses</b>								
<b>Total cases</b>	3007.3	3.3	74.5	5.2	2953.5	3.2	70.5	4.8
<b>Cases with days away from work job transfer or restriction</b>	1572.7	1.7	37.6	2.6	1580	1.7	35.5	2.4
<b>Cases with days away from work</b>	917.1	1	18.9	1.3	916.4	1	18.4	1.3
<b>Cases with job transfer or restriction</b>	655.6	0.7	18.7	1.3	663.6	0.7	17	1.2
<b>Other recordable cases</b>	1434.6	1.6	36.9	2.6	1373.5	1.5	35.1	2.4
<b>Injuries</b>								
<b>Total cases</b>	2855	3.1	70.4	4.9	2809.8	3	66.6	4.5
<b>Illnesses</b>								
<b>Total cases</b>	152.3	16.6	4.1	28.4	143.7	15.3	3.9	26.6
<b>Illness categories</b>								
<b>Sprains, strains, tears</b>	-	35.6	-	36.2	-	35.4	-	31.7
<b>Skin disorders</b>	26	2.8	0.7	5.1	21.8	2.3	0.7	4.7
<b>Respiratory conditions</b>	13	1.4	0.2	1.6	12.1	1.3	0.1	0.7
<b>Poisoning</b>	1.6	0.2	0.1	0.7	1.5	0.2	-	-
<b>Hearing loss</b>	18.1	2	1.8	12.6	18.2	1.9	1.9	12.6
<b>All other illness cases</b>	93.5	10.2	1.2	8.4	90.1	9.6	1.3	8.5

Number and rate of nonfatal occupational injuries and illnesses by selected industry, All U.S., private industry, (Numbers in thousands) - Machinery Manufacturing								
Characteristic	2013				2014			
	Private industry		Machinery Manufacturing		Private industry		Machinery Manufacturing	
	Number	Rate	Number	Rate	Number	Rate	Number	Rate
<b>Injuries and Illnesses</b>								
<b>Total cases</b>	3007.3	3.3	44.6	4	2953.5	3.2	43	3.8
<b>Cases with days away from work job transfer or restriction</b>	1572.7	1.7	20.4	1.8	1580	1.7	21.1	1.9
<b>Cases with days away from work</b>	917.1	1	10.2	0.9	916.4	1	9.9	0.9
<b>Cases with job transfer or restriction</b>	655.6	0.7	10.2	0.9	663.6	0.7	11.2	1
<b>Other recordable cases</b>	1434.6	1.6	24.2	2.2	1373.5	1.5	21.8	1.9
<b>Injuries</b>								
<b>Total cases</b>	2855	3.1	41.7	3.8	2809.8	3	40.6	3.6
<b>Illnesses</b>								
<b>Total cases</b>	152.3	16.6	2.9	26.5	143.7	15.3	2.3	20.7
<b>Illness categories</b>								
<b>Sprains, strains, tears</b>	-	35.6	-	25.5	-	35.4	-	25.6
<b>Skin disorders</b>	26	2.8	0.6	5	21.8	2.3	0.4	3.4
<b>Respiratory conditions</b>	13	1.4	0.1	1	12.1	1.3	0.1	1
<b>Poisoning</b>	1.6	0.2	(6) 0.0	(6) -	1.5	0.2	(6) 0.0	(6) -
<b>Hearing loss</b>	18.1	2	1.2	11	18.2	1.9	0.9	8.1
<b>All other illness cases</b>	93.5	10.2	1	9.4	90.1	9.6	0.9	8.1

This REP is meant to increase the probability of inspecting establishments in high hazard industries, within the jurisdiction of Region VII, that have more than ten employees and have not received a comprehensive OSHA inspection since 2011. Thereby, in accordance with the Department of Labor's Strategic Plan 2014-2018, this REP addresses OSHA Performance Goal 2.1: "Improve workplace safety and health through the enforcement of occupational safety and health regulations and standards."

- VII. Outreach. The Regional and Area Office will conduct outreach activities intended to reach as many employers and stakeholders as is practicable. Outreach activities will be conducted to raise awareness of the hazards associated with the targeted high hazard industries identified in this REP to inform stakeholders and employers of the elements of the REP.

### **Enhancing Compliance Assistance and Outreach Activities**

Each Area Director will develop an outreach plan and programs that will support their enforcement efforts, by working with compliance assistance specialists (CAS) and regional labor liaison, when available, to suggest relevant outreach materials and targeted audiences, provide guidance for how to best implement current and new outreach activities, and continue successful outreach strategies implemented in the past and/or currently being implemented.

Outreach activities will utilize OSHA's already established compliance assistance workshops, tools and resources, as well as other mediums, such as news releases, information packets, seminars, etc. In order to maximize and expand the scope, reach and effectiveness of outreach efforts, each Area Office will determine relationships to be established with local organizations, interested parties, stakeholders, and community groups, as well as foster already existing relationships. Emphasis will be placed on reaching out to organizations such as Consulates, faith based and community groups to assist in reaching limited English proficiency workers.

The Area Office will consider having these stakeholders participate in training, assist in the dissemination of information from this REP, and participate in any other outreach activity where their participation would benefit the program. Stakeholders may include actual physical processing facilities, manufacturers' representatives, industry periodical publishers, safety and health consultants, insurance companies, local and national associations, safety councils, and unions.

The method of outreach is at the Area Director's discretion; however, all efforts shall begin at least three months before the initiation of inspections. A detailed description of outreach activities will be included in each Area Offices' Regional notice of LEPs/REPs, as well as in their subsequent evaluations.

Below are examples for outreach activities and other compliance assistance to be incorporated into LEP/REP procedures.

### **Outreach to Industry, Workers and other Stakeholders**

Outreach activities may include, but are not limited to:

- Encouraging employers to utilize OSHA's free on-site consultation programs and provide educational and compliance assistance information relevant to the industry, along with other applicable outreach materials to appropriate stakeholders.
- Informing employers and other stakeholders that many new resources exist in many languages on hazard identification and prevention.
- Upon establishing a list of affected worksites, provide a letter to inform industry, employees, government and other stakeholders of hazards associated with that particular industry, and inform employers of your outreach and targeting plan prior to commencement of inspection activities. Furthermore, inform employers and workers of educational resources, such as these listed below, that give them information on potential hazards and how to prevent them:
  - OSHA's safety and health topics webpage, *Furniture and Related Products*.
  - OSHA's safety and health topics webpage, *Computer and Electronic Products*,
  - OSHA's safety and health topics webpage, *Meat Packing*.
  - OSHA's safety and health topics webpage, *Poultry Processing*.
  - OSHA's safety and health topics webpage, *Silica*.
  - OSHA's safety and health topics webpage, *Concrete and Concrete Products*.
  - OSHA's safety and health topics webpage, *Toxic Metals*.
  - OSHA's safety and health topics webpage, *Synthetic Mineral Fibers (Fiberglass)*.
  - OSHA's safety and health topics webpage, *Metalworking Fluids*.
  - OSHA's safety and health topics webpage, *Welding, Cutting, and Brazing*.

- Distributing worker protection training, information and materials to specific groups, appropriate to the industry.

#### **Utilization of Existing OSHA resources and Outreach Tools**

- Conduct targeted training sessions for employers on the recognition, prevention, and abatement of safety and health hazards in the workplaces. Provide information to workers on regarding workers' rights, job hazards, employer responsibilities, and how to file complaints.
- Conduct stakeholder meetings and disseminate information through speeches, training sessions and Area Office newsletters.

#### **Leveraging of Community Knowledge and Local Institutions**

- Outreach will be tailored to the high hazard industries identified in this REP and the communities of workers and stakeholders. Therefore, outreach programs with employers and trade associations, unions, professional associations, advocacy groups, community and faith-based organizations and others, will be in conjunction with local resources, knowledge and relationships to involve employee and management stakeholders in the identification and elimination of worksite hazards.
- State Consultation Programs should be encouraged to participate in local outreach efforts performed by Area Offices.

VIII. Inspection Targeting. Using the 2013 BLS data for Region VII, Area Offices will develop lists of high hazard industries.

##### **A. Safety Inspections**

1. Safety High Hazard Industry List. The safety high hazard list contains manufacturing industries classified by their NAICS codes, and is based on the industries with the highest DART rates for calendar year 2013, as reported by BLS for the industries in Region VII. The list limits evaluation to the three digit NAICS code in order to identify a broader establishment base. In order to positively affect a larger number of workers, any three digit NAICS code for related industries with less than 3,000 workers per state and establishments with less than 10 employees will be removed from the list. This REP will cover the industries ranked 1 through 5 on the safety high hazard list (see Appendix A).

Without interfering with the completion of a currently active list and based on the available site locations on this previously generated list and on available OSHA resources, a new high hazard list (as

described above) may be generated at any time within the effective dates of this program. In addition, any cycle (See paragraph IX. below) begun but not yet completed before the generation of a new high hazard list must be completed within the effective dates of this program.

2. Establishments in Safety High Hazard Industries.

- a. Using the most recently available Dun & Bradstreet employer list, the Directorate of Evaluation and Analysis' Office of Statistical Analysis (OSA) will prepare a primary list of establishments, including appropriate deletion criteria, based on those NAICS codes ranked 1 through 5 (Appendix A) on the safety high hazard list for related industries with more than 3,000 workers per state and establishments with more than 10 employees. Establishments will be assigned random numbers by OSA in accordance with Agency policy. This list of establishments will make up the inspection list. All establishments on the primary list will be inspected before initiating inspections on any secondary list in accordance with OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections.
- b. Whenever an Area office becomes aware of a previously unknown establishment within any of the identified NAICS codes, the establishment shall be added to the secondary list. Any establishment remaining on the secondary list will be placed in alphabetical order. A random number will be assigned using the most current version of Microsoft Excel's Random Sample Function, i.e., RANDBETWEEN function in Microsoft Excel. To prevent duplicate random numbers from being generated for multiple records each time the file is opened, the entire worksheet is highlighted, copied, and pasted into a blank worksheet as "Values (V)". The new worksheet will have each random number saved as a value not a formula, which will allow the worksheet to be opened without the possibility of changing the already assigned random numbers.
- c. Additional information sources that allow an office to become aware of a previously unknown establishment within any of the identified NAICS codes include a revised Dun & Bradstreet employer list and the EPA Enforcement and Compliance History Online (ECHO), <http://echo.epa.gov>.

- d. Once the establishments are selected, deletions will be made pursuant to the deletions policy set forth in paragraph VIII. C. of this Instruction.

## B. Health Inspections

1. Health High Hazard Industry List. The high health hazard list contains industries classified by their NAICS code. High hazard health industries are determined using three (3) fiscal years of OSHA inspection data (FY 2012 – FY 2014) from the OSHA Information System (OIS) and calculating the Serious Violation Rate per Inspection (SVPI). OIS will rank the industries (based on OSHA's inspection history) for workplaces with the highest average number of serious violations per inspection (SVPI) in Region VII. The list limits evaluation to the three digit NAICS code in order to identify a broader establishment base. In order to positively affect a larger number of workers, any three digit NAICS code for related industries with less than 3,000 workers per state and establishments with less than 10 employees will be removed from the list. This REP will cover the industries ranked 1 through 5 on the health high hazard list (see Appendix B).
2. Without interfering with the completion of a currently active list and based on the available site locations on this previously generated list and on available OSHA resources, a new health high hazard list (as described above) may be generated at any time within the effective dates of this program. In addition, any cycle (See paragraph IX below) begun but not yet completed before the generation of a new health high hazard list must be completed within the effective dates of this program.
3. Establishments in Health High Hazard Industries.
  - a. Using the most recently available Dun & Bradstreet employer list, the Directorate of Evaluation and Analysis' Office of Statistical Analysis (OSA) will prepare a master list of establishments based on those NAICS codes ranked 1 through 5 (Appendix B) on the health high hazard list for related industries with more 3,000 workers per state and establishments with more than ten (10) employees. Establishments will be assigned random numbers by OSA in accordance with Agency policy. This list of establishments will make up the inspection list. All establishments on the Master List will be inspected before initiating inspections on a new OSA-generated list in accordance with OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections.

- b. Whenever an office becomes aware of a previously unknown establishment within any of the identified NAICS codes, the establishment shall be added to the Master List. Any establishment remaining on the Master list will be placed in alphabetical order. A random number will be assigned using the most current version of Microsoft Excel's Random Sample Function, i.e., RANDBETWEEN function in Microsoft Excel. To prevent duplicate random numbers from being generated for multiple records each time the file is opened, the entire worksheet is highlighted, copied, and pasted into a blank worksheet as "Values (V)". The new worksheet will have each random number saved as a value not a formula, which will allow the worksheet to be opened without the possibility of changing the already assigned random numbers.
- c. Additional information sources that allow an office to become aware of a previously unknown establishment within any of the identified NAICS codes include a revised Dun & Bradstreet employer list and the EPA Enforcement and Compliance History Online (ECHO), <http://echo.epa.gov>.
- d. Once the establishments are selected, deletions will be made pursuant to the deletions policy set forth in paragraph VIII. C. of this directive.

C. Deletions. In accordance with OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, establishments that have had a comprehensive safety and health inspection within the previous three (3) calendar years will be removed from the list prior to initiating inspections in the inspection cycles. Deletion criteria in OSHA Instruction CPL 02-00-025, Paragraph B.1.b.(1)(b)6.d., will be applied to the list of establishments with the exception of deletion criteria S# and I#.

IX. Inspection Scheduling. Inspection scheduling shall be in accordance with CPL 02-00-150, Field Operations Manual (FOM), Chapter 2, IV. through VI.

A. Inspection Cycles. Inspection cycles will be generated from the inspection list. Each cycle will consist of ten (10) to twenty-five (25) establishments sorted by the assigned random number from lowest to highest. Each inspection cycle must be completed before another cycle is generated from that list. An establishment may be carried over to another cycle for any of the reasons set forth in CPL 02-00-025, paragraph B.1.b.(1)(e).1. Prior to initiating each inspection in a cycle, deletions will be made pursuant to the deletions policy set forth in CPL 02-00-025, as noted above. Subsequent cycles shall be generated in the same manner using cycles of ten (10) establishments each.

- B. Each establishment scheduled for inspection shall receive a comprehensive safety and/or health inspection as defined by CPL 02-00-150, Chapter 3, III. A. Establishments with process safety management hazards shall receive an evaluation of hazards in accordance with CPL 03-00-014. Ergonomic hazards will be assessed and addressed during every inspection occurring under this program in accordance with OSHA's Ergonomics Enforcement Policy, <https://www.osha.gov/SLTC/ergonomics/faqs.html>.

Inspections conducted under this initiative will address process safety management where 29 CFR 1910.119 applies to the establishment being inspected. Such inspections must be part of a comprehensive inspection. However, they will not normally be Program-Quality-Verification (PQV) inspections as defined by OSHA Instruction CPL 02-02-045, Process Safety Management of Highly Hazardous Chemicals – Compliance Guidelines and Enforcement Procedures. If the facility has not already been inspected using the OSHA Instruction, CPL 03-00-014, PSM-Covered Chemical Facilities National Emphasis Program, a concurrent inspection using that NEP may be conducted at the Area Director's discretion.

- C. Other Programmed Inspections. Some establishments may be selected for inspection under this initiative and also under one or more other OSHA initiatives (National Emphasis (NEP) or Local Emphasis (LEP) Programs). Any emphasis programs based upon particular hazards (such as ergonomics, silica, amputations, or lead) or on particular industries (healthcare or primary metal industries.) can be run concurrently with this initiative.

Whenever an establishment is scheduled for inspection on this initiative and is on the current cycle of an NEP/LEP plan, the inspections will be scheduled at the same time. Compliance Safety and Health Officials (CSHOs) will apply all applicable OIS codes to the inspection.

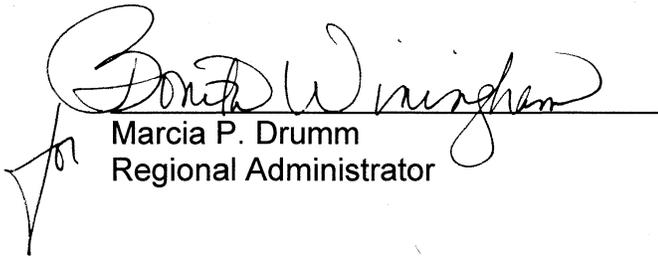
- D. Any unprogrammed inspection or investigation such as a complaint, referral, fatality, etc., will be expanded to a comprehensive inspection for any establishment that is already included in a generated (but not yet completed) inspection cycle.

X. Recording in OIS.

- A. Current instructions for completing the appropriate inspection classification boxes on the OSHA Inspection Report as found in the OIS manual shall be applied when recording inspections conducted under the REP, as follows:
1. Programmed inspections conducted under this REP shall be marked "Planned", "Local Emphasis Program", and "ERGHH".

2. When it is discovered upon arrival at a worksite scheduled for an REP inspection that the establishment should have been deleted from the list (e.g., ten or fewer employees, establishment is out of business, etc.), "No Inspection" shall be recorded.
3. Unprogrammed inspections related to complaints or referrals requiring inspection, imminent danger, and fatality/catastrophe investigations will be coded as normally required under CPL 02-00-150. In addition, the code "ERGHH" will be recorded in the REP space.
4. All consultation activities (requests, visits and compliance assistance) conducted at sites in the SIC/NAICS codes included in this LEP will be coded with "ERGHH" in the Local Emphasis Program field on the appropriate forms.

XI. Evaluation. No later than October 30 of each year that this program remains in effect, each Region VII Area Office will prepare a formal written evaluation of this REP in the format specified by OSHA Instruction CPL 04-00-001, Appendix A.

  
 Marcia P. Drumm  
 Regional Administrator

1/25/2016  
 (Date)

Concurrence of the Regional Solicitor's Office:

  
 (Signature)

01-25-2016  
 (Date)

Distribution:

Regional Solicitor  
 Directorate of Enforcement Programs  
 Regional Administrator  
 Deputy Regional Administrator  
 Assistant Regional Administrators  
 Area Directors  
 Supervisory Investigator  
 Labor Liaison  
 Field Review Program Coordinator

## Appendix A - Safety Rankings for 2014

<b>Rank</b>	<b>Industry</b>	<b>NAICS</b>
1	Furniture and Related Product Manufacturing	337
2	Computer and Electronic Product Manufacturing	334
3	Food Manufacturing	311
4	Nonmetallic Mineral Product Manufacturing	327
5	Fabricated Metal Product Manufacturing	332*
6	Machinery Manufacturing	333*

\*BLS rates for NAICS codes 332 and 333 are tied. Both are included in ranking.

## Appendix B - Health Rankings for 2014

<b>Rank</b>	<b>Industry</b>	<b>NAICS</b>
1	Printing and Related Support Activities	323
4	Beverage and Tobacco Product Manufacturing	312
3	Miscellaneous Manufacturing	339
4	Wood Product manufacturing	321
5	Primary Metal Manufacturing	331