

2017 NEWEA

What's New in Health & Safety?

January 24, 2017
Boston, MA

David P. Horowitz, P.E., CSP, Project Manager

Slideshare @dphorowitz

Agenda

- OSHA State Plans
- MA DLS Shout Out
- Recent DLS Activity
- OSHA Changes

The screenshot shows the official website of the Executive Office of Labor and Workforce Development (EOLWD) in Massachusetts. The page is titled "Workplace Safety and Health for Public Employees" and features a testimonial video from Paul Barden, Director of Public Affairs. The page includes navigation links for Unemployment Insurance, Job Services, Labor Standards, Workers' Compensation, Labor Relations, and Labor Market Information. A sidebar on the right provides contact information for the Workplace Safety and Health Program (WSHP) at the MA Department of Labor Standards, including the address, phone number, and email.

Mass.gov State Offices & Courts State A-Z Topics State Forms No Active Alerts Skip to main content | A A English

The Official Website of the Executive Office of Labor and Workforce Development (EOLWD)

Labor and Workforce Development


Search... in Labor and Workforce SEARCH

Unemployment Insurance Job Services Labor Standards Workers' Compensation Labor Relations Labor Market Information

Home > Labor Standards > Workplace Safety and Health for Public Employees

Workplace Safety and Health for Public Employees

Testimonial - Paul Barden



Report an Accident, file a Complaint, or Request Assistance

Sample Safety and Health Programs

Sample Safety and Health Training

Resources - MASSafetyWorks!

About Us

Workplace Safety and Health Program Statutes

Did you find the information you were looking for on this page? *

Yes

No

Workplace Safety and Health Program Poster

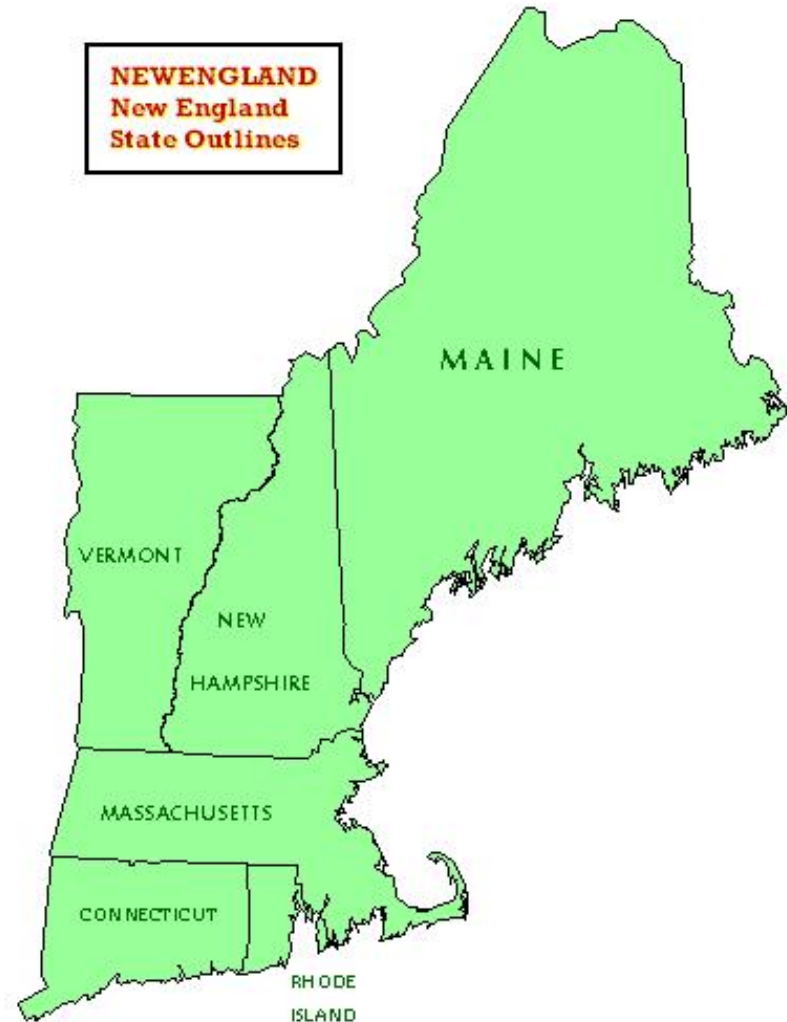
wsbp brochure

For Public Agencies: Contact WSHP

MA Department of Labor Standards
Workplace Safety and Health for Public Employees Program
Taunton Career Center Building
72 School Street
Taunton, MA 02780
phone: 508-626-0401 ext. 9455
email: safe@publicworkplace@state.ma.us

State Plans – Public & Private

Alaska	New Mexico
Arizona	North Carolina
California	Oregon
Hawaii	Puerto Rico
Indiana	South Carolina
Iowa	Tennessee
Kentucky	Utah
Maine	Vermont
Maryland	Virginia
Michigan	Washington
Minnesota	Wyoming
Nevada	



State Plans – Public Only

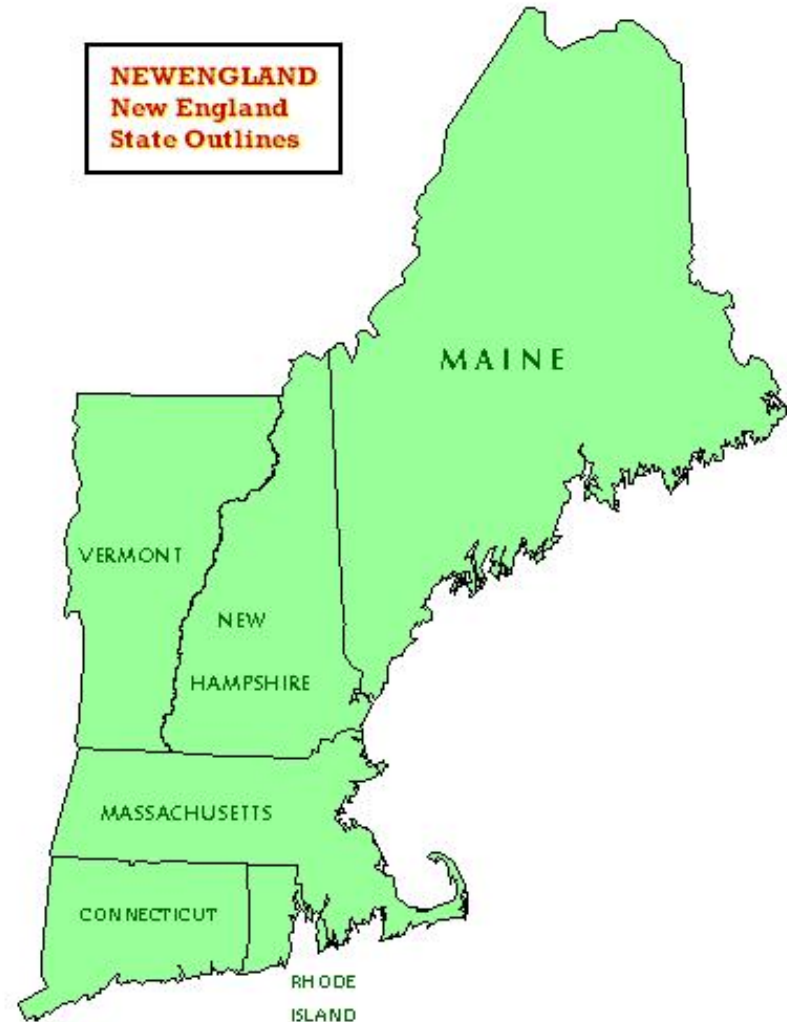
Connecticut

Illinois

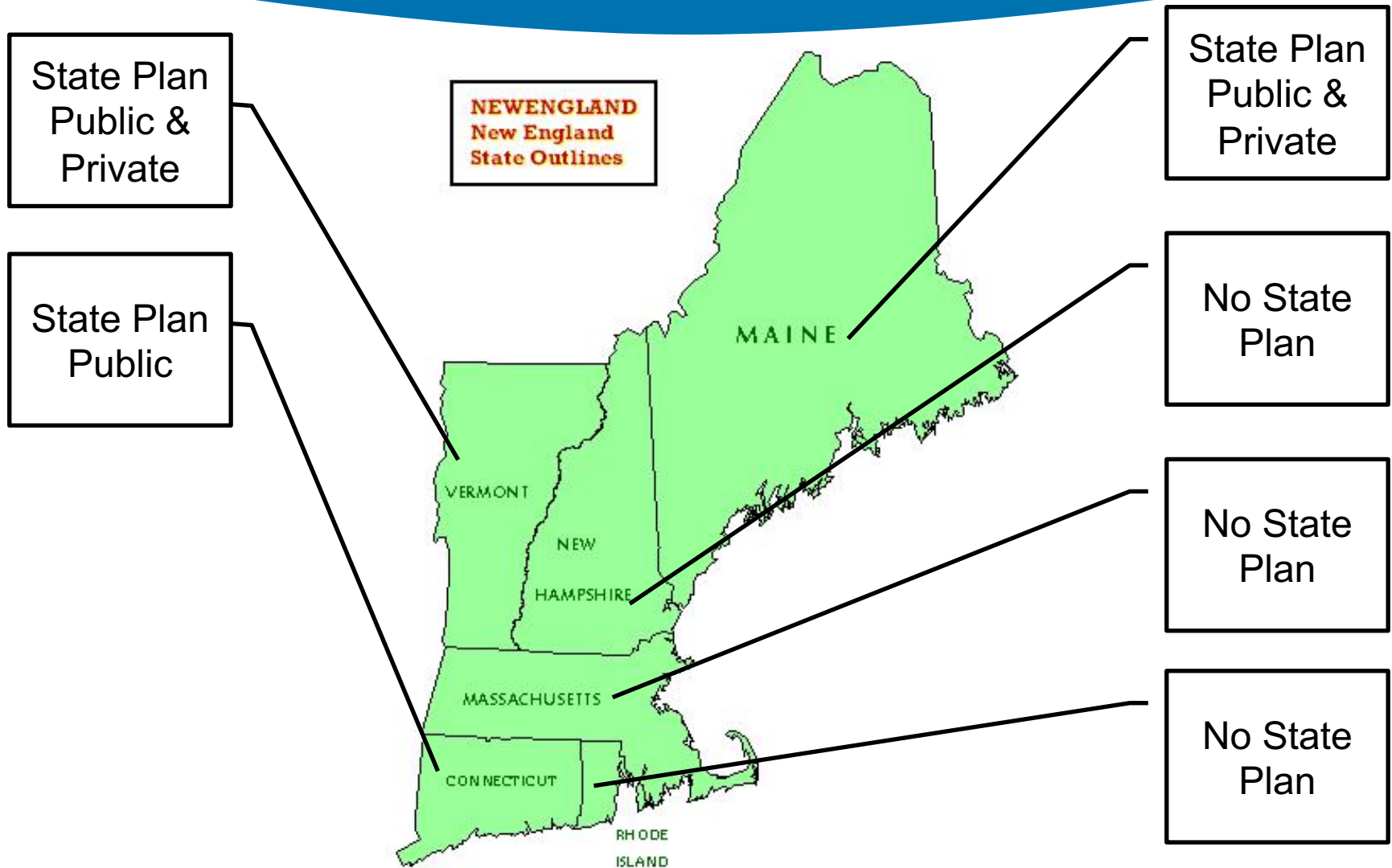
New Jersey

New York

Virgin Islands



State Plans





NE 28 SEA 24 4th :27 :06 2nd & Goal

First .. A plug for DLS

Recent DLS Activity



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF LABOR STANDARDS

CHARLES D. B
GOVERNOR
KARYN E. PO
LEUTENANT GOV



THE COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF LABOR AND WORKFORCE DEVELOPMENT
DEPARTMENT OF LABOR STANDARDS

RONALD L. WALKER II
SECRETARY
WILLIAM D. MCKINNEY
DIRECTOR

Written Warning And Order To Correct

IS-1414

WRITTEN WARNING AND ORDER TO CORRECT

Pursuant to M.G.L. c. 149, §§ 6 and 454 CMR 25.00, it is the responsibility of the Department of Labor Standards ("DLS") to investigate occupational hazards in the workplace, to recommend controls to reduce such hazards, and to assist counties municipalities and state agencies to ensure compliance with applicable workplace safety and health laws, regulations, and recognized industry standards.

DLS conducts safety inspections at municipal workplaces. These inspections are initiated in response to employee accidents, complaints and planned random inspections at higher-hazard departments such as wastewater treatment plant and public works operations. As a result of our programmed inspections, the Department of Labor Standards ("DLS") conducted a workplace safety and health investigation on February 25, 2016 at the town of [REDACTED] Pollution Control Facility (WPCF) ("Respondent") located at [REDACTED] Road in [REDACTED]. DLS representative Jon E. Livbergren was accompanied by WPCF Superintendent [REDACTED].

The facility has numerous onsite confined spaces as well as eight sanitary sewer pump stations, eight sanitary sewage wet wells, six drywells, four grinder pump stations and the [REDACTED] facility was reviewed on the day of the inspection. The facility manages two, one ton chlorine cylinders, less than two gallons of hydrochloric acid and a very small quantity of ammonia.

333 EAST STREET, ROOM 514 • PITTSFIELD, MA 01201
PHONE: 617-626-5871 • www.mass.gov/dols

WRITTEN WARNING AND ORDER TO CORRECT

Pursuant to M.G.L. 149 §6 and 6 1/2, it is the responsibility of the Department of Labor Standards ("DLS") to investigate occupational health hazards in the workplace, to recommend controls to reduce such hazards, and to assist counties municipalities and state agencies to comply with applicable workplace health regulations.

On August 11, 2016 DLS representative Donald Delikat, CIH, CSP conducted a workplace health and safety inspection of the [REDACTED] Treatment Plant ("Respondent") located at [REDACTED] II, MA. DLS selected the [REDACTED] Treatment Plant for inspection based on industry classification. Drinking water facilities may have tasks that involve chemical handling, heavy lifting, fall hazards, or equipment with electrical or rotating parts which could cause employee injury. Two buildings at the [REDACTED] were examined during this inspection which were overall very clean and well-maintained.

However, DLS identified conditions which place employees at risk of work-related injury or illness, and issues this "Written Warning and Order to Correct" to the Said recommendations are based on the Massachusetts General Law, Federal Regulations, including the Occupational Safety and Health Act of 1970, Section 5(a)(1), 29 CFR 1910, and 29 CFR 1926. Respondent is advised to apply DLS corrective actions and recommendations as appropriate to all work locations.

WALL EXPERIMENT STATION • 37 SHATTUCK STREET • LAWRENCE, MA 01843
PHONE: 978-682-5237 • FAX: 978-687-0013
www.mass.gov/dols

Recent DLS Activity - Respirators

Written Respiratory Protection Plan

Item No. 02

Correction Due Date: September 30, 2016

Condition: Respirators are used in the fluoridation and other chemical area but a written program is not available. Employees may be exposed to airborne contaminants through lack of training in the use, maintenance, and storage of respirators.

Massachusetts General Law: MGL c. 149 s 18E. ,

Recognized Industry Standard: OSHA 29 CFR 1910.134 (c)

Corrective Action Required: Develop and implement a written Respiratory Protection Program, consisting of the following:

- Medical evaluation of employees who wear tight-fitting respirators in order to ensure that they are medically capable of doing so.
- Selection and use of appropriate respirators.
- Fit testing of employees who use tight-fitting respirators.
- Training in the proper use and limitations of respirators, including; inspection; cleaning; disinfecting; maintenance; and storage of respirators.
- Regular inspection and monitoring/surveillance of work area conditions and employee exposure and stress.
- A regular evaluation of the respirator program.

Proof of Corrective Action: Submit to DLS documentation that you have developed this respirator program.

Item No. 07

Correction Due Date: APRIL 22, 2016.

Condition: The employer did not establish and maintain for those workers using respiratory protection, a respiratory protection program as required.

Massachusetts General Law: MGL c. 149, §§ 6, 18E

Recognized Industry Standards: OSHA 29 CFR 1910.134(a)(2) Respiratory Protection

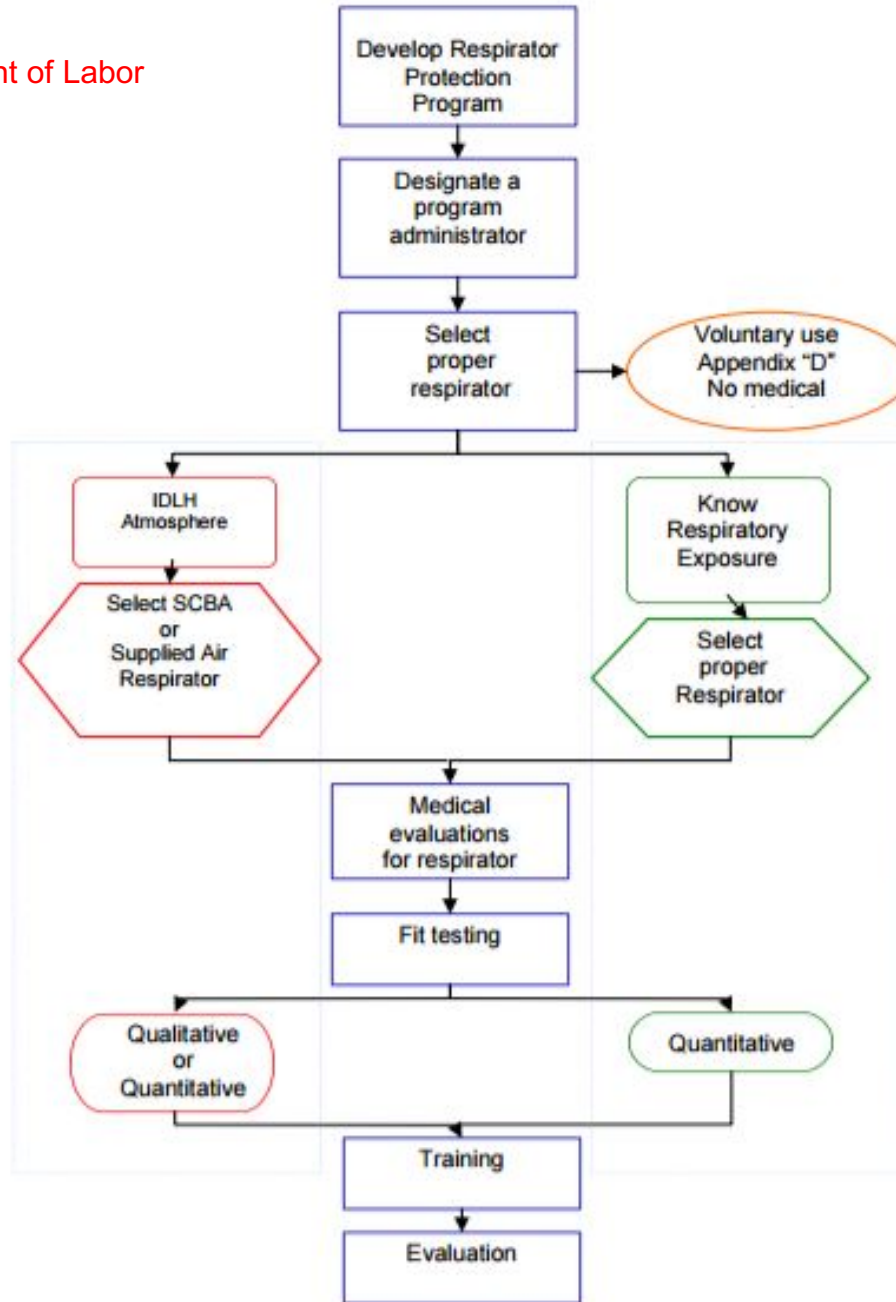
Corrective Action Required: Using the provided template, if desired, develop a comprehensive, written respiratory protection program, addressing the issues below. An effective program includes procedures for:

- a. Selection and use of appropriate respirators;
- b. Physical assessment and fit testing of affected employees;
- c. Employee training in proper use and limitations of respirators;
- d. Respirator storage;
- e. Respirator inspection, cleaning and disinfection, and replacement as needed;
- f. Regular inspection and monitoring/surveillance of work area conditions and employee exposure and stress;
- g. Program evaluation.

Proof of Corrective Action: Provide evidence of completed respiratory protection program documentation

Respirator Protection Flow Chart

Courtesy of Maine Department of Labor



Recent DLS Activity – Lo/To

Provide Lo/To Program

Item No. 05

Correction Due Date: September 30, 2016

Condition: A written Lock Out/Tag Out (LOTO) Program is not available. The facility has equipment that requires a written LO/TO program for this facility.

Massachusetts General Law: MGL c. 149 s. 6, OSHA 29 CFR 1910.147 (c)

Corrective Action Recommended: Provide a LO/TO Program.

The Lockout Tagout program covers the servicing and maintenance of machines and equipment in which the unexpected energization or startup of the machines or equipment, or release of stored energy, could harm employees. This program identifies equipment that may be serviced or maintained by employees (i.e. HVAC, pumps, conveyors, lighting) and provides specific procedures for removing energy before repairs or maintenance is begun.

Elements of a Program Include:

- Designate a manager in charge of the program.
- Inventory of all equipment powered by electrical, pneumatic, hydraulic power
- For each specific type of equipment, the specific steps for shutting off, draining, and blocking stored energy
- Worker training.
- Designate personnel who have this LO/TO training and are authorized to perform LO/TO procedures.
- Locks and tags and equipment to perform lockout-tagout.
- Resources for appropriate written programs are located on the website, www.mass.gov/dols/wshp

Proof of Correction Action: Submit to DLS documentation that this item has been corrected. A template is enclosed with this report.

Item No. 08

Correction Due Date: APRIL 22, 2016.

Condition: A written lockout/tagout program was not fully developed in compliance with the standard, to prevent unexpected activation or start-up of machinery, or to prevent other unanticipated release of stored energy, during equipment maintenance and repair. Equipment to include, but certainly not be limited to, area the sludge mixers, sludge pumps and air handlers.

Massachusetts General Law: MGL c. 149, § 6

Recognized Industry Standards: OSHA 29 CFR 1910.147(c)(1); ANSI/ASSE Z244.1-2003- Control of Hazardous Energy - Lockout/Tagout And Alternative Methods

Corrective Action Required: Utilize the provided sample program template to prepare a site specific program including at a minimum, the following components:

- a. Definition of employer, supervisor and employee responsibilities;
- b. Identification of specific hazards from unanticipated activation of equipment or release of stored energy;
- c. Specific procedures (six step) for isolation of equipment from energy sources, and/or control of stored energy (outlined below);
- d. Procedures for restoring equipment to normal operation following maintenance or repair;
- e. Training plan for initial and refresher training, including documentation of employee training in procedures for specific items of equipment, and supplemental training on new equipment;
- f. Periodic (Annual) inspection and testing to ensure the effectiveness of the program (outlined below);
- g. Provision for ensuring compliance with program requirements by outside contractors or vendors.

				LOCKOUT TAGOUT SAFETY PROCEDURE		Isolation Devices
						4
Equipment Description					Asset ID	
Thickened Waste Activated Sludge Pump (TWAS-1)					NA	
Location			Department		Dept #	
Anywhere WPCF			Sludge Thickening		NA	
Developed By		Origin Date	Procedure ID	Revision #	Revision Date	
Tighe & Bond		Oct.-2016	010	0	N/A	

This Lockout/Tag-out Control Procedure applies to all Anywhere WPCF employees. The following must be performed by personnel who are trained & authorized to perform work under Lockout conditions. Work shall be completed in accordance with Anywhere WPCF's written lockout tag-out program and in conjunction with the information presented within this written lockout tag-out safety procedure.



*** ALWAYS PERFORM A MACHINE STOP BEFORE LOCKING OUT DISCONNECTS ***

ID	ENERGY SOURCE	HAZARD	STORED ENERGY	REQUIRED STEP	LOCKOUT DEVICE
	NA	Biological (sludge)		Wear appropriate PPE, as necessary.	NA
	Kinetic Energy	Crushing		Allow moving parts to stop before beginning work Verify - Attempt to start machine	See System Power below
	System Power	Electrocution 480 Volt	None	Isolate - Disconnect switch, Sludge Thickener Control Panel (adjacent Room) Verify - Qualified person test system power for energized circuits	Lock, Tag
S-1	Sludge (Inlet)	Pressure 5-10 PSI, Biological	Pressure	Isolate - Close valve Verify - Drain sludge to relieve pressure	Cover, Lock, Tag
S-2	Sludge (Outlet)	Pressure 10-20 PSI, Biological	Pressure	Isolate - Close valves Verify - Drain sludge to relieve pressure	Cover, Lock, Tag
PW-1	Polymer/ Water Mix	Liquid Pressure/ Hazardous Chemical	10-20 PSI PSI	Isolate - Close valve Verify - Drain fluids to relieve pressure	Cover, Lock, Tag

Recent DLS Activity – PPE

Conduct/Perform Hazard Assessment

Item No. 06

Correction Due Date: APRIL 22, 2016

Condition: A personal protective equipment hazard assessment was not performed (and/or) a written certification of hazard assessment was not available.

Location(s): Throughout the Facility

Massachusetts General Law: MGL c. 149, § 6

Recognized Industry Standards: OSHA 29 CFR 1910.132(d)(1)

Corrective Action Required: Perform a hazard assessment in order to determine the type of PPE required for particular work areas or operations. Document that the hazard assessment was performed with a written certification that identifies the workplace evaluated and the person certifying that the evaluation has been performed. Identify the document as a certification of hazard assessment.

Proof of Corrective Action: Provide copy of completed hazard assessment.

Item No. 06

Correction Due Date: September 30, 2016

Condition: A Hazard Assessment for the Selection of Personal Protective Equipment (PPE) for tasks involving exposure to chemical tasks and facility maintenance tasks was not done.

Massachusetts General Law: MGL c. 149 s. 6, OSHA 29 CFR 1910 .132 (d) (1)

Corrective Action Recommended: Conduct a Hazard Assessment for the Selection of personal protective equipment. A template was given to you at the time of the visit to use. Conduct a separate evaluation for each area. Include, eye hazards, as well as physical hazards.

Proof of Correction Action: Submit to DLS documentation that the Hazard Assessment has been conducted.

PPE Hazard Assessment Certification Form

*Name of work place: _____

*Assessment conducted by: _____

*Work place address: _____

*Date of assessment: _____

Work area(s): _____

Job/Task(s): _____

*Required for certifying the hazard assessment.

Use a separate sheet for each job/task or work area

EYES		
<p>Work activities, such as:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> abrasive blasting <input type="checkbox"/> chopping <input type="checkbox"/> cutting <input type="checkbox"/> drilling <input type="checkbox"/> welding <input type="checkbox"/> punch press operations <input type="checkbox"/> other: _____ </div> <div style="width: 45%;"> <input type="checkbox"/> sanding <input type="checkbox"/> sawing <input type="checkbox"/> grinding <input type="checkbox"/> hammering </div> </div>	<p>Work-related exposure to:</p> <input type="checkbox"/> airborne dust <input type="checkbox"/> flying particles <input type="checkbox"/> blood splashes <input type="checkbox"/> hazardous liquid chemicals <input type="checkbox"/> intense light <input type="checkbox"/> other: _____	<p>Can hazard be eliminated without the use of PPE? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If no, use:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 80%;"> <input type="checkbox"/> Safety glasses <input type="checkbox"/> Safety goggles <input type="checkbox"/> Shading/Filter (# _____) <input type="checkbox"/> Welding shield <input type="checkbox"/> Other: _____ </div> <div style="width: 15%;"> <input type="checkbox"/> Side shields <input type="checkbox"/> Dust-tight goggles </div> </div>
FACE		
<p>Work activities, such as:</p> <div style="display: flex; justify-content: space-between;"> <div style="width: 45%;"> <input type="checkbox"/> cleaning <input type="checkbox"/> cooking <input type="checkbox"/> siphoning <input type="checkbox"/> painting <input type="checkbox"/> dip tank operations <input type="checkbox"/> other: _____ </div> <div style="width: 45%;"> <input type="checkbox"/> foundry work <input type="checkbox"/> welding <input type="checkbox"/> mixing <input type="checkbox"/> pouring molten metal </div> </div>	<p>Work-related exposure to:</p> <input type="checkbox"/> hazardous liquid chemicals <input type="checkbox"/> extreme heat/cold <input type="checkbox"/> potential irritants: _____ <input type="checkbox"/> other: _____	<p>Can hazard be eliminated without the use of PPE? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If no, use:</p> <input type="checkbox"/> Face shield <input type="checkbox"/> Shading/Filter (# _____) <input type="checkbox"/> Welding shield <input type="checkbox"/> Other: _____
HEAD		
<p>Work activities, such as:</p> <input type="checkbox"/> building maintenance <input type="checkbox"/> confined space operations <input type="checkbox"/> construction <input type="checkbox"/> electrical wiring <input type="checkbox"/> walking/working under catwalks <input type="checkbox"/> walking/working under conveyor belts <input type="checkbox"/> walking/working under crane loads <input type="checkbox"/> utility work <input type="checkbox"/> other: _____	<p>Work-related exposure to:</p> <input type="checkbox"/> beams <input type="checkbox"/> pipes <input type="checkbox"/> exposed electrical wiring or components <input type="checkbox"/> falling objects <input type="checkbox"/> machine parts <input type="checkbox"/> other: _____	<p>Can hazard be eliminated without the use of PPE? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>If no, use:</p> <input type="checkbox"/> Protective Helmet <ul style="list-style-type: none"> <input type="checkbox"/> Type A (low voltage) <input type="checkbox"/> Type B (high voltage) <input type="checkbox"/> Type C <input type="checkbox"/> Bump cap (not ANSI-approved) <input type="checkbox"/> Hair net or soft cap <input type="checkbox"/> Other: _____

Top 8 Municipal Safety Needs for 2016-2018

Municipalities who want to strengthen their safety programs often ask, “Where do we start?” The Department of Labor Standards encourages employers to prioritize their efforts on conditions that cause a high-pattern of injuries, and high-cost injuries. Resources are available at www.mass.gov/dols/wshp.

Topic	Examples of Applicable Activity	Reason for Concern	Resources
<i>Activities that have potential for a fatal or significant injury</i>			
Aerial Lift	DPW Parks and Tree; electric utilities; holiday tree lighting; traffic light maintenance	Fatal accidents and serious injury in past three years when workers were ejected from bucket.	Template policy available from DLS. Provide Fall Protection. Provide training.
Crossing Guards	Police; school departments	Fatal accidents and serious injury have occurred in past three years when a Crossing Guard was struck by vehicle.	Ensure crosswalks and guards are visible; enforce traffic rules. Bulletin available from DLS.
Lockout Tagout	Facilities; HVAC; electricians; water and sewer; compactors; vehicle mechanics	Potential for fatal accident when working with energized equipment.	Template policy available from DLS.
Trench	DPW; Water and Sewer departments.	Potential for fatal accident. Private sector fatalities have occurred over past three years in Massachusetts.	Provide cave-in protection and Competent Person. Template policy and inspection worksheet are available from DLS.
Workzone Safety	Police details; DPW; water and sewer departments	Potential for fatal accident. Serious injuries have occurred in past five years when an officer was struck by a vehicle.	A flipbook with workzone diagrams available from MassDOT. Toolbox talks available at www.workzonesafety.org
<i>Activities that have a high pattern of injury in municipal departments</i>			
Chainsaw; Tree Trimming	DPW parks and tree department	Frequent incidents across the state with lacerations and getting struck by tree limbs.	Provide new hire and periodic training for chainsaws and tree trimming.
Floors, Stairs and Railings	All municipal departments.	Slip and Trip injuries are a common pattern in all municipal departments.	Conduct frequent walkthroughs to control slippery or damaged floors, ice, and replace railings.
Lifting Heavy Objects	All municipal departments.	Muscle and back strain are a common pattern in all municipal departments.	Evaluate trash barrels and tasks to promote safe lifting. Conduct Lifting training.

Recent DLS Activity

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Recent DLS Activity

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Regulatory Updates – Safety & Health

- **Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015**
- **Recording and Reporting of Occupational Injuries and Illnesses regulations**

Regulatory Updates – Safety & Health

■ Federal Civil Penalties Inflation Adjustment Act Improvements Act of 2015

■ Translation: Higher OSHA Fines

– Highlights:

- » Serious \$7,000 → \$12,741 per violation
- » Other Than Serious \$7,000 → \$12,741 per violation
- » Failure to Abate \$7,000 → \$12,741 per day
- » Willful or repeat \$70,000 → \$124,709 per violation

- » Effective August 1, 2016
- » First increase in over 25 years
- » Allows future increases by January 15 every year
- » Plan states may not follow

Regulatory Updates – Safety & Health

■ Recording and Reporting of Occupational Injuries and Illnesses regulations

- Highlights:
 - » Large Businesses (≥ 250 employees)
 - Electronically file OSHA 300 / 300A / 301 forms with OSHA
 - Begins July 1, 2017
 - » Small (High Risk) Industries (20 – 249 employees)
 - By SIC Code (e.g., utilities, construction, manufacturing)
 - Electronically file OSHA 300A forms with OSHA
 - Begins July 1, 2017

- » Injury / Illness data will be available to the public
- » Employers can not retaliate for injury reporting
 - Automatic drug testing can be a form of retaliation
- » Electronic reporting is being challenged and may be modified

Planning for 2017– Safety & Health

■ Periodic Safety & Health Requirements

- Post OSHA 300A Log: Post from Feb 1 → through April 30
- Initial Training:
 - » LoTo, Emergency Action Plan, HazCom, PPE, Hearing Protection
- Refresher Training:
 - » Annual: Hearing Protection, Respirators, Access to Medical Records
 - » 3-Year: Powered Industrial Trucks

Planning for 2017– Safety & Health

■ Periodic Safety & Health Requirements

- Mandatory Program Reviews:
 - » Exposure Control Plan (BB Pathogens), Confined Space, LoTo
- Annual Evaluations:
 - » Audiograms, Respirator Fit Tests
- Process Changes:
 - » Training, Program Updates, Hazard Reviews, PPE Assessments

Reasons to Conduct an Audit

- **Manage risk**
- **New/Updated operations**
- **Employee turnover**



Common Regulatory Visits

- Department of Labor Standards – Public Works
- Occupational Safety & Health Administration (OSHA) – Emphasis Programs
- Environmental Protection Agency (EPA) – Risk Management Planning



OSHA Inspections

The Occupational Safety and Health Administration is committed to strong, fair and effective enforcement of safety and health requirements in the workplace. OSHA inspectors, called compliance safety and health officers, are experienced, well-trained industrial hygienists and safety professionals whose goal is to assure compliance with OSHA requirements and help employers and workers reduce on-the-job hazards and prevent injuries, illnesses and deaths in the workplace.

Normally, OSHA conducts inspections without advance notice. Employers have the right to require compliance officers to obtain an inspection warrant before entering the worksite.

Inspection Priorities

OSHA cannot inspect all 7 million workplaces it covers each year. The agency seeks to focus its inspection resources on the most hazardous workplaces in the following order of priority:

1. **Imminent danger situations**—hazards that could cause death or serious physical harm receive top priority. Compliance officers will ask employers to correct these hazards immediately or remove endangered employees.

2. **Severe injuries and illnesses**—employers must report:

- All work-related fatalities within 8 hours.
- All work-related inpatient hospitalizations, amputations, or losses of an eye within 24 hours.

3. **Worker Complaints**—allegations of hazards or violations also receive a high priority. Employees may request anonymity when they file complaints.

4. **Referrals** of hazards from other federal, state or local agencies, individuals, organizations or the media receive consideration for inspection.

5. **Targeted inspections**—inspections aimed at specific high-hazard industries or individual workplaces that have experienced high rates of injuries and illnesses also receive priority.

6. **Follow-up inspections**—checks for abatement of violations cited during previous inspections are also conducted by the agency in certain circumstances.

Phone/Fax Investigations

OSHA carefully prioritizes all complaints it receives based on their severity. For lower-priority hazards, with permission of a complainant, OSHA may telephone the employer to describe safety and health concerns, following up with a fax providing details on alleged safety and health hazards. The employer must respond in writing within five working days, identifying any problems found and noting corrective actions taken or planned. If the response is adequate and the complainant is satisfied with the response, OSHA generally will not conduct an on-site inspection.

On-site Inspections

Preparation—Before conducting an inspection, OSHA compliance officers research the inspection history of a worksite using various data sources, review the operations and processes in use and the standards most likely to apply. They gather appropriate personal protective equipment and testing instruments to measure potential hazards.

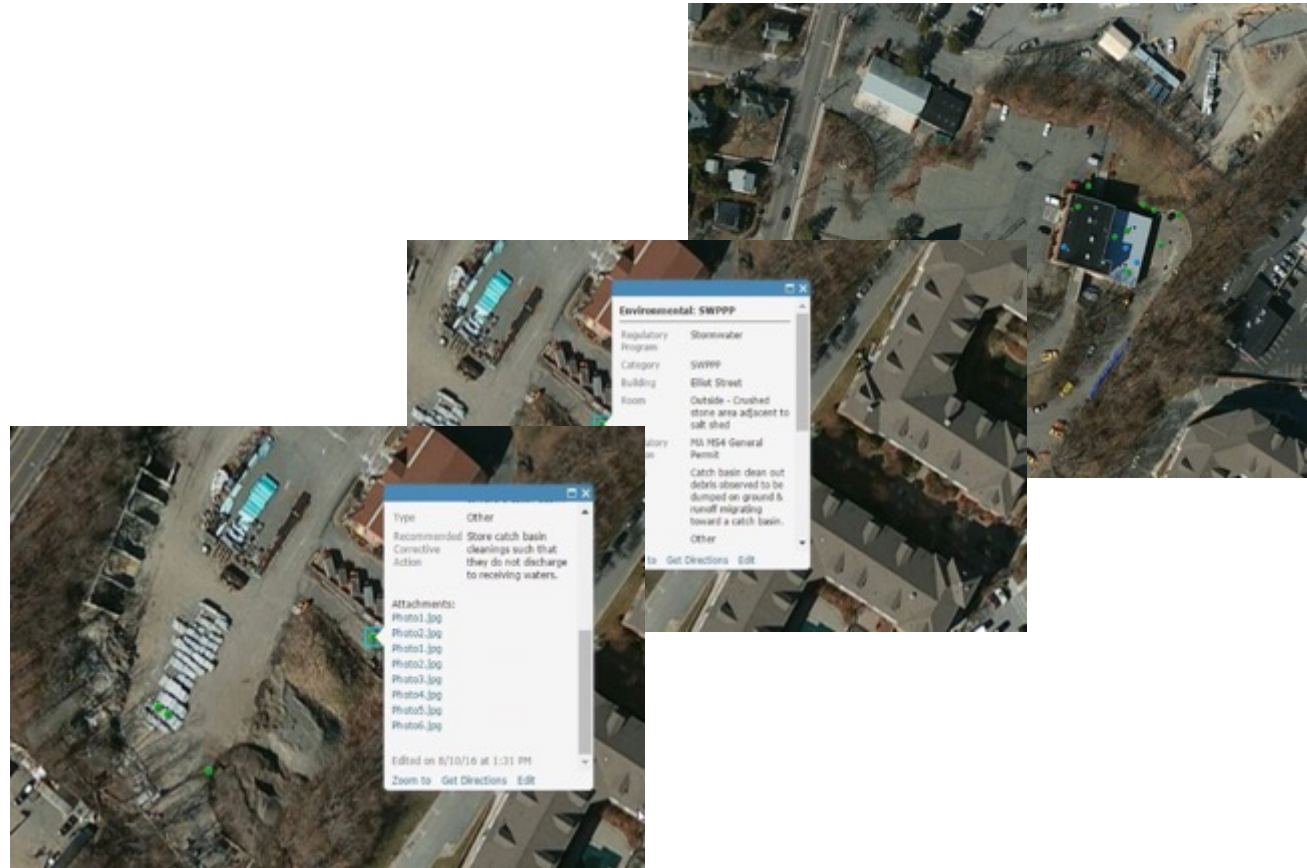
Presentation of credentials—The on-site inspection begins with the presentation of the compliance officer's credentials, which include both a photograph and a serial number.

Opening Conference—The compliance officer will explain why OSHA selected the workplace for inspection and describe the scope of the inspection, walkaround procedures, employee representation and employee interviews. The employer then selects a representative to accompany the compliance officer during the

Planning for Future Auditing

■ Internal Auditing

- Checklists
- In house
- Outsourced



Planning for 2017– Auditing

■ Self Audit Policy

- EPA
 - » eDisclosure
- Timelines to disclose
- Timelines to correct findings
- Some relief from penalties



Office of Enforcement and Compliance Assurance (2201A)
EPA 300-B-15-003 December 2011

Office of Enforcement and Compliance Assurance eDisclosure Information Sheet

EPA Modernizes Implementation of Its Audit Policy & Small Business Compliance Policy

EPA's eDisclosure portal is a centralized "Next Generation" web-based system for more efficiently receiving and processing violations disclosed to EPA under its self-disclosure policies.

What is EPA's Audit Policy? What is the Small Business Compliance Policy?

Revised in 2000, these policies offer penalty mitigation and other incentives for companies that discover, promptly disclose, and expeditiously correct environmental violations, and take steps to prevent future violations.

Why has EPA changed how it implements these policies?

EPA believes strongly in the benefits of the Audit Policy and the Small Business Compliance Policy: to provide penalty mitigation and other incentives for companies to self-police, disclose, correct and prevent violations.

Companies have suggested that EPA could streamline implementation of the Audit Policy for more routine disclosures to make the process faster and more efficient, and to save time and resources for regulated entities and EPA, while still retaining the incentives to self-police environmental problems. They also have emphasized that a key time to encourage self-auditing and self-disclosure is when new companies are purchased or acquired because that is when companies are very motivated to find and fix problems and make a fresh start.

EPA has modernized implementation of these self-disclosure policies by creating a centralized web-based "eDisclosure" portal to meet these goals, in a way that also will be easy for small businesses to use. Under the automated

eDisclosure system, large and small businesses will quickly get some of their more routine types of disclosures resolved. At the same time, EPA is retaining the incentives outlined in its New Owner Policy and will continue to accept and process new owner disclosures outside the eDisclosure system.

What types of violations can be processed through the new eDisclosure portal?

The portal can accept new disclosures involving almost all types of civil violations.

Pre-existing unresolved EPCRA disclosures can be resubmitted through the eDisclosure system within 120 days after launch of the portal, but pre-existing disclosures that are subject to audit agreements will be resolved outside the eDisclosure system through a Notice of Determination (NOD), Consent Agreement and Final Order (CAFO), or Consent Decree (CD).

New owners may use the portal to disclose violations, but the portal is not designed to apply the August 2008 New Owner Policy. To provide the full benefits of the New Owner Policy, EPA will accept and process new owner disclosures outside the eDisclosure system.

How does the eDisclosure process work?

Those using the portal must: (1) register with the system; (2) promptly disclose their violations online within 21 days of discovery; and (3) submit an online Compliance Certification describing

Department of Labor Standards

■ Common Audit findings at Public Works Facilities:

- Lock out/Tag out
- Respiratory Protection Plan
- Written PPE Certification



Massachusetts Workplace Safety and Health Protection for Public Employees

Massachusetts General Law Chapter 149, §§ 6 and 6-1/2 provide job safety and health protection for state, municipal and county workers through the promotion of safe and healthful work conditions. In addition, 454 CMR 25 directly extends OSHA regulations to executive branch state agencies.

Employers: Employers are required to provide procedures, equipment and training to prevent work-related injuries and illnesses.

Employees: Employees are required to comply with the policies and procedures established in their workplace to reduce work-related injuries and illnesses.

Inspection: The Department of Labor Standards ("DLS") may conduct an on-site inspection to evaluate workplace conditions and make recommendations for the prevention of work-related injuries and illnesses. See "Inspection Summary" at www.mass.gov/dols/wshp.

Enforcement: DLS may issue a Written Warning which contains an Order to Correct when an inspection reveals a condition which could cause a work-related injury or illness. DLS may issue a Civil Citation with Civil Penalty in circumstances when the employer repeatedly allows an unsafe condition to occur, the condition has already caused a serious work-related injury, or if the employer has ignored a previous Written Warning.

Voluntary Assistance: Public sector workplaces may request technical assistance by contacting DLS at 508-616-0461 or safepublicworkplace@state.ma.us. There are no written warnings or penalties issued for voluntary assistance.

Complaints: Public employees or their representatives may file a complaint about safety and health conditions at their workplace by contacting DLS at 508-616-0461 or safepublicworkplace@state.ma.us.

Safety and Health Management: Sample safety programs and technical bulletins are available at www.mass.gov/dols/wshp.

www.mass.gov/dols/wshp

508-616-0461

Rev. 9-15

OSHA

■ Common Audit Findings at Facilities

- 7 of 10 are general industry
- 3 of 10 are construction

OSHA's 2015 TOP TEN Most Frequently Cited Violations

- | | |
|--------------------------------------|---|
| 1. 1926.501 – Fall Protection (C) | 6. 1910.178 – Powered Industrial Trucks |
| 2. 1910.1200 – Hazard Communication | 7. 1926.1053 – Ladders (C) |
| 3. 1926.451 – Scaffolding (C) | 8. 1910.305 – Electrical, Wiring Methods |
| 4. 1910.134 – Respiratory Protection | 9. 1910.212 – Machine Guarding |
| 5. 1910.147 – Lockout/Tagout | 10. 1910.303 – Electrical, General Requirements |

- **Common Audit Findings at chlorination facilities:**
 - **Gaseous Chlorine**
 - **Risk Management Planning**
 - » **Process Safety Information (PSI)**
 - » **Signage**
 - » **Management of Change (MOC) issues**
 - » **Employee Training**
 - » **3 Year Audit Cycle**
 - » **5 Year Process Hazard Analysis Cycle**

Office of Enforcement and Compliance Assurance eDisclosure Information Sheet

EPA Modernizes Implementation of Its Audit Policy & Small Business Compliance Policy

EPA's eDisclosure portal is a centralized "Next Generation" web-based system for more efficiently receiving and processing violations disclosed to EPA under its self-disclosure policies.

What is EPA's Audit Policy? What is the Small Business Compliance Policy?

Revised in 2000, these policies offer penalty mitigation and other incentives for companies that discover, promptly disclose, and expeditiously correct environmental violations, and take steps to prevent future violations.

Why has EPA changed how it implements these policies?

EPA believes strongly in the benefits of the Audit Policy and the Small Business Compliance Policy: to provide penalty mitigation and other incentives for companies to self-police, disclose, correct and prevent violations.

Companies have suggested that EPA could streamline implementation of the Audit Policy for more routine disclosures to make the process faster and more efficient, and to save time and resources for regulated entities and EPA, while still retaining the incentives to self-police environmental problems. They also have emphasized that a key time to encourage self-auditing and self-disclosure is when new companies are purchased or acquired because that is when companies are very motivated to find and fix problems and make a fresh start.

EPA has modernized implementation of these self-disclosure policies by creating a centralized web-based "eDisclosure" portal to meet these goals, in a way that also will be easy for small businesses to use. Under the automated

eDisclosure system, large and small businesses will quickly get some of their more routine types of disclosures resolved. At the same time, EPA is retaining the incentives outlined in its New Owner Policy and will continue to accept and process new owner disclosures outside the eDisclosure system.

What types of violations can be processed through the new eDisclosure portal?

The portal can accept new disclosures involving almost all types of civil violations.

Pre-existing unresolved EPCRA disclosures can be resubmitted through the eDisclosure system within 120 days after launch of the portal, but pre-existing disclosures that are subject to audit agreements will be resolved outside the eDisclosure system through a Notice of Determination (NOD), Consent Agreement and Final Order (CAFO), or Consent Decree (CD).

New owners may use the portal to disclose violations, but the portal is not designed to apply the August 2008 New Owner Policy. To provide the full benefits of the New Owner Policy, EPA will accept and process new owner disclosures outside the eDisclosure system.

How does the eDisclosure process work?

Those using the portal must: (1) register with the system; (2) promptly disclose their violations online within 21 days of discovery; and (3) submit an online Compliance Certification describing

Questions

