



# OSHA NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

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**DIRECTIVE NUMBER:** 00-2(CPL 2) | **EFFECTIVE DATE:** Feb. 4, 2000

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**SUBJECT:** Site Specific Targeting 2000 (SST-MM)

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## ABSTRACT

- Purpose:** This notice replaces the April 19, 1999 notice, which described OSHA's Site Specific Targeting plan for inspections, with a revised site specific targeting inspection plan for the year 2000.
- Scope:** OSHA-wide.
- References:** OSHA Instruction CPL 2.25I Scheduling System for Programmed Inspections; OSHA Instruction CPL 2.103, Field Inspection Reference Manual (FIRM); OSHA Instruction CPL 2.111, Citation Policy for Paperwork and Written Program Requirement Violations.
- Cancellations:** OSHA Notice 99-3 (CPL 2), Site Specific Targeting.
- Expiration Date:** February 3, 2001.
- State Impact:** State Adoption Not Required, See Paragraph VI.
- Action Offices:** National, Regional, and Area Offices.
- Originating Office:** Directorate of Compliance Programs.
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- I. Purpose. This notice replaces OSHA Notice 99-3 (CPL 2), April 19, 1999, which described OSHA’s Site Specific Targeting plan for inspection targeting, with a revised site specific targeting inspection plan for the year 2000.
- II. Scope. This notice applies OSHA-wide.
- III. References.
  - OSHA Instruction CPL 2.25I, Scheduling System for Programmed Inspections
  - OSHA Instruction CPL 2.103, Field Inspection Reference Manual (FIRM)
  - OSHA Instruction CPL 2.111, Citation Policy for Paperwork and Written Program Requirement Violations
  - OSHA Instruction CPL 2-2.45A, Process Safety Management of Highly Hazardous Chemicals--Compliance Guidelines and Enforcement Procedures
  - OSHA Instruction, STP 2.22A, State Plan Policies and Procedures Manual
  - Log Data Collection System Procedures Manual: 1998 Log Data Collection Initiative
- IV. Cancellation. OSHA Notice 99-3 (CPL 2), Site Specific Targeting (SST), is canceled.
- V. Expiration Date. This notice will terminate on February 3, 2001.
- VI. Federal Program Change. This notice describes a Federal OSHA program change for which State adoption is not required.

The site specific targeting inspection plan described in this notice is not required to be adopted by States; however, States are required to have their own inspection targeting systems (a “core inspection policy”), which must be documented in its State Plan supplement.

- A. There are a number of options available to States.
  - Use an existing State-developed high hazard inspection targeting system based on available State data.
  - Use an existing high hazard inspection targeting system based on OSHA Instruction CPL 2.25I, which is based on Bureau of Labor Statistics (BLS) injury/illness rate data. (The Office of Statistics will continue to make these State-specific lists available to a State annually, upon specific request.)
  - Use the targeting inspection plan set out in this notice. The plan is based on establishment-specific employer LWDII data obtained through the

- 1999 Data Initiative. (The Office of Statistics will provide a Data Initiative list of high-rate employers within the State and criteria for inspection categories, upon specific request.)
- B. The two-way memorandum transmitting OSHA Notice 99-3 (CPL 2; April 19, 1999) asked States to indicate which of the above scheduling options they were following, and to notify the Regional Administrator if the State adopted a different scheduling system (and submit a plan supplement when appropriate.) If the State is continuing to follow the option indicated in its response to that memorandum, no action is necessary. If a State adopts or develops a different inspection scheduling system from that indicated in its response to the April 19, 1999 notice, the State shall notify the Regional Administrator of the change.

VII. Action Information.

- A. Responsible Office. Directorate of Compliance Programs (DCP).
- B. Action Offices. National, Regional and Area Offices.
- C. Information Offices. State Plan States, Consultation Project Managers.

VIII. Definitions.

Data Initiative (a.k.a. Data Survey): The Data Initiative is a nationwide collection of establishment-specific injury and illness data from approximately 80,000 employers. This notice uses data from the “OSHA Occupational Injury and Illness Data Collection Form, 1998.” This is data for calendar year 1998, which was collected in 1999 (also known as the 1999 Data Initiative). See Appendix A.

Lost Workday Injury and Illness (LWDII) Rate: This includes cases involving days away from work and restricted work activity and is calculated based on  $(N/EH) \times (200,000)$  where N is the number of lost work day injuries and illnesses combined, EH is the total number of hours worked by all workers during the calendar year and 200,000 is the base for 100 full-time equivalent workers. For example:

*Workers of an establishment including management, temporary, and leased workers worked 645,089 hours at this worksite. There were 22 lost workday injuries and illnesses from the OSHA 200 (totals in columns 2 and 9). The LWDII rate would be  $(22/645,089) \times (200,000) = 6.8$ .*

- IX. Background. This notice replaces the site specific targeting (SST) plan with the site specific targeting 2000 (SST-MM) plan. The SST-MM plan targets for inspection establishments with

high injury and illness rates in calendar year 1998, as shown by data collected in the 1999 Data Initiative.

X. Description of the Site Specific Targeting 2000 (SST-MM) Plan.

- A. Inspection Targeting List. The SST-MM plan selects for inspection individual general industry worksites, as identified through the 1999 Data Initiative. The national average LWDII rate for private industry for 1998 was 3.1. The SST-MM plan initially selects for inspection all worksites with a LWDII rate at or above 14.0 (maximum of 4200 sites).

This year there is no limitation on the number of inspections for nursing homes. All nursing homes with a LWDII rate at or above 14.0 are to be inspected.

For SIC 0783, Ornamental Shrub and Tree Services, the establishment list will normally only identify the employer's central office. The Area Office should then determine (e.g., by visiting the central office) where employees are performing ornamental shrub or tree services, and do an inspection at that worksite. At least one such worksite should be visited, although more than one may be inspected during the same inspection.

- B. Supplemental Inspection List. If an Area Office will complete its inspections of all establishments with LWDII rates at or above 14.0 before January 31, 2001, it should estimate the number of additional programmed inspections it can conduct before that date. The Area Office should request a supplemental inspection list containing that number of additional establishments from the Office of Statistics through the Directorate of Compliance Programs. Additional establishments will be randomly generated by the National Office from those establishments reporting an LWDII rate between 8.0 and less than 14.0 in the 1999 Data Initiative. These establishments will be inspected using the procedures in this notice.

Note: A Supplemental List does not have to be completed before January 31, 2001, but any cycle created from a Supplemental List that has been started must be completed before next year's targeting plan is started, unless prior approval has been received from the Deputy Assistant Secretary.

- C. Establishments with Fewer than 40 Workers. If an establishment to be inspected under the SST-MM plan currently has fewer than 40 workers, the inspection will still be conducted, provided that it has more than ten workers and its LWDII rate is at or above 8.0 or if records are not available. See XIII. E., below for more details.

- XI. Scheduling. The National Office will provide each Area Office with a software package and database containing the establishments on the Inspection Targeting List for its coverage area. As discussed in X.B., the National Office will provide an Area Office with a Supplemental

Inspection List upon request.

- A. Cycle Size. Area Offices shall base their determination of cycle size (i.e., 5 to 50 establishments) on considerations of available resources and geographic range of the office. Larger cycle sizes will allow greater flexibility and efficiency of scheduling, but once begun, the cycle must be completed. If a cycle larger than 50 would provide the Area Office with more efficient use of staff, the office should request Regional Office approval for a larger cycle size.

Within a cycle, the establishments may be scheduled and inspected in any order that makes efficient use of available resources.

When a cycle is completed, the Area Office may generate a new cycle using the software.

All of the establishments in a cycle must be inspected before any establishments in a new cycle may be inspected. Carryovers will be allowed, as provided in OSHA Instruction CPL 2.25I, at paragraph B.1.b.(1)(e).

- B. Inspection Priority. Normally inspection priorities as described in the FIRM will be followed, with the following additional guidance:

The first inspection priority for Area Offices is to conduct unprogrammed inspections.

Area Offices that have started but not completed a cycle of inspections from OSHA Notice 99-3 (the SST plan) must complete that cycle before moving to inspections under the SST-MM plan. Any remaining cycles under OSHA Notice 99-3, which have not been started, will not be used.

All establishments on the SST-MM's Inspection Targeting List must be inspected, unless in view of resource considerations, the Regional Administrator has received special approval, generally in advance, from the Deputy Assistant Secretary to conduct a smaller number of inspections. That approval will normally require the Area Office to complete all inspections in the current cycle.

Area Offices will continue to conduct other programmed inspections under national emphasis programs, or under local emphasis/initiative programs as the Area Office and Regional goals dictate.

- XII. Deletions. Area Offices will be responsible for making appropriate deletions to the inspection list, such as for establishments that are no longer in business, in accordance with CPL 2.25I at B.1.b.(1)(b)6.d., except for criteria H# and S#.

Establishments that have received a **comprehensive safety and health inspection** after January 1, 1998, will be deleted from the inspection list. If an establishment has had only a comprehensive safety (alternatively, health) inspection since January 1, 1998, then only a comprehensive health (alternatively, safety) inspection need to be done, and the Compliance Officer may make a safety (alternatively, health) referral for any safety (alternatively, health) hazards observed.

If any public sector employers (i.e., Federal, State, or local government) appear on the Inspection Targeting List or the Supplemental Inspection List, they are to be deleted.

### XIII. Inspection Procedures.

- A. Scope. Inspections conducted under this plan will be **comprehensive** programmed safety and health inspections as defined by the FIRM (OSHA Instruction CPL 2.103) and conducted in accordance with the procedures described there and in other guidance documents.
- B. Citations. Violations will be cited according to the FIRM (OSHA Instruction CPL 2.103) and other guidance documents.
- C. Compliance Officers. Inspections under the plan may be conducted either as one combined safety and health inspection by a cross-trained compliance officer (as established through specific training or demonstrated ability), or as separate safety and health inspections, or as joint safety and health inspections.

For a checklist of items that compliance officers need to accomplish on inspections please refer to Appendix B.

- D. Ownership. If the establishment changed ownership since the end of 1998, and has been under new ownership for more than six months, recalculate the rate for the period of new ownership. If the recalculated LWDII rate is below 8.0, do not conduct the inspection. If it is at or above 8.0, conduct the inspection. (When calculating the LWDII for the period of the new ownership, which may be less than a year, be sure both N and EH are for the new ownership period.)

In facilities where the ownership has changed, compliance officers shall enter into the IMIS the Dun & Bradstreet (Dun's) number in the appropriate field on the Establishment Detail Screen (see XVI).

- E. Recalculate LWDII. During inspections under this notice, the OSHA 200 logs for 1997, 1998, and 1999 will be reviewed. The LWDII rate for all three years will be recalculated and recorded on the OSHA 1 Form. The LWDII rate for 1998 (calculated by the compliance officer) will be compared to the LWDII rate reported by the

employer to the OSHA 1999 Data Initiative data collection. (See paragraph VIII, above, for an example of LWDII calculations.) A recalculation will not be performed if, for any reason, the relevant records are not immediately available. Compliance officers will check OSHA 101 Forms as they deem appropriate to validate the OSHA 200 Forms.

If records are not available for compliance officers to make this determination, the workplace comprehensive safety and health inspection will proceed.

If the establishment's recalculated rate is below 14.0, but the 1998 or 1999 LWDII rate is at or above 8.0, proceed with the inspection.

If the establishment's recalculated rate using the establishment's records is less than 8.0 for both 1998 and 1999, do a records review (not a records audit which requires the use of an audit software program) for 1999 only, and then recalculate the establishment's LWDII rate for 1999. Classify the inspection as a "records only" inspection and exit the facility, if the rate for both years is below 8.0.

If recordkeeping violations are discovered, they shall be cited in accordance with OSHA Instruction CPL 2.111. A partial walkthrough may be conducted to inter-view workers in order to confirm and verify the injury and illness experience. Any serious violations that are observed in the vicinity or brought to the attention of the compliance officer shall be investigated and may be cited.

#### XIV. Relationship to Other Programs.

- A. Unprogrammed Inspections. Unprogrammed inspections will be conducted according to the FIRM (OSHA Instruction CPL 2.103) or other guidance documents. If the occasion for an unprogrammed (e.g., complaint, fatality) inspection arises with respect to an establishment that is also to receive a programmed inspection under the SST-MM plan, the two inspections may be conducted either concurrently or separately.
- B. National Emphasis Programs. Some establishments may be selected for inspection under the SST-MM plan and also under one or more other OSHA initiatives (National Emphasis (NEP) or Local Emphasis (LEP) programs). Programs based upon particular hazards (such as silica, lead, or amputations) or on particular industries (such as logging or scrap yards) can be run concurrently with the SST-MM plan; however, the SST-MM plan inspections have priority. Wherever an employer shows up on the plan and on an NEP/LEP list, the inspections should be scheduled at the same time. Compliance officers will apply all applicable IMIS codes to the inspection. The employer's Dun's number should also be recorded for each inspection since it is important for tracking.
- C. Process Safety Management Inspections. Inspections conducted under the site specific

targeting plan shall address process safety management if 29 CFR 1910.119 applies to the establishment being inspected. Such inspections shall be comprehensive safety and health inspections regardless of whether the establishment's SIC code is one of those specified in OSHA Instruction CPL 2-2.45 A; however, they will not normally be Program-Quality-Verification (PQV) inspections as defined by that instruction.

- XV. Recording and Tracking. The OSHA 1 Forms for all programmed inspections conducted under this targeting inspection plan shall be marked as "planned" in item 24h and the "NEP" box checked and the value "MMTARG" recorded in item 25d. These inspections are being coded under the NEP for ease of tracking.
  
- XVI. Dun's Number. The Dun's number, which is a required entry for all plan inspections, must be recorded in the appropriate field on the Establishment Detail Screen. This can be accessed by pressing F5 in Item 8 to access establishment processing. Once establishment processing is completed, the Dun's number will appear in Item 9b.

## APPENDIX A

### Industry Groups Included in Collection of Calendar Year 1998 Injury & Illness Data

Approximately 80,000 establishments were surveyed in the 1999 Data Initiative, including:

1. All firms in the following industries that had 40 or more employees and either (1) were not included in the 1998 Data Initiative; or (2) reported a lost workday injury and illness rate of 7.0 or greater in the 1997 or 1998 Data Initiative; or (3) were included in, but did not respond to, the 1998 Data Initiative.

#### SIC INDUSTRY

##### 20-39 MANUFACTURING

- 0210 LIVESTOCK, EXC DAIRY AND POULTRY
- 0240 DAIRY FARMS
- 0250 POULTRY AND EGGS
- 0290 GENERAL FARMS
- 0783 ORNAMENTAL SHRUB AND TREE SERVICES

- 4210 TRUCKING & COURIER SERVICES, EXCEPT AIR
- 4220 PUBLIC WAREHOUSING AND STORAGE
- 4230 TRUCKING TERMINAL FACILITIES
- 4490 WATER TRANSPORTATION SERVICES
- 4510 AIR TRANSPORTATION, SCHEDULED
- 4580 AIRPORTS, FLYING FIELDS, & SERVICES
- 4783 PACKING AND CRATING
- 4953 REFUSE SYSTEMS

- 5010 MOTOR VEHICLES, PARTS, AND SUPPLIES
- 5030 LUMBER & OTHER CONSTRUCTION MATERIALS
- 5050 METALS AND MINERALS, EXC. PETROLEUM
- 5093 SCRAP AND WASTE MATERIALS
- 5140 GROCERIES AND RELATED PRODUCTS
- 5180 BEER, WINE, AND DISTILLED BEVERAGES
- 5210 LUMBER AND OTHER BUILDING MATERIALS
- 5310 DEPARTMENT STORES

- 8050 NURSING AND PERSONAL CARE FACILITIES
- 8060 HOSPITALS

SICs with final digit of zero are three-digit SICs and include all four-digit SICs with the same

first three digits.

**Note:** With certain exceptions, all of which are discussed below, these industries are those for which the Bureau of Labor Statistics reported industry-wide injury and illness rates above 5.0 for 1996 (the most current data available at the time the industries were selected for inclusion in the Data Initiative). The private industry LWDII rate for 1996 was 3.3. The exceptions are construction, mining, commercial sports, deep sea domestic transportation of freight, and industries in which many of the employers are state and local governments. Construction was excluded because construction workplaces are inspected pursuant to a separate administrative plan. Mining was excluded because most mining operations are subject to the Mine Safety and Health Act. Commercial sports were excluded because athletic injuries are largely beyond the scope of OSHA enforcement. Deep sea domestic transportation of freight was excluded because most operations are under the jurisdiction of the Coast Guard. Industries with high concentrations of state and local government employers were excluded because state and local governments are not subject to federal OSHA enforcement.

Department Stores (SIC 5310) had a LWDII rate of 5.0, and Hospitals (8060) had a LWDII rate below 5.0, but they were both included, because of the large number of injuries and illnesses in these industries. Because these industries contained too many establishments to permit their total inclusion while still limiting the survey to approximately 80,000 establishments, approximately 1000 randomly selected establishments from each of Department Stores and Hospitals were included.

Two four-digit SICs included in the survey were in three-digit SICs with rates below 5.0. These were SIC 0783 (Ornamental Tree and Shrub Services) and SIC 5093 (Scrap and Waste Material). Even though the overall rates for the three-digit SICs were relatively low, SICs 0783 and 5093 were surveyed because the historically large number of fatalities in those industries made them of special concern to OSHA.

Also, for two three-digit SICs with rates above 5.0, OSHA surveyed only one four-digit component. These were SIC 4953 (Refuse Systems), which is within SIC 4950 (Sanitary Services), and SIC 4783 (Packing and Crating), which is within SIC 4780 (Miscellaneous Services Incident to Transportation). In the case of SIC 4950, SIC 4953 was included in the survey because of SIC 4950's high overall rate (7.1) and SIC 4953's high historical fatality rate, while SICs 4952 (Sewerage Systems) and 4959 (Sanitary Services, Not Elsewhere Classified) were excluded because they include a large percentage of public sector employers. In the case of SIC 4780, which had an overall rate of 5.6, SIC 4783 was included because OSHA believed it was the primary contributor to the industry's overall high rate.

Three industries, Trucking Terminal Facilities (SIC 4230); Airports, Flying Fields, & Services (SIC 4580); and Motor Vehicles, Parts, and Supplies (SIC 5010), had rates below 5.0 in 1996 but were above 5.0 in 1995. Only new establishments and those

establishments with a rate of 7.0 or greater in the 1998 Data Initiative were included in the data collection.

2. All establishments in Logging (SIC 2411) with 11 or more employees. These establishments were surveyed to support OSHA's strategic plan, which has as one of its goals a 15% reduction in the historically high rates of injuries and fatalities in Logging by the year 2002.
3. Some establishments in Maryland, Hawaii, New Mexico, North Carolina and Minnesota were surveyed for the sole use of those state plans in evaluating their programs.

## APPENDIX B

### Compliance Officer Checklist

#### On-site:

**Confirm SIC.** If not in Data Initiative SIC list, proceed anyway, based on high rate. Enter correct SIC on OSHA 1.

**Employment.** If the establishment has fewer than 40 employees, proceed with inspection **as long as** there are more than ten employees, **and** its LWDII rate is at or above 8.0, **or** if records are not available.

**Ownership.** If the establishment changed ownership since the end of 1998, recalculate the rate for the period of new ownership (if at least six months). If the recalculated LWDII is below 8.0, do not conduct the inspection. If it is at or above 8.0, conduct the inspection. (When calculating the LWDII for the period of the new ownership, which may be less than a year, be sure both N and EH are for the new ownership period.) See IMIS section below for Duns number entry.

**Verify LWDII Rate.** Review the OSHA 200 logs for 1997, 1998, and 1999. The LWDII rate for all three years will be recalculated and recorded on the OSHA 1 Form. The LWDII rate for 1998 (calculated by CSHO) will be compared to the LWDII rate reported by the employer to the OSHA 1999 Data Initiative data collection. A recalculation will not be performed if, for any reason, the relevant records are not immediately available. Compliance officers will check OSHA 101 Forms as they deem appropriate to validate the OSHA 200 Forms.

- If the review confirms a 1998 rate or 1999 rate below 14.0, but at or above 8.0, proceed with the inspection.
- If the review confirms a rate less than 8.0 for each year, then do a records review for 1999 and recalculate the LWDII for 1999. Then classify the inspection as a “records only” inspection and exit the facility.
- For “records only” inspections: A partial walk through may be conducted to interview workers in order to confirm and verify the injury and illness experience. Any recordkeeping violations, in addition to any serious violations that are observed in the vicinity, or brought to the attention of the CSHO, shall be investigated and may be cited.

**IMIS:**

**Record the Dun's Number.** Press F5 in Item 8 to access establishment processing and record the Dun's number in the appropriate field on the Establishment Detail Screen. Once establishment processing is completed, the Dun's number will appear in Item 9b.

**Enter the inspection as Planned** in Item 24. Note: If the reason for going to the SST-MM site is an unprogrammed activity, and the comprehensive SST-MM inspection is conducted concurrently, then the inspection will be marked complaint, referral, etc.

**Enter MMTARG** in Item 25d.

**Enter all applicable NEP, LEP and Experimental Programs codes** in Item(s) 25c and 25d where a comprehensive SST-MM inspection was conducted and the inspection also met the protocol for the other program(s).

**Enter all applicable Strategic Plan hazard/industry codes** in Item 25f.

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