OSHA NOTICE

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

DIRECTIVE NUMBER: 09-07 (CPL 02) | **EFFECTIVE DATE:** August 13, 2009

SUBJECT: Cancellation of OSHA Directive CPL 02-00-146, General Industry Focused Inspections in OSHA's FY 2008 Annual Operating Plan's Industry Areas of Emphasis

ABSTRACT

Purpose: This notice cancels OSHA instruction CPL 02-00-146, General Industry Focused Inspections in OSHA's FY 2008 Annual Operating Plan's Industry Areas of Emphasis, 03/06/2008.

Scope: This Instruction applies OSHA-wide.

References: None.

Cancellations: OSHA Instruction CPL 02-00-146, General Industry Focused Inspection in OSHA's FY 2008 Annual Operating Plan's Industry Areas of Emphasis, 03/06/2008.

State Impact: This notice does not describe a Federal Program Change for which state adoption is required.

Action Offices: National, Regional, and Area Offices.

Originating Office: Directorate of Enforcement Programs, Office of General Industry Enforcement.

Contact: Directorate of Enforcement Programs (202-693-1850)
Office of General Industry Enforcement
200 Constitution Ave., N.W., N-3119
Washington, DC 20210

By and Under the Authority of

Jordan Barab
Acting Assistant Secretary

Executive Summary

This notice cancels OSHA Instruction CPL 02-00-146, General Industry Focused Inspections in OSHA's FY 2008 Annual Operating Plan's Industry Areas of Emphasis, 03/06/2008. Due to considerations in developing a new OSHA Annual Operating Plan, the Agency has decided not to conduct focused inspections in General Industry establishments. Although focused inspections will no longer be conducted in General Industry, they will continue in the Construction and Maritime Industries.

Significant Changes

OSHA CPL 02-00-146, General Industry Focused Inspections in OSHA's FY 2008 Annual Operating Plan's Industry Areas of Emphasis, 03/06/2008, is cancelled.

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I. Purpose.

This notice cancels OSHA instruction CPL 02-00-146, General Industry Focused Inspections in OSHA's FY 2008 Annual Operating Plan's Industry Areas of Emphasis, 03/06/2008.

II. Scope.

This Instruction applies OSHA-wide.

III. References. None.

IV. Cancellations. CPL 02-00-146, General Industry Focused Inspection in OSHA's FY 2008 Annual Operating Plan's Industry Areas of Emphasis, 03/06/2008 is cancelled. However, focused inspections in construction and maritime industries will continue to be conducted; see section IX.

V. Action Offices.

A. Responsible Office. Directorate of Enforcement Programs, Office of General Industry Enforcement.

B. Action Offices. National, Regional, and Area Offices.

C. Information Offices. Consultation Project Offices.

VI. Federal Program Change. No State Action Required. This Notice cancels OSHA Instruction CPL 02-00-146, which established a focused inspection program for General Industry. States were not required to adopt such a program, and no States notified OSHA of an intent to adopt. Any State conducting focused-type inspections in General Industry should discontinue the practice, although such inspection in Construction and Maritime may continue. No State action is necessary in response to this cancellation.

VII. Significant Changes. OSHA is in the process of considering a new Annual Operating Plan that will change the General Industry Inspection protocol. In the meantime, the Agency has decided not to conduct focused inspections in General Industry establishments.

VIII. Expiration Date. This Notice will expire one year from the effective date, unless replaced earlier by another directive.

IX. Background.

In 1994 and 1998, OSHA developed guidance for compliance officers (CSHOs) in conducting focused inspections in the construction and maritime industries, respectively. The development of these focused inspection protocols enabled the agency to more

effectively leverage its time and resources on inspecting the most hazardous workplace conditions. Focused inspections address primarily the predominant hazards of the industry (i.e., struck-by, falls, caught-between, etc.), whereas a comprehensive inspection would look at a wide range of potential hazards present in a workplace. In 2008, this approach was extended to General Industry establishments, for the purpose of improving the efficiency of the inspection process -- CPL 02-00-146, General Industry Focused Inspections in OSHA's FY 2008 Annual Operating Plan's Industry Areas of Emphasis, 03/06/2008.

The procedures of the Construction Industry Focused Inspection Program are contained in the August 22, 1994, memorandum to Regional Administrators regarding focused inspections in the construction industry, and those regarding the maritime focused inspection program are contained in OSHA CPL 02-01-027, Focused Inspection Program for Intermodal Container Top Fall Protection, May 12, 1998. Due to considerations in developing a new Annual Operating Plan, the agency has decided not to conduct focused inspections in General Industry establishments. Focused Inspections in the Construction and Maritime Industries will continue to be conducted.