ABSTRACT

Purpose: This Notice establishes a Regional Emphasis Program (REP) for the inspection of demolition activities that occur during the destruction and renovation of any fixed building or structure and to assist employers in the reduction of serious and fatal injuries to affected employees.

Scope: This Notice applies to all worksites in Arkansas, Louisiana, Oklahoma, and Texas, and those worksites in New Mexico that are under Federal OSHA jurisdiction.

References: OSHA Instruction CPL 04-00-001 (CPL 2-0.102A) OSHA Instruction CPL 02-00-150 OSHA Instruction CPL 02-00-25 (CPL 2.25I) OSHA Instruction CPL 02-00-051 (CPL 2-0.51J) OSHA Instruction CPL 02-00-141 OSHA Instruction CSP 03-02-002 Construction web pages found at www.osha.gov

Cancellations: Region VI Regional Notice CPL 2 02-00-017, dated October 1, 2014, Regional Emphasis Program for Demolition Activities.

State Impact: Region VI 21(d) Consultation Project Offices in Arkansas, Louisiana, Oklahoma, and Texas will provide outreach, consultation services, and training to affected employers as requested.

Action Offices: Region VI Area and District Offices Region VI Consultation Project Offices Dallas Regional Office

Information Offices: New Mexico Occupational Health and Safety Bureau

Originating Office: Dallas Regional Office
Contact: Assistant Regional Administrator for Enforcement Programs
525 Griffin St., Room 602
Dallas, TX 75202
972-850-4177

By and Under the Authority of

John M. Hermanson
Regional Administrator
# TABLE OF CONTENTS

Abstract ................................................................................................................. Cover Page

I. Purpose .................................................................................................................. 4

II. Scope .................................................................................................................... 4

III. References .......................................................................................................... 4

IV. Expiration ............................................................................................................ 4

V. Background .......................................................................................................... 4

VI. Enforcement ........................................................................................................ 5

VII. Recording in OIS and IMIS ............................................................................... 7

VIII. Outreach .......................................................................................................... 9

IX. Partnerships and Alliances .................................................................................. 9

X. Evaluation .......................................................................................................... 9
I. **Purpose.** Continue a Regional Emphasis Program (REP) for the inspection of demolition activities that occur during the destruction and renovation of any fixed building that will assist in the reduction of serious and fatal injuries to affected employees.

II. **Scope.** This Notice applies to all worksites in Arkansas, Louisiana, Oklahoma, and Texas, and those worksites in New Mexico that are under Federal OSHA jurisdiction.

III. **References.**

A. OSHA Instruction CPL 04-00-001 (CPL 2-0.102A), Procedures for Approval of Local Emphasis Programs ("LEPs"), November 10, 1999 or current update.

B. OSHA Instruction CPL 02-00-150, Field Operations Manual (FOM), April 22, 2011 or current update.

C. OSHA Instruction CPL 02-00-025 (CPL 2.25I), Scheduling System for Programmed Inspections, January 4, 1995 or current update.

D. OSHA Instruction CPL 02-00-051 (CPL 2-0.51J), Enforcement Exemptions and Limitations under the Appropriations Act, May 28, 1998 or current update.

E. OSHA Instruction CPL 02-00-141, Inspection Scheduling for Construction, July 14, 2006 or current update.

F. OSHA Instruction CSP 03-02-002, OSHA Strategic Partnership Program for Worker Safety and Health, February 10, 2005 or current update.

G. Construction web pages found at www.osha.gov

IV. **Expiration.** This Notice expires September 30, 2015, but may be renewed as necessary.

V. **Background.**

Demolition work involves many of the hazards associated with construction. However, demolition incurs additional hazards that may be unforeseen or unknown due to modifications or deviations from the structure's design introduced during construction; materials hidden within structural members; unknown strengths or weaknesses of construction materials; and exposure to silica, asbestos and/or lead. Personnel involved in a demolition project must be fully aware of the types of hazards and the safety precautions to take in order to provide a safe and healthy working environment.

OSHA data indicates that during FY2014, 73 inspections of demolition sites were conducted nationwide. Region VI conducted 22 inspections of demolition sites resulting in the issuance of 31 violations and $211,605 in penalties. Four of the Region VI inspections were fatality investigations. The most common violations were for failure to provide protection for workers exposed to fall hazards. Violations were also issued for failure to conduct an engineering survey to determine the condition of the structure prior to demolition. This includes determining whether an unplanned collapse of the building or any adjacent structure would injure those working in the vicinity.
Employees involved in demolition operations are often exposed to the many harmful hazards associated with the inhalation of silica. Concrete and masonry products contain silica, as well as sand and rock. Since these products are primary materials for construction, demolition workers may be easily exposed to respirable crystalline silica during activities such as sawing, hammering, drilling, grinding, and chipping of concrete or masonry, as well as crushing, loading, hauling, and dumping of rock, and the demolition of concrete and masonry structures.

OSHA estimates 1.3 million employees in construction and general industry face significant asbestos exposure on the job. Heaviest exposures occur in the construction industry, particularly during the removal of asbestos during renovation or demolition. Asbestos minerals have a tendency to separate into microscopic-size particles that can remain in the air and are easily inhaled. Persons occupationally exposed to asbestos can develop several types of life-threatening diseases, including lung cancer. Although the use of asbestos and asbestos products has dramatically decreased, they are still found in many residential and commercial settings and continue to pose a health risk to workers and others. It was projected that in the year 2002 alone there would be over 4,600 deaths from asbestos-related lung cancer.

The toxic effects of occupational exposure to lead are well established. Lead is a potent, systemic poison that serves no known useful function once absorbed by the body. Lead adversely affects numerous body systems and causes forms of health impairment and disease that can arise from acute or chronic exposure, including damage to blood-forming, nervous, urinary, and reproductive systems.

This emphasis program is intended to supplement existing OSHA targeting programs, focusing additional resources as necessary to monitor job sites, promote voluntary compliance and promote awareness of safety and health hazards during demolition activities.

OSHA will employ a number of tools to address this issue, including enforcement, outreach, training, onsite consultation, partnerships, alliances, and the Voluntary Protection Program (VPP).

The provisions of OSHA Instruction CPL 02-00-051 (CPL 2-1.51J), Enforcement Exemptions and Limitations under the Appropriations Act, Section XI, and Enforcement Guidance for Small Employers shall apply where appropriate.

VI. Enforcement.

A. Hazards. Safety hazards may include fall from elevations, caught-in or caught between, struck-by, crushed-by, and electrocution. Health hazards may include lead, silica, asbestos and dusts. These hazards will be addressed because past inspection evidence indicates they are the leading cause of death, serious physical harm and illnesses within this sector of the construction industry.

B. This Notice is provided because of the immediate need to address unsafe and unhealthy working conditions during demolition activities and to minimize or eliminate them.
C. Scheduling of Inspections.

The Area Office shall develop a list of demolition sites within the Area Office’s jurisdiction. The list will be developed using information gathered from City, County and State Building Permit Departments as well as observations made by compliance officers during the course of their travels.

The Area Director shall schedule 10 randomly selected enforcement inspections from the FY2010 list as follows:

1. The list of demolition sites will be reviewed and deletions made in accordance with the deletion criteria set forth in CPL 02-00-025 (CPL 2.251). The corrected list will be sorted by company name in alphabetical order. If there is more than one listing for a company, it will be sorted alphabetically by city name. Random numbers will be assigned to the alphabetical list of companies, using a random number table. The list will be resorted in ascending order of random numbers assigned resulting in a list of sites for inspection.

2. A new list of sites for inspection will be generated each quarter. The sites within the quarterly cycle may be inspected in any order, which maximizes the utilization of available resources. Once a cycle is begun, all establishments in the cycle are to be inspected before a new cycle is begun, except that carryovers will be allowed as provided for in OSHA Instruction CPL 02-00-025 (CPL 2.251).

3. Interface with un-programmed activity: Follow-ups, referrals, complaints, fatalities, and catastrophes arising out of this industry will still be inspected under procedures outlined in the FOM. Prior to assigning the inspection, the Area Director or supervisor will determine if the employer is on the programmed inspection list. If the employer is on the programmed inspection list, the Area Director or supervisor will remove the employer from the programmed inspection list at the location given on the complaint. The CSHO will proceed with a comprehensive inspection of the work site. NOTE: The number of programmed REP inspections remaining will be reduced by one for each un-programmed inspection conducted.

4. Before initiating enforcement activities, the CSHO will determine if an inspection is prohibited by the Enforcement Exemptions and Limitations under the Appropriations Act.

5. Exemptions. If an employer and/or contractor are a Voluntary Protection Program (VPP) employer or have passed an annual OSHA verification
inspection, the terms of the VPP and/or partnership agreement will be followed.

If the employer has not had a verification inspection and “plain view” hazards outlined by this REP are observed by a CSHO, a limited scope inspection will be conducted to address the “plain view” hazards (including appropriate records review). A verification inspection will not be conducted until the Area Director has been consulted.

A list of current partnership sites within the area office jurisdiction will be maintained and made available for CSHO review.

D. Scope of REP Inspection. The inspections under this emphasis program will be comprehensive in nature unless the worksite can demonstrate that it would qualify for a focused inspection in accordance with OSHA policy. CSHOs will make appropriate entries into their case file regarding the scope of the inspection. Apparent potential health hazards, such as but not limited to, silica, lead, noise, and other recognized health hazards will be evaluated. If necessary, a health referral will be made.

The CSHO will evaluate all on-site employers through inspection, observation, photographs, video footage, measurements, and interviews of management and employees.

E. Citations. Citations for violations shall be issued in accordance with the FOM.

F. Interface with Unprogrammed Activity. Reports of imminent danger, fatalities, catastrophes, complaints, and referrals shall be scheduled as unprogrammed inspections, and shall be inspected in accordance with the applicable provisions of the FOM.

G. Inspection Resources. Only trained Compliance Officers with experience in the construction industry shall be assigned to conduct inspections under this REP. All OSHA personnel participating in this REP must be familiar with the policies and procedures described in this notice.

I. CSHO Personal Protective Equipment (PPE). CSHOs will use personal protective equipment suitable for the targeted industry. PPE will include, at a minimum, a hard hat, safety glasses with side shields, safety shoes/boots (with metatarsal guards as necessary), hearing protection, and high visibility apparel/vest.

H. Relationship to Other Programs. Area Offices will continue to schedule worksites for inspection from the Construction Inspection Targeting System that maximize the best utilization of area office resources. These inspections will be conducted according to the FOM and the OSHA Instruction for Inspection Scheduling for Construction
VII. Recording in OIS and IMIS.

A. **Enforcement Inspections:** Enforcement inspections completed under this initiative will be coded:

In OIS in the Inspection Type sub tab:

1. Initiating Type will be coded “Programmed Planned” with the following exception. Any inspections conducted as a result of a complaint, referral, or fatality/catastrophe will be coded as the appropriate “unprogrammed” activity.

2. Local Emphasis Program will be coded DEMOLIT for all programmed and unprogrammed inspections.

3. Strategic Plan Activity will be coded with any strategic plan codes applicable to the current inspection.

4. Additional Codes will be coded with any applicable additional codes and with the following codes specific to the construction activity covered by the inspection:

<table>
<thead>
<tr>
<th>Type</th>
<th>ID</th>
<th>Value</th>
</tr>
</thead>
<tbody>
<tr>
<td>R</td>
<td>19</td>
<td>FALL6</td>
</tr>
<tr>
<td>R</td>
<td>19</td>
<td>STRUCK6</td>
</tr>
<tr>
<td>R</td>
<td>19</td>
<td>CAUGHT6</td>
</tr>
<tr>
<td>R</td>
<td>19</td>
<td>ELECT6</td>
</tr>
</tbody>
</table>

B. **Enforcement Interventions:** Enforcement Interventions completed under this initiative, including partnerships, alliances, Voluntary Protection Programs, and other interventions, will be coded:

In OIS in the Task sub tab, Task Details, Emphasis Areas as follows:

1. Local Emphasis Programs will be coded DEMOLIT.

2. Strategic Emphasis Areas will be coded with any strategic plan codes applicable to the current inspection.

3. Other Emphasis Areas will include any applicable additional codes and the codes specific to the construction activity covered by the inspection per VII.A.4.

C. **Consultation Visits:** Consultation Visits completed under this initiative will be coded:

1. In IMIS on the Request Form CONS-20:

   a. Local Emphasis will be coded DEMOLIT.
b. Field 18 will include any applicable additional codes and the codes specific to the construction activity covered by the inspection per VII.A.4.

2. In IMIS on the Visit Form CONS-30:
   a. Local Emphasis will be coded DEMOLIT.
   b. Field 22 will include any applicable additional codes and the codes specific to the construction activity covered by the inspection per VII.A.4.

D. Consultation Interventions: Consultation Interventions completed under this initiative will be coded:

In IMIS on the Consultation Intervention Form CONS-66

1. Local Emphasis will be coded DEMOLIT.

2. Field 15 will include any applicable additional codes and the codes specific to the construction activity covered by the inspection per VII.A.4.

E. Area Offices, Consultation Projects, and the Regional Office shall periodically check their OIS and/or IMIS databases to verify accuracy of the data for the initiative.

VIII. Outreach.

All LEPS must contain an outreach component that must be executed prior to the initiation of the enforcement program. The method of outreach is at the Area Directors discretion and can consist of one or more of the following components.

1. Broadcast mail-outs or program information
2. Stakeholder meetings
3. Targeted training sessions
4. Presentations to the affected group(s)

The outreach component selected should be conducted prior to the start of the enforcement inspection portion of the LEP. The timing of this should be sufficient to insure that employers have been provided fair notice of the program and opportunities to achieve voluntary compliance. These outreach efforts should be coordinated with or include the OSHCON program for that area.

IX. Partnerships and Alliances.

In the event outreach efforts result in the interest in developing an alliance or partnership the Area Director will insure that these efforts conform to current National and Regional Policy.

X. Evaluation. An evaluation of this program will be submitted by the Area Director to the Regional Office no later than October 15, 2015. Elements to be considered in the evaluation are contained in OSHA Instruction CPL 04-00-001.