



OSHA REGIONAL NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: 13-26 (CPL 04)	EFFECTIVE DATE: November 26, 2013
SUBJECT: Local Emphasis Program: Shipyard Employment Operations	
REGIONAL IDENTIFIER: Region 10	

ABSTRACT

- Purpose:** This instruction transmits the policies and procedures to be followed when making programmed and unprogrammed safety or health local emphasis inspections in shipyard employment operations in Region 10.
- Scope:** This instruction applies to the Anchorage, Bellevue and Portland Area Offices.
- References:** OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, January 4, 1995.
OSHA Instruction CPL 04-00-001, Procedures for Approval of Local Emphasis Programs, November 10, 1999.
OSHA Instruction CPL 02-00-150, Field Operations Manual (FOM), April 22, 2011.
- Cancellations:** OSHA Regional Notice 13-06 (CPL 04), February 20, 2013.
- Expiration Date:** This Notice will expire December 31, 2014, but may be renewed.
- State Plan Impact:** None.
- Significant Changes:** None.
- Action Offices:** Anchorage, Bellevue, and Portland Area Offices.

Originating Office: Office of Federal and State Operations

Contact: Steve Gossman
Assistant Regional Administrator
Office of Federal and State Operations

By and Under the Authority of:

David L. Mahlum
Acting Regional Administrator

EXECUTIVE SUMMARY

Inspection selection and scheduling in shipyard employment operations in Region 10 is impractical if done from the safety and health SIC/NAICS lists for General Industry. Since work in OSHA's jurisdictional areas is sporadic and of short duration due to vessels coming and going, and the varying use of some facilities by more than one employer, shipyard employment operations are continually being revised and are outside the normal scheduling means of the FOM.

Accordingly, a system which identifies the work sites is necessary. This local emphasis program is designed to do that and ensure that employers are selected and scheduled for programmed inspections in a fair and impartial manner.

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- I.** **Purpose.** This Notice transmits the policies and procedures to be followed when making programmed and unprogrammed safety or health local emphasis inspections in shipyard employment operations in Region 10.
- II.** **Scope.** This Notice applies to the Anchorage, Bellevue and Portland Area Offices.
- III.** **Action Offices.** Anchorage, Bellevue and Portland Area Offices.

IV. **State Plan Impact.** None.

V. **References.**

- A. OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, January 4, 1995.
- B. OSHA Instruction CPL 04-00-001, Procedures for Approval of Local Emphasis Programs, November 10, 1999.
- C. OSHA Instruction CPL 02-00-150, Field Operations Manual (FOM), April 22, 2011.

VI. **Cancellations.** OSHA Regional Notice 13-06 (CPL 04), February 20, 2013.

VII. **Action Required.** Area directors shall use this Notice for inspection selection and scheduling for both safety and health inspections.

VIII. **Policy.** This inspection scheme is to be used for programmed and unprogrammed safety and health inspections in the shipbuilding/repairing, boatbuilding/repairing, and shipbreaking industries (SIC/NAICS 3731/336611, 3732/336612 and 4499/488390).

Area Directors, prior to implementation of this Notice, are required to designate the order in which locations are to be inspected.

IX. **OIS Coding.** The procedures contained in Appendix A shall be followed for the purpose of inspection, selection and scheduling in making programmed inspections in the above industries.

- A. Inspections conducted under this LEP will be identified in the OSHA Information System (OIS) as described below. Supportive industries - for example, contract painters, sandblasters, or tank cleaners - inspected under this program, shall also be coded "SHIP."
 - 1. Inspection Record forms will be coded as follows:
 - a. Inspection Type: Mark as referral, complaint or accident if *unprogrammed*, or mark as Programmed Planned if *programmed*.
 - b. Local Emphasis Program: Mark as SHIP.
 - 2. Programmed Activity Forms: Mark LEP as SHIP.
 - 3. Compliance Activity Forms: Outreach activities more than 30 minutes in length will be recorded on the form. *Local Emphasis* shall be coded as "SHIP." The

following strategic plan codes may be selected, as appropriate: Small Business, Amputations, Immigrant, and Youth.

- B. Additional OIS Coding for OSHA Strategic Plans: Shipbuilding is an emphasis industry in OSHA's strategic plan and currently requires special coding to reflect this. A shipyard inspection may also identify potential exposure to lead, silica or amputation hazards, which are strategic plan emphasis hazards and require special coding.

X. Evaluation Procedures. This LEP will be evaluated in accordance with the guidelines in Appendix A of CPL 04-00-001, Procedures for Approval of Local Emphasis Programs and Experimental Programs.

- A. The Area Director will be asked to provide input concerning special problems that may have surfaced during the year; recommendations to improve the LEP; and recommendations to renew or not renew the LEP.
- B. The Office of Federal and State Operations (FSO) shall review the input and prepare an evaluation to be submitted to the Regional Administrator for review by November 15 of each year. On the approval of the Regional Administrator, the evaluation report will be submitted to the Directorate of Enforcement Programs no later than November 30.

APPENDIX A

Procedures

A. Introduction

Inspection selection and scheduling in shipyard employment operations in Region 10 is impractical if done from the safety and health SIC/NAICS lists for General Industry. Since work in OSHA's jurisdictional areas is sporadic and of short duration due to vessels coming and going, and the varying use of some facilities by more than one employer, shipyard employment operations are continually being revised and are outside the normal scheduling means of the FOM.

Accordingly, a system which identifies the work sites is necessary. This local emphasis program is designed to do that and ensure that employers are selected and scheduled for programmed inspections in a fair and impartial manner.

B. Specific Industry

The primary employers will be those engaged in Shipbuilding/Repairing (SIC/NAICS 3731/336611), Boatbuilding/Repairing (SIC/NAICS 3732/336612) and Shipbreaking (SIC/NAICS 4499/488390). Supportive industries, such as contract painters, sandblasters, tank cleaners, etc., will be inspected if deemed appropriate following discussions between the CSHO and the area director.

C. Inspection Selection and Scheduling

1. A master list of all work sites of employers in SIC/NAICS 3731/336611, 3732/336612 and 4499/488390 within the respective area offices' jurisdictions shall be prepared. A work site is defined to be a discrete area utilized to construct, repair or break vessels. The area may be the bounds of a company's property; the navigable water around a single group of piers, wharfs, or docks; or the section of a navigable waterway where vessels are anchored while repair is conducted. Any floating vessel, drydock, graving dock, or marine railway within the area is considered part of the work site.
2. The work sites shall be grouped into distinct geographical locations which shall be used for the duration of this local emphasis program. The boundaries of the locations may vary and shall be determined based on past inspection activity and local knowledge. Locations with roughly equal numbers of work sites will be established. For example, in metropolitan areas a grouping may consist of an area of a city. In a less populated area, the grouping may be a set of small cities, while in rural areas the grouping may be on a county-wide basis. In some situations, present port area designations may suffice.
3. An inspection cycle shall be prepared using all the work sites on the master list. Area directors may delete work sites from the cycle based upon local knowledge of

operations, i.e., out of work, seasonal employment, etc. With the creation of the second and subsequent cycles, area directors shall add new work sites to the master list.

4. Work sites within a location shall be visited in an order predetermined by the area director when the inspection cycle is created, e.g., alphabetically, proximity to the office, etc. A visit shall consist of:
 - a. An inspection of the work site if there is work activity under OSHA jurisdiction at the time.
 - b. An assessment through observation, contacts with U.S. Coast Guard, or other reliable local sources, that no activity under OSHA jurisdiction is ongoing at the time of the visit.

In the event that no activity is ongoing under OSHA jurisdiction, the area director shall document the cycle list as such and visit the next work site.

The number of work sites visited would be dependent upon the number of inspections projected in the annual program plan and the number of sites without activity. Inspections of subcontractors at the sites would count towards the annual goal. The inspection cycle is not time dependent and may be longer or shorter than one year.

5. Prior to beginning a new cycle from the master list, all locations on the existing cycle must be visited, and the work sites either inspected or removed due to inactivity. All work sites would be eligible for a visit during the new cycle.
6. A complete inspection of all areas under OSHA's jurisdiction shall be made for each employer at each work site.
7. If an unprogrammed inspection (complaint, referral, fatality/catastrophe) is conducted at a work site, all employers at the work site shall be inspected. The inspection(s) shall be complete unless there has already been a programmed inspection(s) at the work site during the cycle. In this event the unprogrammed inspection shall only address those areas referenced for the employer involved. When a comprehensive unprogrammed inspection is conducted at the work site, then the work site shall be removed from the cycle for programmed inspections.