



# OSHA REGIONAL NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

<b>DIRECTIVE NUMBER:</b> 13-33 (CPL 04)	<b>EFFECTIVE DATE:</b> November 26, 2013
<b>SUBJECT:</b> Local Emphasis Program for Employers with Nationally Targeted Hazards at Military Bases, National Parks and National Cemeteries	
<b>REGIONAL IDENTIFIER:</b> Region 10	

## ABSTRACT

- Purpose:** This Notice transmits the revised policies and procedures to be followed when conducting programmed inspections at military bases and national parks that have been nationally targeted as high hazard industries.
- Scope:** This Notice applies to all inspections of employers with nationally targeted hazards at military bases, national parks and national cemeteries in Alaska and Washington.
- References:**
1. OSHA Instruction CPL 02-00-025, *Scheduling System for Programmed Inspections*, January 4, 1995.
  2. OSHA Instruction CPL 04-00-001, *Procedures for Approval of Local Emphasis Programs*, November 10, 1999.
  3. OSHA Instruction CPL 02-00-150, *Field Operations Manual (FOM)*, April 22, 2011.
- Cancellations:** OSHA Regional Notice 13-13 (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 Area Office, Bellevue Area Office and Office of Federal and State Operations.

**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

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## EXECUTIVE SUMMARY

It is OSHA policy that programmed inspections be conducted primarily in high hazard sectors of employment. For purposes of scheduling programmed inspections, landscaping/horticultural services and public warehousing are considered high incident high/severity industries under the OSHA Strategic Management Plan. Both safety and health programmed inspections of landscaping/horticultural services and public warehousing/storage facilities are to be scheduled using this Notice.

OSHA's coverage of landscaping/horticultural services and public warehousing/storage work sites in the states of Alaska and Washington is limited to activities performed on federally-owned lands, including certain military and Coast Guard installations, national parks and national cemeteries.

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- I. Purpose.** This Notice establishes a Local Emphasis Program (LEP) for inspections of landscaping/horticultural services and public warehousing/storage sites located on military bases, Coast Guard installations, national parks and national cemeteries in facility support management establishments in Alaska and Washington.
- II. Scope.** This Notice applies to the Anchorage and Bellevue Area Offices.

- III. Action Offices.** Anchorage and Bellevue Area Offices and the Office of Federal and State Operations.
- IV. State Plan Impact.** None.
- V. Cancellation.** This Notice cancels OSHA Regional Notice 13-13 (CPL 04), February 20, 2013.
- VI. 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.
- VII. Definitions.**
- A. Warehousing/Storage – For purposes of this LEP, an employer is engaged in warehousing and storage operations when operating primarily from or performing material handling and movement work in or out of a building structure(s). These building structures may or may not be owned by the employer performing the work, but may be managed by such an employer(s) at facility support management sites.
  - B. Landscape/Horticultural – For purposes of this LEP, an employer is engaged in landscaping and horticultural services when performing or overseeing work including landscaping, gardening, lawn mowing, fertilizing and line-clearance tree trimming at facility support management sites.
  - C. Employer – For purposes of this LEP, the term “employer” includes both private contractors and any federal agency as defined in 29 CFR 1960.2(b).
- VIII. Policy.** The Area Director shall use this Notice for inspection selection and scheduling for both safety and health. This inspection scheme is to be used for programmed safety and health inspections at military bases and national parks of industries that have been nationally targeted as high hazard.

**IX. Procedures.** The following procedures shall be followed for the scheduling and inspection of work sites under this program:

**A. Inspection Targeting:**

1. Based on local knowledge and experience lists of military bases, Coast Guard installations, National Parks and National Cemeteries in Alaska and Washington where landscaping/horticultural services and public warehousing/storage in facility support management sites have been prepared for the Anchorage and Bellevue Area Offices. The current lists appear as Appendices A and B.
2. The landscaping/horticultural services subject to inspection under this LEP are those covered by the following SICs/NAICS:
  - a. 0782/561730 – Lawn and garden services.
  - b. 0783/561730 – Ornamental shrub and tree services.
3. The warehousing/storage operations subject to inspection under this Local Emphasis Program are those covered by the following SICs/NAICSs
  - a. 4221/493130 – Farm product warehousing and storage.
  - b. 4222/493120 – Refrigerated warehousing and storage.
  - c. 4225/493110 – General warehousing and storage.
  - d. 4226/493190 – Special warehousing and storage, not elsewhere classified.
4. Programmed inspections under this LEP are in addition to unprogrammed inspections, such as those based on complaints, accidents, and follow-ups. An unprogrammed inspection may be combined with a programmed inspection under this Local Emphasis Program.

**B. Inspection Scheduling:**

1. For purposes of conducting inspections, federal facilities may be selected from the lists in Appendices A and B in any order that makes efficient use of resources. Factors that should be taken into consideration include the type of work being performed, the timing of the work, and the number of contractors involved. Each facility will be selected for inspections during the inspection cycle, but in view of the predominantly seasonal nature of landscaping/horticultural services, inspection activity may be conducted in either one or two site visits.
2. Prior to the start of any inspection activity, the Area Director or designated CSHO shall contact the appropriate federal site safety and health manager or other knowledgeable source to determine what, where and when

landscaping/horticultural services and public warehousing/storage operations are being performed, and to coordinate the conduct of inspections at the site. The Area Director will request that the federal official not give advance notice of the inspection, except as authorized by the Area Director, and will advise the federal official that providing unauthorized advance notice of an OSHA inspection is a criminal offense.

3. Inspections of work performed by federal agency employees will be conducted in accordance with 29 CFR Part 1960, Subpart D. In view of state plan jurisdiction, inspections at Tahoma National Cemetery, Willamette National Cemetery, Sitka National Cemetery, and San Juan Island National Historical Park will be limited to federal agency activities.
4. A safety and health inspection of each employer actively engaged in landscaping/horticultural services or warehousing/storage activities at the time of the site visit will be conducted except where the Area Office documents that:
  - a. A substantially complete inspection of the employer has been conducted within the previous 12 months.
  - b. The employer has been approved for exemption from inspection through consultation or for participation in the Voluntary Protection Program.

C. Special Instructions.

1. OIS Coding:
  - a. PUBWARES. Inspections, unprogrammed activities and compliance assistance activities of warehousing and storage operations conducted under this program, both programmed and unprogrammed, shall be coded on the appropriate OIS form, with the LEP designation PUBWARES.
  - b. LANDSCPE. Inspections, unprogrammed activities and compliance assistance activities of landscaping and horticultural services operations conducted under this program, both programmed and unprogrammed, shall be coded on the appropriate OIS form, with the LEP designation LANDSCPE.
  - c. Not FEDSAFE. Inspections conducted under this program of federal employers engaged in the types of work covered by this LEP will *not* be designated as FEDSAFE

2. 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**

### **Bellevue Area Office – Landscaping/Horticultural Services and Public Warehousing/Storage Inspection Locations**

1. Fort Lewis, Tacoma
2. Fairchild Air Force Base, Spokane
3. McChord Air Force Base, Lakewood
4. Yakima Training Center (Army)
5. Naval Base Kitsap-Bangor
6. Naval Station Everett
7. Naval Air Station Whidbey Island
8. Puget Sound Naval Shipyard
9. Naval Magazine Indian Island
10. Naval Radio Station Jim Creek
11. Manchester Fuel Depot, FISC Puget Sound
12. Mount Rainier National Park
13. Olympic National Park
14. North Cascades National Park
15. U.S. Coast Guard, Washington State
16. Tahoma National Cemetery, Kent (Federal Employees Only)
17. Willamette National Cemetery, Vancouver (Federal Employees Only)
18. San Juan Island National Historical Park (Federal Employees Only)

## **APPENDIX B**

### **Anchorage Area Office – Landscaping/Horticultural Services and Public Warehousing/Storage Inspection Locations**

1. Denali National Park & Preserve
2. Cape Lisburne Long Range Missile Base – U.S. Air Force
3. Eareckson Air Station (Shemya Island) – U.S. Air Force
4. Fort Greeley Missile Defense, Delta Junction, Alaska
5. U.S. Coast Guard Integrated Support Command, Kodiak, Alaska
6. U.S. Coast Guard Integrated Support Command, Ketchikan, Alaska
7. U.S. Coast Guard Air Station, Sitka, Alaska
8. U.S. Coast Guard 17th District Command, Juneau, Alaska
9. Defense Commissary Agency, Elmendorf AFB, AK 99506\*
10. Defense Commissary Agency, Eielson AFB, AK 99702\*
11. Defense Commissary Agency, Fort Greely, AK 99731\*
12. Defense Commissary Agency, Fort Wainwright, AK 99703\*
13. Defense Commissary Agency, USCG ISC, Kodiak AK 99619\*

\* Federal Employees Only