

MACOSH EXECUTIVE SUMMARY

Norfolk, VA

December 8 – 9, 2004

The Norfolk Waterside Marriott

215 East Main Street

Norfolk, Virginia

Wednesday, December 8, 2004

In attendance were members of the Committee: MACOSH Chairperson James Thornton, North Grumman Newport News Shipyard; Dan Nadeau, Bath Iron Works; James D. Burgin, National Maritime Safety Association; Captain John McNeill, Pacific Maritime Association; Captain Teresa Preston, Atlantic Marine/Alabama Shipyard; Charles I. Thompson, III, Virginia International Terminals; Stephen D. Hudock, National Institute for Occupational Safety and Health (NIOSH), DART, C-24; Captain Keith D. Cameron, U.S. Coast Guard; Michael Flynn, International Association of Machinists & Aerospace Workers; William (Chico) McGill, International Brotherhood of Electrical Workers, Local #733; and Pete Schmidt, Washington State Department of Labor. Others present included Jim Maddux as the designated Federal Official and Susan Sherman, Committee Counsel.

James Thornton, Chairman of MACOSH called the meeting to order and welcomed everyone at the meeting. Next, Chairman Thornton asked the public to introduce themselves.

After the roll call and introductions, Chairman Thornton introduced Steve Witt, Director of Standards and guidance, who presented the opening remarks. Mr. Witt told the committee that OSHA has been very successful because MACOSH has been very successful. When this committee was chartered OSHA wanted to change the direction of the committee so it would be more responsive, provide more useful recommendations, and establish workgroups that would work between meetings. Mr. Witt informed MACOSH that he believes the committee has met these goals under the leadership of Jim Thornton.

Next, Mr. Witt went through a list of MACOSH accomplishments, which included:

- providing assistance on e-tools,
- coordinating a collection of hexavalent chromium data,
- recommending that maritime be treated separately in the hexavalent chromium rulemaking, and
- assisting the agency drafting the ergonomics guideline for the shipyard industry.

Mr. Witt commended MACOSH for their recommendations to OSHA. Next, Mr. Witt discussed the future of the committee. The agency intends to begin the rechartering process, which takes several months. Mr. Witt explained the re-chartering process, and informed MACOSH that if the current members should reapply, their nominations will be considered, along with any new nominations. The Assistant Secretary, with the approval of the Secretary of Labor, will make those decisions. Mr. Witt noted that the continued absence of some of the committee members will be considered during the selection process.

Mr. Witt then opened the floor up to questions from the committee. Mr. Flynn asked “On the recharter, is there any intent to make this a seamless rechartering where it is rechartered by the end or conclusion of this?” Mr. Witt responded by explaining the rechartering process, and with the changes taking place at the political level at different parts of the department, not just in OSHA, but in other parts of the department that work on charters it would be difficult to have the nomination process completed by the end of the current charter. Mr. Witt went on to say “I will commit to you that we will have the charter

ready and approved at the time the nominees are selected.” Next, Mr. Witt personally thanked the committee and extended a personal thanks to Chairman Thornton for his commitment, dedication, hard work, and leadership during MACOSH.

Next, Chairman Thornton asked the committee to refer to the executive summary in their packages. Chairman Thornton asked for comments or corrections to the minutes. Mr. Maddux informed the committee that some comments have been received from Jimmy Burgin and Captain McNeill, and they are reflected in the executive summary. Mr. McGill made a motion to accept the minutes. There was a second to the motion, and the minutes were unanimously approved.

Chairman Thornton called for open discussion of the full committee. Mr. Maddux asked Mr. Hudock if he would give an update on how NIOSH is doing on VACIS radiation screening. Mr. Hudock responded that the report is still pending. Mr. Maddux reported he and other OSHA personnel attended a data collection activity Baltimore. Also, Mr. Maddux believes that the Customs Service and NIOSH are trying to issue a report within 3 to 4 weeks. Mr. Maddux also informed the committee that the OSHA staff have made several recommendations to the Customs Service.

Captain Cameron discussed the issue of towing vessels and their status as inspected vessels. Captain Cameron explained that this past summer the President signed the Coast Guard Maritime Transportation Act of 2004, which included a provision to make towing vessels inspected vessels, or vessels subject to Coast Guard inspection. Previously, towing vessels were uninspected vessels. The change will add approximately 5,000 to 7,000 vessels to the Coast Guard inspected fleet. Mr. Burgin asked Mr. Cameron when the rule would become effective. Mr. Cameron responded that it may take three to four years. Mr. Burgin also asked if the MOU would still be in effect until this becomes a final rule. Mr. Maddux responded that he is unsure of the MOU’s status during the transition period. Mr. Burgin asked if the rule would affect floating cranes. Mr. Cameron explained that the change only affects towing vessels and floating cranes do not fall under the definition. Chairman Thornton suggested Mr. Cameron keep the committee informed of any information he receives on the subject, and Mr. Cameron agreed.

Chairman Thornton gave a report on the Hispanic Summit. Chairman Thornton explained that the Hispanic proportion of the workforce is growing quickly. The Agency has acknowledged that fact, and will challenge itself and stakeholders to develop initiatives to deal with the issue. Chairman Thornton also said that there were several initiatives recommended during the summit and he thought the summit was useful and worthwhile.

Mr. Nadeau gave a report on the NSRP Lockout/Tagout study. Mr. Nadeau reported the SHAC group conducted a study of 74 shipyards focusing on various ways lockout/tagout is being performed in the industry. Mr. Nadeau went on to say that the information will be shared with OSHA to be used in future rulemaking. Mr. Nadeau also said the group planned to transmit it to OSHA, and perhaps at the next meeting he could provide a presentation on it.

Chairman Thornton announced that the outreach workgroup has been reactivated. Captain Preston explained that there were OSHA’s new fire protection standard and that OSHA’s has started putting together some frequently asked questions (FAQ’s) for outreach. She explained that the outreach workgroup will reconvene and develop some frequently asked questions OSHA can use in their outreach efforts.

Chairman Thornton asked the committee if they thought there should be a safety workgroup to parallel the health workgroup. Mr. Flynn stated that if there is an issue related to safety, that we create a committee, a workgroup on that specific topic, instead of just creating a new committee and having it out

there with outreach.

Mr. Thompson asked Mr. Maddux if he had looked into the update of OSHA's publication for training requirements. Mr. Maddux informed the committee that the publications office has just about completed their revisions and expect release of the next version in February or March. Mr. McGill asked about the 10-hour training course for shipyards. In response to Mr. McGill's question and the need for more information on the subject, Chairman Thornton asked Captain Preston to discuss the topic in the outreach workgroup session.

Standards and Guidance Update

By: Jim Maddux

Ionizing Radiation

- The Request for Information is under review at OMB.

Notice of Proposed rulemakings

- ***Occupational Exposure to beryllium*** – Trying to start the small business panel process and expect to start that process next year.
- ***Chrome VI*** – OSHA issued a proposal on October 4th. The docket will be open for comment until January 3rd. Hearings will be held the first week in February in Washington, DC.
- ***Silica*** – has been through the SBREFA process and the risk assessment is being developed. OSHA will have the risk assessment peer reviewed by other scientists, which should start in the next month.
- ***Consensus standards project*** -- An overall project to try and update the consensus standards that are either incorporated by reference, or that are the basis for entire OSHA rules. Three separate Federal Register notices were issued recently. The first describes the overall approach to the consensus standards problem and it lays out the steps OSHA is going to take. The second is a direct final rule. The third is a parallel proposed rule to revoke a few consensus standards that are referenced in the OSHA standards that no longer exist. OSHA will also work on direct final rules to adopt newer versions of consensus standards when the rules are relatively non-controversial. OSHA will also use notice and comment rulemaking in those situations where there is a consensus standard that has undergone more change and a full rulemaking is needed. The first Federal Register notices are open for comment until December 27th.
- ***Subpart S electrical safety standard*** -- OSHA published a proposal in April of 2004, and closed the comment period in June 2004. The docket is being analyzed to work out various issues in the final rule. A final rule may be published sometime next year.
- ***Vertical tandem lifts*** – A proposal was issued in September 2003. There was a public hearing last July. The post hearing comment period closed October 29. At the end of the hearing there was an agreement to perform dynamic tests on connecting devices and container corner castings. Two engineering reports were submitted. OSHA will evaluate the information and determine whether or not to re-open the record for an additional brief time (30 days) to allow other parties to examine and comment on the data.
- ***General working conditions for shipyard employment*** – This proposal includes a variety of subject matters, some of which are covered in the current general working conditions. For example, lifeboats, and sanitation. The rule will also include lockout/tagout.
- ***Subpart D Walking working surfaces*** – OSHA reopened the rule about six months ago to collect data for six or seven specific topic areas. OSHA will probably reopen the record to collect data on the economics that are involved.

Final rules

- **Employer payment for PPE** – A proposal was issued in 1999 on this issue. OSHA reopened the record to solicit additional information on what is commonly called “tools of the trade.” OSHA is trying to work out exactly how to resolve the issue of whether employers should pay for PPE.
- **The Standards Improvement Process Phase II**– currently under the review at Office of Management and Budget. The project involves mostly corrections to a number of health standards and standardizes issues inside of OSHA’s health standards.
- **Fire Protection in Shipyards** – The final rule was published in September. The agency is currently working on outreach and compliance assistance. OSHA’s maritime enforcement is evaluating the rule to determine if directives needs to be updated. OSHA’s Office of Alliance Programs office is working on an outreach plan that will determine what type of outreach OSHA is going to offer.

Guidance Activities

- **Portable ladder safety** – A portable ladder safety card will be coming out in a few weeks. The card will be three inches by six inches and can be used by employees to give them information about portable ladder safety. The card will also be translated into Spanish.
- **Hexavalent Chromium** – OSHA is working on a safety and health information bulletin to alert employers of the health effects of chromium and the risks involved with exposure to chromium VI, what materials employees could be working with, where they would be exposed, and different ways to control exposure to that chemical. This information will help employers and employees reduce exposure to chromium VI.
- **Scrap metal recycling** – The document discusses different hazards that can occur during scrap metal processing, both from a safety and a health perspective. Beryllium is sometimes in scrap metal, so a certain amount of beryllium is getting into the recycled steel that we are all using. That product is in its final agency review.
- **Beryllium** -- a hazard alert about exposure in metal recycling informing people that are recycling metal can be exposed to it. We have a first draft completed, and it is just beginning the clearance process.
- **Hazard communication** – OSHA’s goal is to improve the quality of information on material data safety sheets. We have issued draft guidance in the form of a model training program. We are also developing guidance to help chemical manufacturers prepare safety data sheets. We’ve issued a guide on the globally harmonized system of classification and labeling of chemicals. An ongoing question is whether or not agencies in the United States should adopt the globally harmonized system.
- **Biological aspects of poor indoor air quality.** -- There are two documents. One is a guide on mold-related problems for building owners and managers. The other is for occupants.
- **PPE for emergency response** -- is a handbook on the existing PPE standards that would apply during an emergency situation. Mr. Thompson asked if emergency response is going to dovetail with the HAZWOPER standard. Mr. Maddux said that the HAZWOPER standard is one of the standards referenced in this list of OSHA requirements that need to be followed. In fact, it is one of the major standards that has application in this situation.
- **The hazards of combustible dust** -- There are a number of organic materials, that can have explosive qualities when they are in a very fine particulate dust. We’ve had a number of explosions around the country. Some of them are from wood and plastic dust. The goal is to make people aware of the dangers of explosive dust.
- **Marine staging** -- We are just ready to move into our final OSHA review, and I’m hopeful that that will be published early to mid year next year.
- **Pedestal fall protection on ships** – under MACOSH review. We’ll be discussing the document

during the container safety workgroup this afternoon.

- ***Abrasive blasting in shipyards*** -- deals with the issue of alternative blasting materials that are being used in shipyards. The goal is to make people aware of the potential hazards of some of the alternative materials. The health workgroup will report on that document tomorrow.
- ***Longshore maintenance and repair training*** -- a draft document that was recommended by MACOSH. Trying to provide training advice and training assistance to the longshoring and marine terminal industry that is being used by the shipyard industry. The product is still in its early stages of development.
- ***Traffic safety at marine terminals*** -- a guidance product matches up to our OSHA strategic plan. We have shared a draft with the vehicle safety workgroup, and we'll be hearing from them tomorrow.
- ***Shipyard ergonomics*** -- a draft ergonomics guideline is in our clearance process. After the first of the year, it will be published for comment as with all of our ergonomics guidelines. If there is sufficient interest, there will be a public meeting so people can provide their views on the document before it goes final.

Mr. Losey commented that he would like to thank Mr. Witt and Mr. Maddux for their consideration in separating the shipbuilding sector in the proposed chromium rule. Mr. Maddux responded that he would just like to encourage the public to comment on the chromium rulemaking document

Standards and Guidance emerging issues

By: Jim Maddux

- ***Nanotechnology*** -- deals with materials that are built using manufacturing techniques that literally make things one atom at a time. This is a new area that OSHA and NIOSH are looking at. There are some efforts to start guidance materials, some collaboration with the National Science Foundation workgroup.
- ***Control banding*** -- a concept that came up in Europe. England has a control banding system that people can use for chemical exposure. The idea is to give people advice on specific chemicals when they don't have a large chemistry or IH background and help them take action to control exposures in their workplace.

Q & A

Chairman Thornton asked if there is a group in OSHA working on control banding. Mr. Maddux responded that a number of individuals are working on it, but Jennifer Silk is the best contact. Mr. Flynn asked when and where the conference on control banding was, and if it is an OSHA conference. Mr. Maddux responded that the conference is in collaboration with NIOSH and other agencies with the same interests.

Mr. Nadeau asked if Mr. Maddux could elaborate a little more on walking working surfaces, specifically on industry comments that were sent back on ship design. Mr. Maddux responded that he was unsure of the specifics, and that he would take a look at the information and get back to Mr. Nadeau with that.

Mr. Flynn asked Ms. Sherman about the differences between creating guidance documents and standards. Is there a regulatory requirement in the development of a guidance document? Ms. Sherman responded it is a matter of policy that the agency has chosen to allow the public to comment. Sometimes they have stakeholders meetings, et cetera.

Captain Preston asked if MACOSH would be able to review the ergonomics guidelines as they did the maritime guidance documents. Mr. Maddux responded that the ergonomics guidelines are on a separate track. If the timing worked out, we could use a MACOSH meeting for a stakeholder meeting.

Mr. Costano asked Mr. Maddux if he had seen the Elizabeth port study on VTL's, will the reports be made to MACOSH, and would the time frame be, or what would you see it be as far as if the 30-day window was reopened? Mr. Maddux responded that the reports were sent to OSHA, but he has not reviewed them. The materials will be available to the public through the OSHA docket as soon as OSHA receives them. Mr. Maddux stated that OSHA will need to make a decision about whether or not to reopen the record. Mr. Maddux explained the clearance process then said it could take a couple of months before the record would reopen.

Safety Culture Workgroup Discussion

By Captain Keith Cameron

- Captain Cameron explained that he met with Mr. Maddux to learn what data kind of collection things OSHA and the Bureau of Labor Statistics perform.
- The workgroup would like to establish a regular reporting regime to the committee on appropriate safety data, as well as injury and illness data.
- OSHA should advertise success stories where people have either adjusted their culture and reduced injuries and illnesses in the workplace.
- The safety culture workgroup would like to explore the success of VPP participants, even if they are not in the maritime industry.
- The workgroup recommended that a pilot project be established to look at "why" type data.
- The workgroup should continue to monitor and support the efforts of the Shipbuilding Council of America's data collection effort on their quarterly injury and illness report.

Q & A

Chairman Thornton asked the workgroup what the deliverable would look like from MACOSH to OSHA when it's done. Captain Cameron responded that if it is a periodic report, then the report would be from MACOSH to OSHA over the last quarter or the last year, whatever parameters that are decided are included in that report.

Chairman Thornton encouraged the work group to continue with their ongoing work and he thought the notion of advancing or changing safety culture is a powerful tool and VPP participants have seen how this advancement and change of culture certainly reduces injuries and illnesses.

Mr. Thompson suggested MACOSH consider developing a list of things that VPP people had used to change culture, such as the policy statements from senior management.

Mr. Maddux stated that positive safety culture has to be adopted willingly. Unless people buy in and they believe in it in a positive way, it doesn't work.

Longshore Breakout Group Report

By Jimmy Burgin

- The VACIS machine testing was done in Baltimore in November.
- Representatives from ILA, Customs, NIOSH, OSHA, and some other privately hired consultants

were present.

- The results from the dosimeters will be analyzed and made available soon.
- All the initial reports and tests that were done in Baltimore and previously on the West Coast seemed to have a very low exposure level.
- Mr. Burgin requested that OSHA arrange for Mr. Whitman with US customs to give a presentation at the next MACOSH meeting to review and discuss the results of the Baltimore test, discuss the safety and operation procedures of the VACIS, discuss the development of the VACIS to ensure its safety, and then answer any questions the committee may have.
- OTI would like the workgroup to assist them with the 2 week training course in June 2005 in the following areas:
 - ❖ Provide speakers or presenters for operations descriptions;
 - ❖ Provide opportunities for field trips to terminals;
 - ❖ Provide a list of training topics that should be covered during the two-week period.
- The workgroup discussed the possibility that the National Maritime Safety Association technical committee could create a comprehensive training program that covers the 1917 and 1918 Safety and Health Standards, and that that material can be used throughout this OSHA training course.
- The workgroup will be working on tasks listed above for the next meeting and will provide a report on its progress at the next MACOSH meeting.
- A problem has arisen with state government employees in some East Coast and Gulf Coast ports that operate cargo handling equipment. The workgroup discussed asking OSHA for help for monitoring some of the programs that are applicable to state employees by using a Complaint against State Program Administration. This is an accountability program that can be used by anyone to report on issues that should be looked at for state-run OSHA programs.

Dan Youhas, of the Shipbuilders Council of America (SCA) gave a report on a quarterly injury and illness survey the SCA conducted through their shipyard members.

- The survey allowed SCA see how their injury and illness statistics relate to the rest of the industry.
- SCA developed a list of why injury/illnesses occurred in their member shipyards.
- From the list of “whys” the SCA could create a safety and health information bulletin. About 50% of the SCA members participated in the study over a 5 year span and of that 50% SCA had about 60 to 70% participation in the incident analysis section, which is considered to be pretty substantial.
- The total number of (LWDS) man hours has gone down by 4,000 per quarter.
- There are 11 categories of incidents analysis topics:
 - ❖ improper use of tools and equipment
 - ❖ inadequate maintenance, or preventative maintenance
 - ❖ improper PPE, worker overexertion, or ergonomics stressor
 - ❖ worker exposed to hazardous substance
 - ❖ procedures or enforcement, inadequate
 - ❖ lack of engineering controls
 - ❖ Act of God situation out of the employee’s control
 - ❖ housekeeping not maintained
 - ❖ undetermined root cause
 - ❖ inattention poor body mechanics
- SCA is considering the following future items:

- ❖ continuing to boost member participation, coordinating their activities with the safety culture workgroup
- ❖ Creating the series of questions as to why the injuries and illnesses occurred in the member shipyards and including that on some future survey working through the safety culture working group in order to create a database of root cause analysis for injuries and illnesses in shipyards.

Q & A

Mr. Flynn asked if lack of training could be a root cause, and if so, why is it not one of the survey topics? Mr. Youhas stated that the list of topics was hashed out over a conference call with their members and Captain Cameron, but that topic could definitely be included in a future survey.

Mr. Maddux asked about SCA's plans for adjusting the survey for its second year? Mr. Youhas responded that SCA could tap into the incident analysis that their companies are already conducting at their shipyards, and include the information on a spreadsheet, fine tune it to identify the reason why the accident/injury occurred, and ship the information back to the members to use in a constructive manner.

Mr. McGill asked if the data confidential. Mr. Youhas said that the information received from their companies is kept confidential. The reports include only aggregate data.

Container Safety Workgroup Discussion By Jimmy Burgin

- The workgroup had a conference call to discuss the draft guidance document for vessel pedestal fall protection.
- The document addresses the problem of fall hazards on pedestals aboard ships. It also addressed several devices to prevent falls.
- The workgroup gave input on one of the suggested devices the lashing wand has not been tested and tried by many ports
- There were other problems in the draft that suggested impractical solutions, such as:
 - ❖ safety nets
 - ❖ tying all fall protection equipment to door rods on containers
 - ❖ A suction-type device used to rig a horizontal lifeline to provide fall protection.
- The workgroup pointed out they would like to see a guidance document on this issue to reflect international efforts to improve ship's designs, rather than focusing on some of the solutions that were in the draft.
- The workgroup certainly would like to continue the guidance document process, but maybe refocus some of the issues.
- The workgroup would like to bring before the IMO committee the issue in the following areas:
 - ❖ **Access hatches or scuttle openings** -- The workgroup would like the code to address other access hatch covers or rails to protect the crew and longshoremen from falls through this access opening.
 - ❖ **Catwalks between cargo hatches** -- The workgroup would like to see guardrails around them.
 - ❖ **The securing gear** -- The workgroup is asking for a flange or a small lip or other type of means to keep the gear from sliding and striking someone as they are going through an access way.
 - ❖ **Illumination** -- The workgroup would ask that the code include illumination requirements

for standards that work in areas between hatches and for deck lashers and below deck in the cargo hold areas, on ladders and walkways.

❖ *Cell guides* -- The workgroup would like IMO to investigate the design and construction issues with cell guides to make sure that this problem doesn't create more safety hazards to longshoremen, for example a cell guides stop six feet above the bottom of the floor of the hatch. There are some cases when the containers become jammed, which presents a safety issue to crew members, as well as to longshoremen that have to go in and work with a jammed container.

- Mr. Burgin suggested that a specific PowerPoint program be provided to the Coast Guard that illustrate pedestal lashing safety issues, and that the Coast Guard pass the information along to the IMO.
- It was suggested that the coast guard notify OSHA or MACOSH prior to going to the full CSS meeting so that industry and labor can provide input to the Coast Guard before they go before the IMO committee.
- The workgroup recommends that MACOSH request OSHA to approach the Coast Guard with the recommendation that classification society rules be reviewed in light of the recommendations above and in particular with regard to the design and construction of container cell guides.

Q & A

Mr. Maddux stated that performed a lot of research seeking potential solutions to what has been a difficult problem to solve. Mr. Maddux continued to explain that the agency did what it could to provide suggestions to ship's owners in the guidance document, because the design of ships is not in OSHA's realm. Hopefully the committee or the workgroup could find some way to develop guidance on this subject, and give OSHA enough information so that the product could be modified in an appropriate way.

Chairman Thornton summarized Mr. Burgin's recommendations and asked if the agency wanted to comment. Mr. Maddux responded that he didn't know if the agency would be able fulfill the request. However, it is an interesting issue.

Next, Chairman called for a motion to approve the workgroups recommendations. The committee members unanimously approved the motion. Afterwards, Ms. Sherman introduced Mr. Burgin's presentation as Exhibit 2.

The next issue the workgroup discussed was working aloft greater than five containers high, sometimes eight high. The concern is longshore workers riding in the basket of the container spreader bar. The workgroup would like to look into the aspect of fall protection, anchorage points inside the baskets of these container spreader bars, inside the personnel baskets of these container spreader bars.

Mr. Maddux pointed out that the workgroup has made this recommendation before along with the issue of fall protection while they are on top of the containers. Mr. Burgin stated that issue was discussed yesterday that OSHA recognizes that this is a possible circumstance where workers do in fact have to go on tops of containers. There is no need for any action on that unless anyone else needs to. The workgroup recognizes that, there should be several devices to effectively provide fall protection.

Mr. Miranda (public) said that he just wanted comment on container safety and the fact of working also, and wanted to emphasize that the issue wasn't just simply riding the beam going aloft, but it was also working up there as well.

Mr. Flynn asked Mr. Burgin if backing systems are used on any of the ships. Mr. Burgin told Mr. Flynn that they are not used. Chairman Thornton asked if there were any other comments on the container workgroup discussions. There was no response, and the meeting was adjourned for the day.

Thursday, December 9, 2004

Enforcement Update

By: Tom Galassi

Site-specific targeting program – Has been in existence for about the six years. Based upon DART rates and days away from work with injury and illness generate primary and secondary lists, which establish thresholds for OSHA's inspection lists. OSHA wanted to make sure that if someone reports a low rate, that in fact that is the correct rate, so the agency audited two hundred establishments. OSHA sent out about 13,000 to 14,000 letters to establishments telling them that they have some high rates, and they ought to look for a consultant or some type of assistance to lower those rates.

The Department of Labor sponsored a study that has some useful conclusions in its draft form. A conclusion is that if OSHA sends a letter under the data initiative, OSHA would see a 5 percent reduction in injury and illness over three years. In addition, if the company received a letter and an SST inspection, injuries were reduced over a three-year period by 13.8 percent. The authors of this study believe that the rate reduction is a reflection of what the employer has done to reduce injuries and illnesses in the long term.

On May 6th to August 11th, OSHA requested comments on improving the SST. The agency received suggestions such as averaging three to five years of data to target employers. Another suggestion was that the OSHA data initiative should be sent to employers with less than 40 employees. The SST will be released around April of 2005, and hopefully all the comments will be addressed and reflected in the program.

The enhanced enforcement program -- This program is designed to deal with employers who are indifferent to their obligations under the OSH Act. This program looks at an employer with a worker death and a related high gravity serious violation, three or more high gravity serious violations classified as willful or repeat, or two or more failure to abate violations. OSHA will look at using Section 11(b) of the Act where the agency can take the final order to the Court of Appeals. It could then be enforced as an order of the court. OSHA will seek enhanced settlement provisions should OSHA settle the case. The agency will try and make sure that the citation isn't just settled, but have provisions where the employer makes changes that are permanent in the workplace, such as engaging a safety and health consultant to implement a safety and health program, or sending OSHA their injury and illness data so OSHA can monitor the site. As of October 27th, there were 313 cases or inspections under the program. Most were related to fatalities, and half were in construction. OSHA is in the process of conducting an end of year program evaluation and drafting an EEP directive.

Inspection targeting systems, National and local emphasis programs – OSHA's largest national emphasis program (NEP) addresses amputations. OSHA is looking at changes in the way amputations are targeted. The ship breaking NEP will be revised and reissued. It is in the final stages of development. The silica NEP is awaiting final clearance. OSHA is currently evaluating the program for occupational lead exposure. OSHA is considering targeting occupational asthma, and is developing a list of agents that cause occupational asthma. Once the list of possible agents is developed, OSHA will write a NEP directive and explore the use of wipe sampling and air sampling as means of defining exposure. As with any other NEP, OSHA will have outreach and compliance assistance available for the employer. There are currently 141 local emphasis programs (LEPs) in a wide variety of industries, operations, hazards,

trenching, logging, electrical power generation, etc. Last year, there were 19,774 LEP inspections.

Maritime enforcement issues – OSHA is working on the following issues:

- Drafting a commercial diving operations directive.
- Updating directives dealing with the Coast Guard and jurisdictional authority over vessels.
- Looking at doing an editorial revision to the confined space directive Subpart B for 1915.
- The directive for Subpart I PPE in the maritime industry is in final clearance and should be out soon.
- Two directives called the “Tool Bag” and “Tool Shed” addressing the shipyard and marine cargo industries were released in October of 2003.
- There have been about 39,000 federal inspections this year.
- Last year OSHA did about 2,500 SST inspections.
- There are 400 plus inspections in the maritime industry.
- Total violations issued continue to increase.

Q & A

Mr. Nadeau asked if there were any specifics on causes of respiratory problems. Mr. Galassi responded that the issue hasn't been looked into, but he would speculate that it is probably due to perhaps welding or cutting metals and things of that nature, such as grinding and silica. Mr. Nadeau responded by suggesting that this may be something that the health workgroup may be able to help or look into to get some assistance with that with the industry

Next, Mr. Thompson asked for more detail on the HAZCOM citations. Mr. Galassi responded that the areas being cited under HAZCOM are training, labeling, written programs, and MSDS which are probably the least cited, but there is an MSDS initiative to address concerns about the accuracy and clarity of MSDSs raised the NACOSH advisory committee.

Mr. Burgin asked if Mr. Galassi mention of Coast Guard vessels was aimed at the issue of uninspected commercial towing vessels. Mr. Butler responded that OSHA will have to meet with the Coast Guard to see if there is going to be a transition period, and then OSHA will develop guidance on the subject.

Mr. Burgin asked what OSHA will do from an enforcement standpoint in terms of a directive. Mr. Galassi said the directive doesn't give any guidance in terms of initiating any inspections of uninspected vessels. It provides information to OSHA staff so CSHO's understand the jurisdictional issue.

Chairman Thornton suggested that OSHA provide the committee some more detailed information regarding the kinds of specific citations that may be issued in regards to respiratory protection that may give the industry a place to go in terms of looking at their programs. Mr. Galassi responded that he would.

Health Workgroup Discussion

By: Dan Nadeau

There are items the workgroup has not completed, but the workgroup had discussed each of them to try to reach conclusions by the next meeting and make recommendations.

- **Hearing loss** -- one study was done, but the other ones have not been completed by NIOSH. The workgroup is still waiting for those to come in. As they do come in, the workgroup will review

those findings.

- **Radiation** -- the workgroup discussed the study performed in Baltimore and the VACIS machine. There are two other studies that are going to be performed by PMA and NIOSH. The initial radiation readings are quite low. Depending on the outcome of the studies, the workgroup will provide a recommendation, or table the discussion.
- **Ergonomics** -- still awaiting the outcome of the guidelines to provide some comment. The guidelines are currently in OSHA clearance, so there is no discussion at this time any further on this issue.
- **Diesel exhaust** -- there is one known study completed. There was discussion at the last meeting about two other studies. There has been no movement on that since the last meeting. Upon outcome of those studies, they will make recommendations.
- **Silica and Beryllium** – the workgroup is recommending working with OSHA and industry providing sampling data for beryllium and silica.
- **Hexavalent chromium** – the work group is reviewing the questions OSHA asked in the proposed rule. Individual members are planning to respond to OSHA’s comments within the next few weeks.
- **Subpart P, fire protection** -- the outreach group will put together a list of frequently asked questions.
- **AEDs** – a recommendation was made at the last meeting for OSHA to look into getting a Good Samaritan law to limit the liability for people using AEDs.
- **Abrasive blasting guideline** – the workgroup recommended several changes. First, to look at the protocol for air sampling for potentially allowing sampling under the hood as a more representative sampling method. The second was to have more inclusive pros and cons on various blast media. Third, to make a global note that environmental limitations need to be considered, and the fourth recommendation is the TB test should be conducted if a positive chest x-ray is indicated, not as a blanket requirement.

Chairman Thornton recommended the workgroup follow-up on Respiratory Protection and provide additional information to the entire committee, and thus to OSHA. Mr. Nadeau agreed that the workgroup would provide the information requested. Mr. Nadeau made a motion that OSHA consider the four recommendations to the abrasive blasting document. The motion was approved unanimously.

Science, Technology, and Medicine Up

By: Deborah Gabry

- The Safety and Health Injury Prevention Sheet (SHIPS) hot work guide was completed last year and is on the web. The only change we made reflects the new fire protection standard.
- MACOSH identified the processes and the hazards in the shipyard industry that helped OSHA develop the hazard matrix. The shipyard review team identified the priorities, and the order in which to work on the SHIPS, but the processes and hazards were identified by MACOSH.
- There six SHIPS being developed this year. Ship fitting, shipboard machining, surface preparation, which includes abrasive blasting and painting, rigging, shipboard materials handling, and shipboard electrical.
- The ship fitting module is done and is being reviewed by the seven member ships working group. Now it’s being reviewed through the official clearance process. The CD on the ship fitting module was sent out, and it is being reviewed by the OSHA directorate heads, the regional administrators, and the shipyard review team.
- Mini posters are new additions to the SHIPS.
- Videos – Volume I featured crane hazards, combined space hazards, fall hazards, and properties of equipment. Volume II had some of the same hazards, but with different root causes, and some other hazards that are unique, like the diving hazards. Volume I is complete except for some

- minor changes. Volume II is still being worked on.
- E-tools – The shipyard E-tools were reviewed through the official clearance process within OSHA. The comments have been reviewed except the barge cleaning tool. These E-Tools will be posted on the web.
 - “Examining Fatal Shipyard Accidents”, Volume 1, was shown to the committee.

Mr. McGill commented “I think this is really exciting, what is going on here with the CDs, the VHS’s. Certainly I would urge and hope that the agency would look at continued funding to keep developing these tools.”

Captain Preston made a motion recommending MACOSH encourage OSHA to have the products Ms. Gabry reported on be translated into Spanish. The committee unanimously endorsed the motion.

Mr. McGill made a motion to encourage OSHA to continue with the effort of the video outreach initiatives. Mr. Thompson commented that there are obviously some applications there that the longshoring industry would like to enjoy also. After that comment, the motion was made and was unanimously accepted by the full committee.

Hazardous Energy and Scaffolding Toeboard Issue

Next, Chairman Thornton entered into the record a letter from the National Safety Council dated October 13 of this year encouraging MACOSH to take up the issue of lockout/tagout. Chairman Thornton called for discussion on the letter drafted to Alan McMillan of the National Safety Council.

Mr. McGill commented that the letter should encourage NSC to keep sending any kind of information they have into OSHA so that the information can be used for the development of the standards that are currently being worked on. That needs to be emphasized in the letter.

Mr. Davis and Mr. Johnson, technical advisors representing the National Safety Council, made a presentation to the shipyard workgroup regarding lockout/tagout and scaffolding toeboards. The committee decided that the toeboard issue was adequately addressed in the standards and should not be addressed by MACOSH. The committee decided to continue to assist OSHA on the lockout/tagout issue, but to avoid any actions that could delay the pending rulemaking.

Captain Preston made the motion that the letter as amended be sent to Mr. McMillan in response to their concerns be accepted. Mr. McGill seconded the motion. The motion passed unanimously.

Traffic Safety Workgroup Presentation

By: Jimmy Burgin

Each member has received a draft of the guidance document on traffic safety in marine terminals. The document has suggested changes. If there were changes to the original text, it was stricken through. If there were new suggested language in the draft, that language is underlined. The following is some highlights of the discussion and/or comments for the document:

- It was suggested to add the second bullet point in the middle of the page, forklifts used for non-container cargo. The committee felt like there was a gap there.
- Mr. Flynn commented that the word program should not be in “substance abuse program.” It should be substance abuse as part of the accident prevention program. Captain Preston agreed.

- Ms. Sherman asked why equipment governor was taken out after speedometer on page 6 under safety checks. Mr. Thompson responded that the operator may not check a governor, but can verify the presence of a speedometer.
- Mr. Nadeau suggested some language regarding literacy be added on page five under “traffic control.”
- There were concerns if seatbelt use should be mandatory at all times, or if there are some situations that seatbelt use was inappropriate, for example, when people are on forklifts near the water, or in ships where they are in the ship’s hold where there may be shifting loads.
- Safety features need to be maintained should be added to page seven under “equipment selection and maintenance,”
- The security requirement on the top of page eight was deleted because it was too broad and each individual terminal has to have their own security plan approved by the Coast Guard.

Mr. Flynn commented that he was concerned about endorsing drug testing, which led to a discussion about drug testing. Chairman Thornton suggested that the language be changed as follows: substitute “and established substance abuse programs,” and strike “drug testing for employees.”

- Pedestrian and marine terminals was previously in the first OSHA draft at the end, almost at the very end of the complete document. The workgroup felt like it should be moved to the location it is in this draft. There was some discussion of the word “pedestrian”. The workgroup wanted to distinguish the difference between people walking around in the terminals and those persons working in terminals.

Mr. Maddux asked for a clarification on placing items on rolling equipment and the fact that it is a loose item that could fall off of the equipment and injure somebody. Mr. Burgin explained that items can fall off and become a hazard. The other suggestion is to keep people away from the machine.

Under the section for operating powered and industrial trucks, the original draft said “the requirements applicable to traffic safety,” it was changed that to, “Some requirements.”

Mr. Nadeau suggested that the heading should be a little broader to and include vendors.

Q & A

Mr. McGill asked if the settlement agreement could be referenced in the document. Mr. Burgin suggested that a copy of the agreement can be attached.

Mr. Burgin made a recommendation to the full committee to approve the document as a MACOSH product with the changes that were discussed and listed in the document just reviewed. The motion was carried and the full committee voted unanimously to accept the recommendation.

Maritime Noise Study **By: Dr. Mark Stephenson**

Dr. Stephenson passed around electronic earmuffs so everyone could see the technology that is available to help people communicate while wearing hearing protectors. The electronic earmuffs allow the user to hearing important sounds. They do not use noise cancellation, they use sound restoration. They have microphones on the outside, and they send sound underneath the ear cushion. The sound can be made

louder and louder. The amplifier cuts off if the outside sound reaches a hazardous level, 85 dBA or higher.

Ms. Sherman asked if the device has an NRR rating. Dr. Stephenson said The NRR reduction rating is about 21. Dr. Stephenson stated that occupational hearing loss is the number one occupational illness in America today.

- Between January and October of this year, the Navy tested about 12,000 workers at its four major shipyards. Of those, 18 percent had what is called an STS or a significant change in hearing from their baseline hearing test in just one year. According to the most recent data from the Navy, between June of 2003, July of 2004, the Navy spent about \$13 million in workers' compensation for hearing loss among its shipyard workers. NIOSH has been working in the laboratory to develop a number of interventions to address the problems of occupational noise and occupational hearing loss. NIOSH is partnering with the Navy to take these technologies out into the field.
- Many people who get noise induced hearing loss will also get this ringing in the ears (tinnitus). Dr. Stephenson explained how workers get hearing loss and the tinnitus through graphs and charts. Dr. Stephenson showed a chart showing the percentage of workers who wear hearing protectors when working in loud noise. Only 1/3 of them were wearing hearing protection.
- NIOSH will conduct measurements identify noise hazards and determine which workers are at risk. NIOSH and the Navy will develop programs with engineering and administrative controls to eliminate as many noise hazards as possible. NIOSH would like to develop training programs that help promote an intrinsic desire to protect hearing. NIOSH conducted a pilot study at the shipyards where they gave hearing protector with a rating of 26, told the test subjects to read the instructions that are on the box, and fit the earplugs. Predictably, the results were 6 decibels of protection. In a 10-minute training video, followed by a simple hands-on exercise, NIOSH was able to increase the amount of protection that the earplugs provided.

Q & A

Chairman Thornton asked what an STS was. Dr. Stephenson explained that a STS is a standard threshold shift, defined as an average loss in hearing of 10 decibels or more, at 2, 3, and 4 kilohertz. The STS is designed to pick up losses before a person actually becomes hearing impaired.

Mr. Maddux asked what was being used as the threshold for considering somebody to be hearing impaired. Dr. Stephenson stated that NIOSH defines a material hearing impairment as anybody who has a threshold at 1, 2, 3, and 4 kilohertz that equals or exceeds 25 decibels.

Ms. Gabry asked if the two 10 minute vides were available to be seen. Dr. Stephenson said they should be available next year.

Captain Preston what type of hearing protectors were used in the test Dr. Stephenson responded they were a typical formable foam ear plug, and another was a pre-molded ear plug. Captain Preston also asked if outside the workplace activities and noise levels will be factors involved in culture training. Dr. Stephenson said the proposed Navy study would study those factors because everybody asks that question. But there is some extremely good data that has been repeated over a period of decades that shows that hazardous workplace noise drives their hearing loss.

Mr. Miranda asked if NIOSH was planning on doing a study for longshoring like the study for the shipyard. Dr. Stephenson responded that the proposed study will be at shipyards, and at this point, it does not include longshore operations. However, it is expected that based upon the pilot data that it will be able to be applied to longshore operations in the future.

AED Update
By: Dr. Wright

- Cardiovascular disease is a huge problem in America, causing about a million deaths every year. Of those, about 1/4 are the result of a sudden cardiac arrest. Defibrillation is the only technique that is effective in returning a heart in ventricular fibrillation to normal rhythm. Not only do they need a shock to the heart, but they need it in a timely manner. The longer the time between loss of consciousness until shock delivery, the lower their survival rate. For every minute that passes the survival rate decreases ten percent. If the shock is delivered after one minute, the survival rate is about 90 percent. After three minutes, it is 70 percent. After 10 minutes the survival rate is very low. The American Heart Association would like for everyone to have access to defibrillation within three to four minutes. Many companies have developed automatic external defibrillator (AED) programs. Dr. Wright shared a story in his PowerPoint presentation of an employee who had a heart attack. Dr. Wright showed the different heart rhythm readings the AED identified, leading to the AED telling the operator to shock the patient.
- OSHA does not envision regulating AED's, but OSHA will use other tools to encourage employers to develop AED programs. OSHA put together a technical information bulletin and published a tech links page on OSHA's website. Employers can go to this site to learn how to develop an AED program, and it has links to the American Heart Association and other agencies that have good information. OSHA has a brochure that encourages AED use. The agency is working on revising the first aid directives. They should be published in the next 6 months and the issue of AED's will be included. OSHA is working on a letter of support from CEOs. The agency approached CEOs from Fortune 100 companies that have developed AED programs, and asked them to jointly write a letter encouraging their colleagues to develop AED programs. OSHA is also working with alliance partners to help promote the use of AEDs. The Department of labor has placed AED's throughout the agency to set an example. The Department of Labor started their program four years ago, and two lives have been saved since then. Some of the problems that employers have with AED's are, that developing an AED program is not cost-free. The devices, although they are coming down in prices, are in the \$2,000 to \$3,000 range. In addition to that, employers would have to have a medical director to oversee their program, and train employees each year. Dr. Wright said "I firmly believe the day will come that you will be under much more liability not to have a program than to have a program, so I think that the liability concerns are small in regards of training."
- Ms. Sherman explained the Cardiac Arrest Survival Act. The Cardiac arrest survival act was signed into law in November 2000 by President Clinton. The Act mandated placement of AEDs in federal buildings. It also established limited immunity protection for people who either use or acquire AEDs - a Good Samaritan provision. The immunity applies only if the harm is not caused by a failure to notify local emergency response personnel of the placement of a device within a reasonable amount of time, or failure to properly maintain and test the devices. The intent of the law is to protect somebody who is not acting in the scope of their employment, and helps another person.

Q & A

Ms. Sherman asked if the AED's deliver the shock, or does it tell the operator to do so. Dr. Wright said that the new machines actually deliver the shock, but most of the machines will tell the operator, shock advised, shock patient, and it involves an active step of the operator pushing a button.

Mr. Thompson asked if the committee could get a summary of Ms. Sherman's comments. Ms. Sherman said she could get one together and maybe Jim can mail it to the committee, or else at the next committee meeting, it would be available for you.

Captain Preston asked for clarification of the good-Samaritan act. For example, if an on-site clinic responds with an AED and does something wrong, would they be covered. Ms. Sherman said that is her understanding of the law that the good Samaritan provisions would not apply because they would be acting within the scope of their employment, and they are licensed health care professionals.

Ms. Sherman asked how long it takes to train someone to operate an AED. Dr. Wright said you can do that in four hours, generally. There are longer programs that last six hours.

Construction Cranes Update

By: Mr. Wiltshire

- The crane and derrick advisory committee (CDAC) was comprised of 23 members from various interests. The CDAC committee had their first meeting in July of 2003.
- CDAC addressed fall protection on cranes, keeping clear of the load, work area control, working around the crane, riggers and other people close to the crane, hoisting personnel, and qualifications of maintenance workers.
- Cranes were defined as hoists that move suspended loads. Backhoes, forklifts, and equipment originally designed as aerial lifts are all excluded from the definition of cranes.
- Ground conditions made the general contractor responsible for providing safe access into the job site.
- The controlling entity is the general contractor, who provides firm, drained, and graded access and lay down areas for the crane, and to inform the operator if there is any underground hazards, voids, things of that nature.
- A formal guideline was developed on how to assemble and disassemble a crane. In the guidelines there are two options, the manufacturer's procedures and employer procedures. The employer's procedure should be developed by qualified, competent, trained, designated person. CDAC used qualified persons in this area to prevent unintended movement, provide stability, and unintended collapse.
- Assembly and disassembly should be performed by a competent and qualified person according to the manufacturer's procedures. However, if the manufacturer's procedures do not exist then a structural engineer's recommendation would suffice?
- There are some specific requirements or guidelines for when someone is out of view.
- There is a requirement addressing power line contact.
- CDAC decided to adopt parts of the Virginia Overhead High Voltage Line Safety Act for this particular part of the standard, Mark boundaries, or have a 360 degree radius around the crane. There are very few times when work is performed within 10 feet of power lines, but there are times when the work must be performed, therefore there is a list of guidelines to follow to make sure they are conducted successfully.
- The operator qualifications were by far the most contentious area. It was a real victory to get 21 people to agree that we need to really step up the operator qualifications.

- In order to certify an employer qualification program, it has to be audited by an outside auditor that makes sure the program complies with testing and test administration criteria. You can develop your own program, but an outside auditor has to certify the program.
- There are some requirements for testing criteria. There must be a knowledge test and a practical test. The knowledge test, again, is very involved. Load charts, capabilities, configurations, setup, et cetera. The practical test is not just picking this up and sitting it here. It is very involved also.
- We're saying signaling training must be very specific. There is a requirement that signalers have to be qualified, they have to be evaluated, and it can be portable.
- Cranes on barges probably wouldn't have been such a big issue, except that one was dumped in the river in Maine about two or three years ago. There is an entire section on floating cranes that talks about divers, inspections etc.
- A proposed standard will be published in the Federal Register. After that, there will be a public comment period. Then the record is analyzed and then a final standard is issued. The standard may be out in the next 12 to 18 months.

Q & A

Captain Preston asked if the same people that sell crane service are also going to certify employee qualifications and crane testing. Mr. Wiltshire said yes, an employer could certify its own cranes and employees, but an outside entity would need to certify the overall program.

Mr. Thompson asked a if there has been any discussion regarding medical examinations of the operators? Mr. Wiltshire answered; yes it very closely mirrored the DOT guidelines.

Captain Preston asked if the proposal covers inspection intervals on floating cranes. If so, are the barges themselves covered? Mr. Wiltshire responded; yes that's involved and the barge will be inspected also. The 1914 and 1915 guidelines were used for the section on barge mounted cranes.

Captain Preston asked if shipyards could be represented when the standard goes through the SBREFA process, since the legislation does concern them. Ms. Sherman said "when you go through the SBREFA process, you have a procedure where you identify certain people called small entity representatives, or SERs." Any small business would be eligible to serve as a SER on the small business panel.

Captain Preston asked if there is a small shipyard interested in getting involved in the SBREFA process, how they go about doing that. Ms. Sherman responded that they can contact OSHA and express their interested in serving on this panel.

Alliances Update By: Jess McCluer

- The alliance program is open to all groups, including trade and professional associations, business and labor unions, and other government agencies. Alliances can be formed through the national, regional or area offices and state plan states.
- The alliance program is less structured than other OSHA cooperative programs. It is not worksite based instead, it usually focuses on an entire industry or particular hazard within that industry.
- At the end of October of '04, there were 250 national, regional, and area office alliances. As of Monday there are 252. Two national alliances have been signed since fiscal year '05. Last year, in fiscal year '04, eight national alliances were renewed.
- As far as the maritime alliances go, SCA is currently in the process of renewing their alliance. The SCA has included ergonomics as a future issue that they would like to address in their alliance.

- October 14th, there was an alliance signed between OSHA, MSHA,(the Mine, Safety and Health Administration) the Office of the Assistant Secretary for Policy, working partners for the Alcohol and Drug Free Workplace Program, and the International Association of Bridge, Structural, Ornamental and Reinforcing Iron Workers, International Brotherhood of Boiler Makers, the International Union of Operating Engineers, and the United Brotherhood of Carpenters and Joiners of America. All four alliances signed an alliance with OSHA, MSHA and DOL.
- The Shipbuilders Council of America, American Shipbuilding Association, and the National Shipbuilding Research Program alliances focus on the process of sharing current shipbuilding injury hazard and workforce trends, and familiarizing OSHA personnel with the safe practices within the shipyard industry. Region X alliance with the SCA has been renewed. They have produced a guidance product regarding lockout/tagout.
- The maritime alliances have worked on several projects. One project is the voluntary protection program seminar, which was held at the Northrop Grumman ship systems Avondale operations on September 21st. The purpose was to let other shipyards be aware of the benefits of being part of the VPP program, and the processes that Northrop Grumman went through as part of the VPP program.
- The alliance implementation team will be discussing the 10-hour shipyard training course, the regional alliance events, and a best practices seminar on lockout/tagout, OSHA personnel training, best practices, and fatality fact sheets. Several items within that plan have been completed already. That includes updating the maritime safety and health topics page, the shipyard employment etool, and frequently asked questions.
- The possibility of developing a new module for the fire protection was also discussed.
- According to the Office of Partnerships and Recognition within the DCSP, there have been no new developments as of late as far as the national partnerships go.
- There is an annual report describing the activities and events of the alliances.
- If you have any questions or you would like some more information on the alliance program you can click on alliances in the OSHA home page and it will take you right there. The page has been updated, and it's broken down by the strategic management plan focus area. So if there is any particular issue that you are curious about, you can just click on that symbol and it will take you right there.

Q & A

Mr. Flynn asked if there is always an OSHA representative at each alliance meeting? Mr. McCluer responded “yes, for each alliance, there is an OSHA alliance coordinator.” Mr. Flynn asked how much OSHA staff is dedicated to alliances. Mr. McCluer stated that there are 70 national alliances. The remaining alliances are regional area alliances that are spread out over the 10 regions of OSHA.

Fire Protection Presentation

By: Captain Preston

The outreach workgroup volunteered to come up with some frequently asked questions for the recently issued fire protection standard.

- ***Non-employee participation*** -- there was a question as to whether documentation was required, and if so, what it would be.
- ***Multi-employer provision*** -- If the ship is acting as the host employer how does that relationship between the ship and the shipyard employees that may be working on board that vessel change, particularly with regard to training?
- ***Unattended hoses*** -- particularly with respect to the fire watch being able to attend those if

someone has to exit the space. If so, can they perform the function if he is fire watching for multiple employees?

- **Unattended lines** -- What types of pullback are required?
- **Disconnecting the hose assemblies** -- If the torch has a disconnect line, does that change the issue? If he leaves the torch attached, does he still have to roll back and so forth?
- **Combustible material closer than 35 feet** -- Is a fire watch required if it is treated to be fire resistant or fire retardant?
- **Remaining in the hot work area for at least 30 minutes** -- Would that include the fire watch and/or the person doing hot work?
- **Ensuring the physical qualifications of fire watches** -- What type of work applies under the fixed fire extinguishing section?
- **Live fire scenarios** -- Does it have to be conducted using each extinguishing method that the employee may have to utilize? Does every employee undergoing the training have to physically put out a fire himself, or can he observe another employee doing it?
- **Definitions** -- Hot work in this subpart the same as that in 29CFR 1915.11, as was it intended during the negotiated process?

After Captain Preston finished her presentation, she motioned that MACOSH pass the questions onto OSHA as MACOSH frequently asked questions. The motioned was second by Mr. McGill. There were no objections to the motion, so Chairman Thornton opened the subject for discussion.

Mr. Maddux commented that the agency has additional FAQs, and of course issues continue to arise from various parties.

Chairman Thornton commented that as OSHA develops answers, OSHA may want to consider using other resources, like alliances.

The motion was accepted by the full committee.

Captain Preston raised the desire for both industry employees and management to have an OSHA 10-hour course for shipbuilding and for longshoring. It is understood that the course hasn't happened because of the funding limitations with OSHA. The workgroup has decided to work with the various alliances, because some of us are already working on developing those in-house. The workgroup would be happy to report back at some point when there is a final product developed to MACOSH as to how that's going.

Wrap-up and Administrative matters.

Mr. Maddux reminded the committee that with rechartering and a call for nominations, it is unlikely that this committee will have the same exact membership going forward, and that it is wise to try and wrap up issues at the next meeting.

Chairman Thornton thanked the committee and the public for participating. "We invite, solicit, and encourage input by the public in that process. I hope the public feels like they are a part of the process, even though they aren't voting members."

Captain Preston commented on Mr. Witt's observation that the group has been one of the most productive MACOSH committees. "I personally think that this committee has turned out an awful lot of excellent product."

Mr. Maddux commented that he also thought the committee has done a lot of work, and that the committee is a very hard working committee. Mr. Maddux also thanked the committee.

Chairman Thornton made a motion to adjourn the motion was seconded, and the meeting was adjourned.