

**MACOSH**  
**EXECUTIVE SUMMARY**  
**June 29-30, 2009**

The twelfth meeting of the OSHA Maritime Advisory Committee for Occupational Safety and Health (MACOSH) was called to order at 9:00 a.m. on June 29, 1999, in San Francisco, California. An electronic transcript of the full meeting (June 29-30, 1999) was sent separately to you for your review. A record of the MACOSH members in attendance is noted in the transcript. The Executive Summary and transcript of the March 1999 meeting were approved unanimously. Larry Reed and Larry Liberatore began the meeting with opening remarks and the agenda was then reviewed.

Richard Fairfax Director of Compliance Programs, gave a compliance update on eight specific subjects.

1. Current scheduling of inspections: The current scheduling of inspections is being done through site-specific targeting. Employers that have an injury and illness rate (lost workday injury and illness rate including restricted work activities) of 16 or higher will be targeted for inspections, approximately 14 shipyards. Those with a rate of 8 or higher receive a letter stating that their rate was 2-3 times higher than the national average which includes approximately 68 shipyards.

2. Status of Compliance Directive for longshoring: Mr. Fairfax had received a copy of this document, and had made major comments, then sent it back to the Maritime Compliance Office. A task force will be set up to incorporate all comments made by all who reviewed it.

3. July, effective date for working aloft. Tom Pope stated that the effective date was July 26, 1999. There were some discussions on extenuating circumstances where this rule would not be able to be followed by the employer. It was stated that calls should be made to the local OSHA Area Office prior to this problem and compliance assistance will be given. In addition, Mr. Fairfax stated that a letter of interpretation dealing with below deck containers was in his office, but he had not yet been able to review it.

4. Hanging scaffolds (rope-walking): Tom Pope explained that a demonstration was held in Newport News by Cell Tidewater Ship Repair Association. This group sent a letter to OSHA, and it is currently with Mr. Fairfax, that will address how this system, including the cables and stage, is designed, installed and used. From this, they would like the Office of Compliance to determine if this process complies with the general scaffold standard. Mr. Fairfax stated that when a letter of interpretation is completed, the MACOSH members will be notified.

5. Diesel exhaust – ACGIH and DOL update: The ACGIH TLV Committee is currently waiting for additional studies to be completed to review the data. OSHA currently had no PEL for diesel exhaust.

6. Consistency of enforcement: Mr. Fairfax presented slides that relayed the accident and injury rates for the various Maritime SIC codes. In addition, Mr. Fairfax presented slides that relayed the accident and injury rates developed for the compliance officers that will train them in jobs, operations and hazards associated with performing an inspection in the Maritime industry.

7. Shipyard directive: A directive is currently being developed by OSHA that will distinguish what standards in general industry are applicable to the Maritime industry.

8. VTL, current enforcement policy: OSHA is following the Roy Gurnham letter of 1993. An Options paper is being developed for Charles Jeffress that will discuss the options of continuing to follow the Gurnham Letter, issue a modification of the current policy, or proceed with rulemaking.

Chap Pierce, Acting Director of Maritime Standards, gave an overview of the current standards being worked on in OSHA. The following information was provided to the full committee:

## Health Standards:

<u>Standards</u>	<u>Target Dates</u>	<u>Scope</u>
Ergonomics	To OMB by July 1, to Federal Register by October	General Industry
Hexavalent Chromium		Includes Maritime
Silica	Proposal in October 2000	Includes Maritime
Respiratory assigned protection factors (APE)	Currently collecting information	
Diesel Exhaust	Not on the radar screen	
Chromium	Proposal – 2000	Includes Maritime
Beryllium	Proposal – 2000	Includes Maritime

## Safety Standards:

Forklifts	Compliance Directive being developed	
Recordkeeping Revision	Final Rule October 1, 1999	
Revocation of Certifications		General Industry, but will affect 1915.12(d)(5), 1915.113(b), 1915.172(d)
Fire Protection in Shipyards	Working on completing draft	Shipyard
VTL	Options paper to Charles Jeffress Oct. 1	Longshoring
PPE Payment	Hearings held August 10	

Following Standards Update, Paul Manzi presented the Shipbuilding Council of America's perspective on the PPE standard. This was an economic issue and not appropriate for the Committee to comment.

In the afternoon session, Chet Matthews and Chico McGill informed the full committee of the meeting they had with Marthe Kent in reference to the Safety and Health Program Standard. Mr. Matthews felt that the draft of the standard was good and could be accepted, with a few provisions. Mr. McGill felt that the committee should look at the side-by-side that was done to compare what was in the proposal and what the subcommittee had worked on. Mr. Dave Wallis and Mr. Mike Seymour explained that they would like the MACOSH committee to provide information on any specific provisions that they felt should be included. In addition, Mr. Wallis explained that examples specific to the maritime industry would be needed for the preamble, and a safety and health checklist that could be used for hazard identification. Based on this information, the afternoon agenda items were tabled so that the individual groups could meet and discuss the safety and health program standard.

The full committee met on June 30, 1999 at 8:30 am to summarize their break-out discussions from the previous day. The longshoring group had discussed the safety and health program standard, the compliance directive for 1917 and 1918 that are to be completed, VTL's and bump caps. John Faulk added that they were still waiting for OSHA to provide a pocketbook with the revised standards. Chico McGill explained that the group went through the side-by-side comparison and had two areas where they noted that some suggestions would need to be made: multi-employer work sites and record keeping that addresses 10 or less employees. Chet Matthews continued that the group also discussed rechartering the workgroup that was working on the safety and health standard so that they could develop language related to the two issues identified. In addition, this workgroup could provide a checklist to OSHA prior to September. Following these recaps, the full committee voted that they support the 1910 draft and recharter a workgroup that would tweak final recommendations and develop a checklist and that both the

shipyard and longshoring sides will have opportunity to provide input. The workgroup would consist of Chico McGill, Kathy Chumley, Emile Bernard, Jim Thornton, a representative from the ILWU and/or the ILA and Susan Sherman.

Steve Hudock from NIOSH and Karl Siegfied currently with MEMIC (formerly a 20-year ergonomist with BIW) provided the full committee with an update on the Ergonomic Project. A number of walk-through surveys had been conducted in shipyards to determine the type of injuries that are occurring. Mr. Hudock explained that the information from the OSHA 200's and 101's are helpful in obtaining this information. The goal is to help disseminate the task specific interventions that are developed from the injuries and illnesses identified. It was decided that Mr. Hudock would report to the committee every other meeting.

The full committee then discussed rechartering the committee. Larry Reed would draft a letter that would request that the group be rechartered, list the accomplishments of the group, the items that are underway, the reduction in injuries and illnesses and the future projects. This letter will be available for the next MACOSH meeting since the charter expires March 10, 2000. The committee then split into break-out groups for the remainder of the morning.

Following lunch, the full committee met to summarize their break-out discussions. Chet Matthews reported that the shipyard group discussed that there needed to be more discussion with OSHA on the mentoring program and that Kathy Chumley would continue with that project. Jim Thornton reported on the work he had done on focused training initiatives, the sharing of practices with the industry. Chico McGill gave a report on ground fault interrupter work that was done at Ingallis. Earl Cook talked to the group about developing a shipyard advisor, and requested information relative to operations, hazards, and anything else that can be provided. Kathy Chumley provided information on the hazard assessment guidelines. Chuck Carroll stated that the lonshore group discussed ergonomic issues related to longshoring, and whether or not they want to join the NIOSH Ergonomic Program. Other issues discussed include OSHA's multi-employer work place policy, legislative proposals, OSHA's recordkeeping proposal, VTL's the data collection initiative, sharing information with other employers and longshoring involvement in negotiated rulemaking. John Faulk also discussed being able to access the various information on inspections, citations, fatalities, etc., through OSHA.gov. Iona Evans then discussed the facilitator letter which explains why MACOSH feels that a directorate of maritime is the best way to meet the strategic goals and the address maritime issues. This letter was accepted by the full committee. Ms. Evans stated that she would provide an electronic copy of the final letter prior to the next meeting.

The full committee then discussed plans for the next meeting, which would be held October 20-21, 1999 in New Orleans in conjunction with the National Safety Council meeting, and the following meeting will be held on January 12-13, 2000 in Annapolis. [Note: The upcoming meeting has been changed to November 17-18, 1999 in Annapolis]. Larry Liberatore arranged a session at the NSC conference entitled, "Emerging Safety and Health Issues in the Maritime Industry." A MACOSH team consisting of Chet Matthews, Mike Flynn, John Faulk, Larry Liberatore, and Larry Reed presented an overview of current MACOSH products and activities related to the maritime industry. On October 12, 1999 representatives from shipyards (Chet Matthews, Chico McGill) and longshoring (John McNeill, Jeff Vigna) participated on a conference call with Marthe Kent and other OSHA staff and Larry Reed to hear a summary of the OSHA regulatory calendar. Subsequent to the June 1999 meeting, the committee held conference calls on August 31, 1999 and November 5, 1999 to finalize the agenda for the next meeting.

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