

U.S. Department of Labor Maritime Advisory Committee for Occupational Safety and Health (MACOSH) Meeting

Wednesday, May, 21 2008

8:00 a.m.

**Wyndham Riverwalk Hotel
1515 Prudential Drive
Jacksonville, Florida
Port Conference Room**

Executive Summary

In attendance: Mr. Thornton, (Chairman); Mr. Burgin, NMSA; Mr. MacDonald, PMA; Mr. Raffo, General Dynamics; Captain Preston, Atlantic Marine; Mr. Adams, NAVSEA; Mr. Huddock, NIOSH; Mr. Lemon, Washington State; Mr. Castanho, ILWU; Joseph V. Daddura, DFO; Susan Sherman, Committee Counsel; Vanessa Welch, OSHA Committee Coordinator; Amy Wangdahl, OSHA; Danielle Watson, OSHA; Ira Wainless, OSHA.

Chairman Thornton reviewed the agenda and laid out the order of the agenda. The Committee discussed the minutes of the November 2007 meeting and pointed out that the paragraph under Traffic Safety Guidance Document, that began with, "the work group listed items to be clarified and requested that the MACOSH committee review comparisons and rationale and provide any additional comments before the next full MACOSH meeting," that paragraph should actually be the final paragraph under the Roll-on/Roll-off Guidance Document. The change to the minutes were unanimously accepted and entered into the record as Exhibit 1.

Shipyard Workgroup Report

Safe work practices for Ship scrapping – *There has been lots of discussion on the document, and the workgroup came up with two minor comments. The first comment was to try and find a more descriptive picture for the document, because the current one was too vague. Second, the committee thought that the word "lead paint" should be added as a potentially toxic material to the document where it talks about surface preparation and cutting. The workgroup thought it was a good document, and are recommending to the full committee that the document be approved by MACOSH, and sent to OSHA to go through their full review. The committee unanimously accepted the workgroup's recommendations, and document was entered into the record as Exhibit 2.*

Electrical standards for shipyards recommendation – *The workgroup gave a PowerPoint presentation on 1910, Subpart S in an attempt to consolidate the issues as they were discussed during the working group and the previous MACOSH meetings. The issue has to do with new ground pole circuit interrupter protection requirements for personnel. The workgroup raised several questions with in the PP presentation and is asking OSHA to provide a clear understanding and guidance of the document, explain the duplicative requirements between 1915 requirements,*

and what the 1910 requirements for subpart S. The PP presentation was entered into the record as Exhibit #3. The workgroup also submitted a "white paper" that provided the history, background and discussion of the recommendations. The recommended that OSHA issue a guidance document to the industry and delineate a clear interpretation between the construction-like activities associated with temporary electrical installations, and the previously existing shipyard industry standards associated with the same installations. The workgroup also recommended that OSHA update the 1915 shipyard standard which addresses the three broad areas of electrical use in shipyards, facility installations, temporary ship board installations, and ships installations. Finally, the workgroup recommended that OSHA focus on temporary electrical installations to ships, electrical safety work practices for qualified individuals, and the control of electrical safety hazards of ships' electrical systems. The committee changed the "white paper" by adding the word "administrative stay," and entered it into the record as Exhibit #4. OSHA drafted a correction notice and a clarification notice on Subpart S.

Workgroup accomplishments and future recommendations for the committee --

Subpart C, Surface Preparation and Preservation -- The workgroup provided OSHA with recommendations on the update to the standard. This started off initially with a request to update the standards associated with spray painting and expanded into a full review and update of the standard.

Subpart D, Welding, Cutting and Heating -- initially developed from what is commonly known as the four-inch strip back rule. Specific recommendations were made for certain areas of Subpart D for OSHA to review.

Subpart S, Electrical standards -- A recommendation was made for OSHA to provide guidance and possibly consolidate to into a maritime electrical standard.

Ship fitting -- The workgroup completed a review of the ship fitting document and recommended that OSHA send it to the maritime industry for final review

Ergo -- Reviewed the Ergo document and forwarded comments to the Health, and safety outreach workgroups.

Ship scrapping -- The workgroup completed the review of the ship scrapping document and recommended that OSHA send it to industry pending final review. The workgroup has completed all of the tasks assigned. It was recommended that OSHA reduce the number of workgroups. The workgroup suggested that OSHA provide them with information to work on other than frequently cited issues as topics that the committee could focus on based on what's current in the shipyard. A spread was presented to the committee on fatalities in SIC 3731 from 1988 through 2002. The spread sheet was entered into the record as Exhibit #5. MACOSH unanimously voted to accept the shipyard workgroup report.

Longshoring Workgroup Report

Flatrack Guidance Document -- *The workgroup is continuing to developing a draft guidance document intended to address the concerns and dangers associated with the use of flatracks for cargo handling. This item has been tabled for the next committee.*

IMO ship design lashing pedestal -- *The recommended that OSHA appoint a representative to the IMO intercessional working group panel that is working on the design of safe lashing platforms and vessel design and IMO's work on safe stowage of 3 timber cargo aboard vessels.*

Break bulk cargo handling -- *The workgroup reviewed a fact sheet on break bulk cargo and put together a frame work of items that should be covered in the fact sheet. Carry over to next committee.*

Cross-training for maintenance and repair of containers and chassis -- *The workgroup recommended that a matrix be prepared on OSHA standards that are similar in the maintenance and repair departments to that of container facilities and borrow some of the shipyard safety programs to carry over into the chassis maintenance repair department. This is a carry over item.*

Roll On-Roll Off (RO-RO) guidance document -- *The committee was given two documents - a comparison table and a draft RO-RO guidance document. The table provided a side-by-side comparison of original OSHA language and the workgroup recommendations. There was a lengthy discussion on the recommended changes. The draft document included the suggestions the workgroup proposed OSHA adopt. The document was entered into the record as Exhibit #6.*

The workgroup asked OSHA if they could discuss VTL's. Mr. Daddura explained to the committee that the issue of VTL's could not be discussed.

OSHA Update with Edwin Foulke, Assistant Secretary for OSHA

Mr. Foulke thanked Chairman Thornton and the committee for their continued interested in occupational safety and health in the maritime industries and for the commitment to reducing injuries and illnesses in their industry. Mr. Foulke told the committee that for him it comes to the bottom line and what he believes should be the bottom line for every employer and employee is that each and every employee goes home safe and sound to their families and loved ones. Mr. Foulke reminded the committee that their charter would end soon, and that he planned on renewing it. Mr. Foulke mentioned the rechartering process and told the committee that he understands how important advisory committees are to OSHA. Mr. Foulke gave an update on the OSHA webpage and the "safety pays calculator." That is designed so that employers could enter worker comp. data however they desire and come up with a monetary figure of what it'll cost the employer to pay for each case. He also talked about the leadership conference held for OSHA's managers to discuss OSHA's future through 2020 and beyond, and OSHA values of respect, integrity, and commitment. Mr. Foulke talked about the 2,000 foot ship docked at the Bender shipyard on May 14, along the river near downtown, Mobile Alabama that caught fire, exploded and injured three

fire fighters. OSHA is still investigating the accident and hopes to have a report available during the next meeting. OSHA published Employer pay for PPE in November of last year. OSHA will be publishing a correction notice for Subpart S soon. Mr. Foulke thanked the committee for the work they did on the Shipyard Ergo guidelines. Last year MACOSH recommended OSHA publish a shipyard digest. OSHA will publish the shipyard digest (a MACOSH recommendation) which will include fire protection in shipyard employment, employer pay for PPE, and the hexavalent chromium. The Longshoring digest is on hold until the Agency publishes the VTL standard. Mr. Foulke thanked the members of the outreach workgroup for serving on the committee that developed the 10-hour and 30-hour maritime outreach training course. Mr. Foulke also mentioned the recommendations on the personnel platform safety fact sheet OSHA's working; the revision of OSHA's RO-RO guidance document; development of maritime specific recommendations for working under suspended loads; as well as a fact sheet, standard and guidance documents related to area work platforms, deck barge safety, and ship scrapping. There was discussion on the standards for welding, cutting and heating and surface preparation and painting. Mr. talked about the Safety alert on electrocution and shock hazards that was published in February 2008 by the Shipbuilders Council of America and the American Society for Safety Engineers. This alert was developed from an alliance OSHA signed with several professional safety organizations. The alert provides a reminder about shock hazards that may be present in shipyards and repairs, including preventing and eliminating electrical hazards. OSHA is working on developing a training course for shipyard employment. OSHA is also developing a two-hour webcast refresher course on different OSHA topics. Mr. Foulke thanked the committee again for their hard work and service to the agency and the maritime industry.

Cranes and Falls Workgroup Report

Barge Safety Guidance Document -- OSHA developed the guidance document for "Deck Barge Safety," and forwarded the document to the committee for review. The workgroup review the document and provided copies to the committee with significant corrections to the issue of confined spaces and entry into confined spaces, items 12, 13, and 14 in the document. The issue is whether or not the general industry, construction, or shipyard rules for the types of barges of involved. There was a discussion about the changes to the document and MACOSH recommended that OSHA accept the changes and publish the guidance document. OSHA asked for pictures to go into the guidance document. The document was entered into the record as Exhibit #7.

Working on or under suspended loads from cranes -- The committee viewed a video from the Discovery Channel's Extreme Engineering, Season 3. It's episode 4, The Biggest War Ship. The video shows examples of conditions where people in modular construction, or employees who are working under the loads. The video also shows an elevator case where employees are literally standing on the unsupported load supporting it. OSHA has asked the Cranes and Falls workgroup to look at the issue of working under suspended loads. The workgroup presented a "white paper" which gives the background on working under the load. MACOSH recommends that OSHA develop a CPL or guidance document addressing working under suspended loads when feasible alternatives do not exist. The document should establish minimum criteria that must be considered when modern ship construction or ship breaking techniques do not provide feasible alternatives or

create a greater hazard to working under suspended loads. The “white paper” was entered into the record as Exhibit #8.

Accomplishments of the Cranes and Falls workgroup -- The workgroup provided background and recommendation associated with adopting the U.S. Coast Guard inflatable PFD’s in the workplace. The workgroup provided background and recommendations for the deck barge safety guidance document. Developed the background and recommendations associated with working under suspended loads.

The workgroup recommended the next committee continue to follow recommendations associated with working under a suspended load. The next committee should continue to develop the issue associated with aerial work platforms and wearing personal flotation devices instead of being tethered to the platform when working over water (crane-suspended personnel platforms working over water, and the vehicle-mounted elevating and rotating work platforms). MACOSH should continue to develop the issues relating to fall protections in maritime industries. MACOSH should review the existing and applicable OSHA shipyard industry standards associated with cranes and rigging equipment to determine if today's shipyard workplace is still applicable to the shipyard workplace. Provide as an example in the MACOSH handbook of how to provide the agency with a document that will meet requirements to move the agency forward. OSHA should reduce the number of MACOSH work groups. “The MACOSH Cranes and Falls Work Group Accomplishments and Recommendations for Future MACOSH Committee” document was entered into the record as Exhibit #9.

Outreach and Safety Culture Workgroup Report

Workgroup recommendations -- The workgroup made the following recommendations to OSHA, to update and reissue the longshore and shipyard industry pocket guides; translate compliance assistance documents into Latin/Spanish to assist employers with Multi-lingual workforces; and update the OTI shipyard Longshoring courses. The workgroup has reviewed proposed changes and submitted completed ship fitters “ships” to OSHA for final publication. The workgroup commented on, and recommended that OSHA move forward with the shipyard ergonomic guidelines. The workgroup recommended that OSHA develop a guidance document on lead indicators using the information in the paper presented to the committee.

Carry over items for future MACOSH committee -- Drug testing guidelines, training for new technology, foot cause analysis, maintenance and repair, and ship design and structure. The workgroup leader thanked OSHA and concluded their report. The workgroup’s written was entered into the docket as Exhibit #10.

OSHA Enforcement Update

The enforcement update included a PowerPoint presentation that focused on three topics, targeted enforcement, compliance directives, and enforcement statistics. The enforcement update

PowerPoint presentation was entered into the record as Exhibit #11. The entire PP presentation can be found in the OSHA docket.

Health Workgroup Report

Beryllium - The workgroup surveyed the committee and found that there was really minimal exposure to beryllium within the shipyard and longshoring operations, and saw no need for OSHA to modify their position for the maritime industries.

Automatic External Defibrillators (AEDs) -- There was very limited action. The workgroup asked the committee to be aware of all the technologies as the generations of these devices change, and to make sure there's adequate training for these new devices as they are released.

Hand protection -- NIOSH has been conducting studies on hand protection within the shipyard industries. There is some funding to continue the project.

Guidelines for Shipyards, Ergonomics for Prevention of Musculoskeletal Disorders -- The workgroup submitted comments to OSHA.

Pandemic flu guidance document -- The workgroup reviewed the document and determined that there was no additional need for a document specific to the maritime industries and the general industry document would suffice.

Exposure to monitoring -- The workgroup was looking at exposure to monitoring and being aware of any new studies that would be related to exposures in both the longshoring and shipyard industries, as well as new chemical exposures that may come about.

Welding Fumes -- The workgroup wanted to make sure that the OSHA website information that was available for shipyards was also made available to the longshoring website as well to sort of cross-link that information.

Diesel Exhaust -- The workgroup decided that the new committee should continue to follow up and support the old studies looking at diesel emissions within specifically the longshoring industries.

Radiation exposure -- The workgroup has been working on developing a fact sheet on the extent of exposure and associated level of risks associated with the cargo screening units. The workgroup introduced a draft document entitled "Working Safely Around U.S. Customs." The document was discussed in detail and was submitted to OSHA for review. The document was entered into the record as Exhibit #12. The workgroup also introduced another document to the committee called "Commentary Number 20, Radiation Protection and Measurement Issues Relating to Cargo Scanning with Accelerator Produced High- Energy X-Rays". The document came from the National Council on Radiation Protection and Measurements. The document is from 2007, talks and about the radiation coming from Cargo Advanced Automated Radiography System, CAARS.

The workgroup recommend that the new MACOSH receive periodic updates on the hearing prevention studies being performed in the maritime industries by NIOSH.

Open Discussion

Chairman Thornton thanked the committee for all of their hard work and each member was given the opportunity to speak and give their opinion about the committee. The MACOSH meeting was adjourned at 4:35 p.m.