



OSHA Regional Instruction

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: 19-02 (CPL 04) | **EFFECTIVE DATE:** December 31, 2018

SUBJECT: Local Emphasis Program for Logging in Idaho

REGIONAL IDENTIFIER: Region 10

ABSTRACT

- Purpose:** This Instruction renews an LEP Program for the logging industry in Idaho.
- Scope:** This Instruction applies to the Boise Area Office.
- References:**
- OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, dated November 13, 2018.
 - OSHA Instruction CPL 02-00-160, Field Operations Manual, dated August 2, 2016.
 - OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, dated January 4, 1995.
 - OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act, May 28, 1998.
 - OSHA Memorandum for Regional Administrators, Subject: “Establishment-Targeting Lists for Emphasis Programs,” dated November 13, 2014.
 - OSHA Memorandum for Regional Administrators, Subject: “Procedures for Local and Regional Emphasis Programs,” dated December 3, 2014.
- Cancellation:** OSHA Regional Notice 17-02 (CPL 04) dated December 31, 2017.
- Expiration Date:** This Instruction will expire December 31, 2021, but may be renewed.

State Impact: None.

Significant Changes: None.

Action Offices: Boise Area Office and Office of Enforcement Programs.

Originating Office: Office of Enforcement Programs

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Office of Enforcement Programs

By and Under the Authority of:

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EXECUTIVE SUMMARY

This Instruction provides the framework for a local emphasis program to reduce and/or eliminate hazards associated with residential construction in the state of Idaho.

TABLE OF CONTENTS

I. PURPOSE.....	3
II. SCOPE.....	ERROR! BOOKMARK NOT DEFINED.
III. ACTION OFFICES.....	ERROR! BOOKMARK NOT DEFINED.
IV. REFERENCES.....	3
V. CANCELLATION.....	4
VI. EXPIRATION.....	4
VII. RESPONSIBILITIES.....	4
VIII. BACKGROUND.....	ERROR! BOOKMARK NOT DEFINED.
IX. ACTIONS REQUIRED.....	ERROR! BOOKMARK NOT DEFINED.

I. Purpose. This Instruction renews an LEP for the logging industry in Idaho.

II. Scope. This Instruction applies Idaho wide.

III. Action Offices. Boise Area Office and Office of Enforcement Programs.

IV. References.

OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, dated November 13, 2018.

OSHA Instruction CPL 02-00-160, Field Operations Manual, dated August 2, 2016.

OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, dated January 4, 1995.

OSHA Memorandum for Regional Administrators, Subject: “Establishment-Targeting Lists for Emphasis Programs,” dated November 13, 2014.

OSHA Memorandum for Regional Administrators, Subject: “Procedures for Local and Regional Emphasis Programs,” dated December 3, 2014.

- V. **Cancellation.** This Instruction cancels Seattle Regional Notice 17-02 (CPL 04), dated December 31, 2017.
- VI. **Expiration.** This Instruction will expire December 31, 2021, but may be renewed.
- VII. **Responsibilities.** Boise Area Office compliance personnel shall ensure that the procedures established in this Instruction are adhered to when conducting LEP program inspections for logging.
- VIII. **Background.** This LEP supports the DOL 2018-2022 Strategic Plan, Strategic Objective 2.1, to secure safe and health workplaces, particularly in high-risk industries.

Logging operations in the state of Idaho, Region X, and nationwide have historically had a high incidence rate of fatal and/or serious injury and illness which was significantly above the national average for other occupations. For 2017, the Bureau of Labor Statistics (BLS) reported that the logging industry (NAICS 1133) demonstrated a Total Case Rate (TCR) of 2.8 and a Days Away Restricted and Transferred rate (DART) of 1.3. For 2017, the BLS reported a TCR for all private industry, state and local government of 3.1 and a DART of 1.6. Employers with ten or fewer employees are not required to maintain injury data unless it is required by BLS; therefore, small logging employers in Idaho do not report injury data. Logging is not consistently active due to factors including, but not limited to, weather, road conditions, and land management policies. These factors could affect the drop or rise in injury and illness rates from year to year. The logging industry is a high hazard industry in which the severity of injuries sustained by loggers is generally more severe and more debilitating.

According to the National Institute of Occupational Safety and Health (NIOSH) on their Logging Safety webpage, “Logging has consistently been one of the most hazardous industries in the United States (US). In 2010, the logging industry employed 95,000 workers, and accounted for 70 deaths. This results in a fatality rate of 73.7 deaths per 100,000 workers that year. This rate is over 21 times higher than the overall fatality rate in the US in 2010 (3.4 deaths per 100,000). This excessive risk for fatal work injuries points to a need for prioritizing research and intervention programs to make this industry less hazardous.”

Logging operations are often transient and not consistently active due to factors including, but not limited to, weather, road conditions, and land management policies. Therefore, normal scheduling of programmed inspections has often been very difficult. This directive continues to improve on the previous logging LEP that established a master list of logging employers and randomly inspecting the employers.

- IX. **Actions Required.** All inspections shall be carried out according to the policies and procedures in the Field Operations Manual (FOM). In addition, the following procedures will apply to inspections of logging operations.

- A. Outreach Program – This LEP has been in place for several years and outreach is a continual effort through programs such as Safety Fests and meetings with local industry organizations. The Boise Area Office will provide updated information to employers on topics such as the OSHA standards that apply to logging operations, how to implement a safety and health program, and details about the LEP. Information will continue to be disseminated via the Boise Area Office electronic newsletter to employers and industry representatives.

- B. Programmed Inspection Scheduling: The Area Director shall include all areas in the state where logging operations (SIC 2411/NAICS 113310) are located in order to maximize safety awareness.
 - 1. The Area Director shall use information from neutral sources to determine the location and number of active logging operations planned in the upcoming approval year. Neutral sources generally include business databases such as Reference USA (REFUSA).
 - 2. The Boise Area Office will follow the inspection targeting methods described in the References contained in section IV. of this document. Logging establishments with 10 or more employees will be identified and an inspection cycle will include 10 logging employers. Within a cycle, establishments may be scheduled and inspected in any order that makes efficient use of available resources.
 - 3. Programmed inspections will not be conducted when an employer is in the process of a consultation visit. During the opening conference, the CSHO should determine if the employer has a consultation visit in process which is from the opening conference until all the hazards are abated and consultation has received verification of abatement.

- C. Unprogrammed Inspections: Complaints, referrals and fatalities will be handled in accordance with CPL 02-00-160, the FOM.
 - 1. All valid complaints of unsafe practices both formal and nonformal on a logging site will normally be scheduled for an inspection as required by the FOM. Exceptions to this policy must be approved by the Area Director.
 - 2. All valid referrals which allege unsafe practices on a logging site shall be scheduled for inspection. Exceptions to policy must be approved by the Area Director.

- D. Inspection Procedures:
 - 1. Each establishment will receive a comprehensive safety and health inspection including the shop, records, and as many active logging sales as possible to assess the logging methods.

2. The compliance officers will begin the inspection at the business office address or address listed on the inspection assignment sheet and then proceed to active logging sites operated by the employer being inspected.
 3. If the site was inspected in the previous six months, only unprogrammed inspections shall be conducted, and the scope of the inspection will be limited to the issues related to the unprogrammed activity unless other serious hazards are observed during the inspection.
 4. Since good work practices used on logging sites are critical to preventing accidents, CSHOs should spend sufficient time at each logging site to thoroughly observe employee work practices and to conduct noise or other monitoring, as necessary. Most inspections will involve spending a full day observing work practices and monitoring for noise.
 5. Noise exposure and hearing conservation shall be addressed during all comprehensive logging inspections.
 6. Because of the remote locations of most logging sites, inspections will normally be conducted by a team of two CSHOs.
- E. Training: All CSHOs conducting logging inspections shall be instructed on this procedure prior to conducting logging inspections
- F. OIS Inspection Record Coding: Both programmed and unprogrammed logging inspections conducted shall be coded on the inspection record according to protocol for the type of inspection. The LEP designation "LOGGING" shall be entered. Inspections conducted under this program shall be coded as "Programmed Planned" with the LEP designation "LOGGING". Unprogrammed inspections (i.e. Complaints, Referrals from Outside OSHA, Fatalities/Catastrophes, Employer reported hospitalization or amputation) shall be classified as "Unprogrammed" and coded under this local emphasis program designation of "LOGGING".
- G. Evaluation:
- This LEP will be evaluated in accordance with the guidelines in OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, dated November 13, 2018. The Area Director will be asked to provide input concerning special problems that may have surfaced during the year, recommendations to improve the LEP, and recommendations to renew or not renew the LEP. The Office of Enforcement Programs shall review the input and prepare an evaluation to be submitted to the Regional Administrator for review at the midpoint, and at the completion of the program.