



OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR Occupational Safety and Health Administration

DIRECTIVE NUMBER: 2019-01 (CPL 04) | **EFFECTIVE DATE:** October 1, 2018

SUBJECT: Regional Emphasis Program for the Oil and Gas Service Industry

REGIONAL IDENTIFIER: Philadelphia Region III

ABSTRACT

- Purpose:** This Instruction continues a Regional Emphasis Program (REP) for the purpose of conducting inspections within the Oil and Gas Industry. The employers to be targeted are classified within NAICS code 213111 *Drilling Oil and Gas Wells*; NAICS code 213112 *Support Activities for Oil and Gas Operations*; NAICS 541360, *Geophysical Surveying and Mapping Services*; NAICS 237120, *Oil and Gas Pipeline and Related Structures Construction*; NAICS code 238910 *Site Preparation Contractors*. The goal of this REP is to reduce the rate of injuries, illnesses and fatalities in this industry and to address health hazards as they occur during hydraulic fracturing operations.
- Scope:** This Instruction applies to Oil and Gas Industry operations located within the jurisdiction of the Region III Area Offices specifically listed in this Notice. Activities that are subject to the Process Safety Management (PSM) standard, 29 CFR 1910.119, are excluded from this emphasis program.
- References:** [CPL 04-00-002, Procedures for the Approval of Local Emphasis Programs \(LEPs\) \(11/13/2018\)](#)
[CPL 02-00-025](#) (Scheduling System for Programmed Inspections) (January 4, 1995)
[CPL 02-00-160](#) (Field Operations Manual) (August 2, 2016)
- Cancellations:** Philadelphia Regional Notice: CPL 2018-01 (CPL 04), dated October 1, 2017. This Instruction replaces and updates an earlier version.
- State Impact:** None.
- Action Offices:** Erie, Pittsburgh, Harrisburg, and Wilkes-Barre, Pennsylvania; and Charleston, West Virginia Area Offices.
- Originating Office:** Philadelphia Regional Office.

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By and Under the Authority of

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TABLE OF CONTENTS

I.	<u>Purpose</u>	4
II.	<u>Scope</u>	4
III.	<u>References</u>	4
IV.	<u>Expiration</u>	4
V.	<u>Action Information</u>	4
	A. Responsible Office	4
	B. Action Office	4
	C. Information Offices	4
VI.	<u>Action</u>	4
VII.	<u>Background</u>	4
VIII.	<u>Inspection Scheduling</u>	5
IX.	<u>Inspection Procedures</u>	7
X.	<u>Recording in OIS</u>	8
XI.	<u>Outreach</u>	8
XII.	<u>Evaluation</u>	8

Oil and Gas Service REP

I. Purpose: This Instruction revises a Regional Emphasis Program (REP) for the purpose of conducting inspections within the Oil and Gas Industry. The employers to be targeted are classified within NAICS code 213111 *Drilling Oil and Gas Wells*; NAICS code 213112 *Support Activities for Oil and Gas Operations*; NAICS 541360, *Geophysical Surveying and Mapping Services*; NAICS 237120, *Oil and Gas Pipeline and Related Structures Construction*; NAICS code 238910 *Site Preparation Contractors*. The goal of this REP is to reduce the rate of injuries, illnesses and fatalities in this industry and to address health hazards as they occur during hydraulic fracturing operations. Excluded from this Instruction is any operation relating to the processing aspect of the industry where Process Safety Management would apply.

II. Scope: This Instruction applies to the Erie, Pittsburgh, Harrisburg, Wilkes-Barre, Pennsylvania and Charleston, West Virginia Area Offices.

II. References:

[CPL 04-00-002, Procedures for the Approval of Local Emphasis Programs \(LEPs\) \(11/13/2018\)](#)

[CPL 02-00-025, Scheduling System for Programmed Inspections](#), January 4, 1995

[CPL 02-00-160, Field Operations Manual](#), August 2, 2016)

[CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act](#)

III. Expiration: This Instruction expires on September 30, 2023.

IV. Action Information:

Responsible and Action Offices: Erie, Pennsylvania Area Office
Pittsburgh, Pennsylvania Area Office
Harrisburg, Pennsylvania Area Office
Wilkes-Barre, Pennsylvania Area Office
Charleston, West Virginia Area Office

Information Office: Philadelphia Regional Office

V. Action: OSHA compliance personnel shall ensure that the procedures contained in this Instruction are followed when conducting activities under this REP.

Background: The potential for catastrophic accidents and exposure to hydrogen sulfide gas is recognized as hazardous by the oil and gas exploration and servicing industries. This industry is an extremely mobile industry with worksites or work locations changing on almost a daily basis. Worksites may remain at one location for one week to two years while others may move to a new location daily. This industry involves working with heavy equipment, such as drilling rigs and associated oil field equipment; working with high pressure oil and gas systems;

working in hazardous locations containing explosive concentrations of hydrocarbons and toxic concentrations of hydrogen sulfide gas; and working from elevated work stations. Other hazards associated with this industry include, but are not limited to, exposure to high voltage, chemical injury to the eyes and face, fires and explosions. A NIOSH study of health hazards existing at oil and gas well drilling operations has shown that several potential health hazards exist during well drilling and hydraulic fracturing operations. Exposure to silica contained in the sand used as the proppant during fracturing operations was documented. Overexposures up to 29 times the previous OSHA PEL, which has been reduced under the new silica standard 1910.1053, and up to 86 times the NIOSH REL were documented during sand moving operations. (NIOSH Oil and Gas Extraction Safety and Health Research, May 29, 2012, NIOSH Field Effort to Assess Chemical Exposures in Oil and Gas Workers: Health Hazards in Hydraulic Fracturing). In addition, potential hazardous exposures to diesel particulate (stationary and mobile combustion engines), volatile organic chemicals in the form of naphthalene, benzene, toluene, ethyl benzene, and xylene (flow back operations and pit aeration), hydrogen sulfide, acid gases, aldehydes (water treatment chemicals) and metals such as lead were documented. There were 8 fatal injuries in 2017, 9 fatalities in 2016, 6 fatalities in 2015, and 18 in 2014 in the Oil and Gas Extraction sector. The fatal injury rate for 2017 in this industry was 12.9. The private industry fatality rates for 2017 was 3.5.

VI. Inspection Scheduling:

A. Selection of NAICS 213111 (Drilling Oil and Gas Wells) to be inspected

- 1. Standard targeting and selection by each area office:** Due to the unique conditions within each Area Office's territory, each Area Office will target inspections and select sites for inspection as set forth below. Area Offices may utilize sources including, but not limited to, Rig Data Reporting Service, computer searches of establishment databases, local knowledge and local directories, to identify worksites in selected zones. Additions to the list will be made through any additional local knowledge and local directories. (Each Area Office may also, however, locate and select sites for inspection pursuant to paragraphs VI.A.2 and VI.A.3) The most recent data received prior to the Area Office developing its inspection list will be used to generate the inspection list for the coming month. All drilling rigs so identified within the targeted zone will be alphabetized by employer name. A randomization method will then be applied to create a randomized list of rigs. (The random numbers table in accordance with CPL 02-00-025, Scheduling System for Programmed Inspections; or use of a random number generating function in standard software such as Microsoft Excel or Access are two examples of methods that may be used.) Cycles of up to ten rigs will be scheduled for inspection. In the event the Area Office learns that a rig selected for inspection is not active or is subject to the deletion criteria set forth in paragraph VI.C below, then the next available establishment on the randomized list will be selected for inspection. Once the list is

established, sites may be inspected in any order to make the most efficient use of Area Office resources. If fewer than ten rigs are available in an Area Office's jurisdiction all rigs will be selected for inspection. Because drilling sites are of relatively short duration, new cycles will be developed each month and all sites on a cycle do not have to be inspected before a new cycle is developed.

2. **Additional selection method: CSHO observation during normal course of travels:** Employers in NAICS 213111 may also be selected for inspection based on observation by a CSHO of a worksite at which oil and gas drilling work is being conducted. If, in the normal course of their travels, a CSHO observes a work site within the individual Area Office's jurisdiction that is conducting operations in NAICS 213111, the CSHO will call the Area Office to inform the Area Director or other supervisor of his/her intent to conduct the inspection.
3. **Optional additional selection method: Physical search for active sites within defined geographical area:** The Area Office may elect to search for active sites within a defined geographical area. More specifically, the Area Office may select a defined geographical area within its jurisdiction to perform CSHO observation inspections. The selected geographical area shall consist of at least one county within the state. Before any inspection activity within any such geographical area commences pursuant to this subparagraph (VI.A.3), the Area Office will describe in writing the specific geographical area where the activity will take place and the specific period of time (not to exceed one month) within which such inspection activity will take place. During the specified period, CSHOs will canvass the targeted geographical area and, upon observation of an active worksite at which oil and gas drilling operations (NAICS code 213111) are being conducted, an inspection will be performed. Inspections will be performed at each worksite engaged in oil and gas drilling operations that is discovered within the geographic area during the specified period of time, unless the worksite meets deletion criteria pursuant to paragraph VI.C.

B. Selection of Sites for NAICS 213112, 541360, 237120 and 238910

1. **Standard targeting and selection by each area office:** CSHO observation during normal course of travels. Employers may be selected for inspection based on observation by a CSHO of a worksite at which oil and gas work is being conducted. If, in the normal course of his or her travels, a CSHO observes a covered work site within the individual Area Office's jurisdiction the CSHO will call the Area Office to inform the Area Director or other supervisor of his/her intent to conduct the inspection.
2. **Optional additional selection method: Physical search for active sites within defined geographical area:** Each Area Office covered by this program may elect to search for active sites to inspect within a defined geographical area. More specifically, the Area Office may select a defined

geographical area within its jurisdiction to perform CSHO observation inspections. The selected geographical area shall consist of at least one county within the state. Before any inspection activity within any such geographical area commences pursuant to this subparagraph (VI.B.2), the Area Office will describe in writing the specific geographical area where the activity will take place and the specific period of time (not to exceed one month) within which such inspection activity will begin. During the specified period, CSHOs will canvass the targeted geographical area, and upon observation of an active worksite at which oil and gas servicing operations (NAICS 213112, 541360, 237120 and 238910) are being performed, a safety and/or health inspection will be performed. Inspections will be performed at each worksite engaged in oil and gas operations that is discovered within the geographic area during the specified period of time, unless the worksite meets deletion criteria pursuant to paragraph VI.C. The written inspection plan developed pursuant to this subparagraph (VI.B.2) will be made available for viewing by the general public upon request.

C. Deletions:

1. Each Area Office will maintain a list of employers and worksites that have been inspected. Before directing an inspection from the programmed list or based on visual observation of an oil and gas work site, each Area Office will determine whether the subject worksite (not employer) has received a programmed inspection under this REP within the last 90 days. If so, that worksite will not be subject to a programmed inspection during the current cycle; if not, an inspection will be authorized. When developing programmed inspection lists pursuant to paragraph VI.A.1 of this instruction, no more than two rigs operated by the same employer shall be included on any single programmed inspection cycle. Any rig of the same employer after the second shall be deleted from the current programmed inspection cycle.

D. Unprogrammed Inspections:

1. Reports of imminent danger, fatality/catastrophe, complaints and referrals (including a referral by a CSHO) concerning worksites within the targeted NAICS shall be scheduled as unprogrammed inspections. An inspection will be conducted in the event such report, complaint, or referral provides reasonable cause to believe that a serious hazard or a serious violation may exist at the worksite. If such report, complaint, or referral does not provide reasonable cause to believe that a serious hazard or serious violation exists at the worksite, the report, complaint, or referral shall be processed in accordance with the applicable provisions of the FOM, OSHA Instruction CPL 02-00-160. In either case, if the worksite that is the subject of such a report, complaint, or referral is also included in the current inspection cycle under this REP (and the exclusion criteria of paragraph VI.C. do not apply), a comprehensive safety and/or health inspection shall be conducted.

VII. Inspection Procedures:

- A. Inspection procedures outlined in the FOM, OSHA Instruction CPL 02-00-160, will be followed for all inspections initiated under this REP.
- B. Companies with ten or fewer total employees included on the current Exemptions and Limitations list, most current Appendix A to CPL 02-00-051 will not be subject to a programmed safety inspection under this REP. The CSHO shall follow the most recent version of Appendix A to CPL 02-00-051 to determine which employers with ten or fewer employees are exempt from programmed OSHA inspections.
- C. The inspections conducted under this REP will be focused on safety and health hazards. Due to a NIOSH study of health hazards existing at oil and gas well drilling operations, CSHOs performing inspections under this REP will address potential health hazards where a reasonable cause exists at the worksite.

VIII. Recording in OIS:

The OIS identifier code to be used will be “OILGAS”.

IX. Outreach:

The Regional and Area Office implemented a 90-day outreach program that supported the purpose of this REP. During this period, the new industries added based on the targeting methodology and the use of NAICS codes were offered outreach prior to inspection. Letters, news releases to local and national news organizations, and trade magazines were used to assist with disseminating information about this REP. Additionally, outreach programs with employers, professional associations, and local unions included meetings, training, education, speeches or other activities designed to involve labor and management in the identification and elimination of hazards associated with amputations and machinery. The Office of Communications provided support to the Regional and Area Offices. The outreach effort included employers with ten or fewer employees. Regional and Area Offices disseminated outreach materials to employees, employers, professional associations, and local unions.

The Regional Office, in coordination with the Office of Public Affairs, developed and distributed a media blast to media outlets in the geographical areas affected by this REP. In addition, this REP was discussed by area office personnel during all compliance assistance activities to include STEPS of PA meetings.

X. Evaluation:

Each Area Office will submit to the Regional Administrator a written evaluation at the midpoint (30 months) and completion (60 months) of this LEP in the format specified by OSHA Instruction [CPL 04-00-002 Procedures for the Approval of Local Emphasis Programs \(LEPs\) \(11/13/18\)](#).

Distribution: Regional and Area Offices
Regional Solicitor