



OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: BHM-CPL-04-00-000

SUBJECT: Regional Emphasis Program (REP) for Programmed Maritime Inspections

REGION: Birmingham Region (BHR)

SIGNATURE DATE: April 21, 2025

EFFECTIVE DATE: April 22, 2025

ABSTRACT

Purpose: The purpose of this instruction is to renew a Regional Emphasis Program (REP) for programmed inspections of Maritime Industries.

Scope: This instruction applies to Birmingham, Jackson, and Mobile Federal Offices.

References:

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

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

[OSHA Instruction CPL 02-00-164, Field Operations Manual \(FOM\)](#), April 14, 2020

Cancellations: This Instruction updates and replaces an earlier version.

State Impact: No Impact

Action Offices: Birmingham, Mobile, Jackson, and Nashville Area Office

Originating Office: Birmingham Regional Office

Contact: Assistant Regional Administrator for Enforcement Programs

By and Under the Authority of

Dorinda Hughes
Regional Administrator

Executive Summary

This instruction is to renew a Regional Emphasis Program for programmed inspections of Maritime Industries engaged in shipbuilding and repair (NAICS 336611), marine cargo handling (NAICS 488320), navigation services to shipping (NAICS 488330), port and harbor operations (NAICS 488310), other support activities for water transportation (NAICS 488390), boat building (NAICS 336612) and marinas (NAICS 713930 and 811490) engaged in recreational boat repair located on or adjacent to navigable waterways throughout the Birmingham, Mobile, Jackson and Nashville Area Offices.

Significant Changes

Update OSHA Information System statistical data. Update Bureau of Labor Statistics charts and information.

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Purpose.

This instruction renews a Regional Emphasis Program for programmed inspections of maritime industries within the jurisdiction of the Birmingham, Mobile, Jackson, and Nashville Area Offices.

I. Scope.

This instruction applies to Birmingham, Mobile, Jackson and Nashville Area Offices.

II. References.

- a. [OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections](#), January 4, 1995
- b. [OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs \(LEPs\)](#), November 13, 2018
- c. [OSHA Instruction CPL 02-00-164, Field Operations Manual \(FOM\)](#), April 14, 2020
- d. [Memorandum of Understanding between the United States Coast Guard and The Occupational Safety and Health Administration](#), March 4, 1983

III. Cancellations.

None.

IV. Expiration.

This instruction will expire on September 30, 2026.

V. Action Offices.

A. Responsible Office.

Birmingham Regional Office – Enforcement Programs.

B. Action Office.

Birmingham, Mobile, Jackson and Nashville Area Offices.

C. Information Offices.

The U.S. Coast Guard is the agency responsible for making any determination of whether a body of water is considered to be U.S. navigable waters. The term U.S. navigable waters includes U.S. inland waters (such as rivers, tributaries, lakes, bays, and sounds), as well as State territorial seas.

The U.S. Coast Guard has issued comprehensive regulations for the working conditions of seamen on inspected vessels. Therefore, OSHA may not enforce the OSH Act (except for regulations dealing with the recording and reporting of occupational injuries and illnesses) with respect to any working conditions of seamen on inspected vessels.

VI. **Federal Program Change.**

None.

VII. **Significant Changes.**

- A. Update OSHA Information System statistical data.
- B. Update Bureau of Labor Statistics Industry information.

VIII. **Background**

OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections Inspection Scheduling for Maritime, Section B.1.b.(3), states that the maritime industry is made up of several industrial activities and due to the unique differences among the industries, several scheduling methods are necessary. Recognizing the differences in conducting water transportation services operations in a large port, where, for example, many stevedores generally conduct longshoring operations, and on rivers and other waterways, where loading and unloading by a single employer is generally involved, water transportation services inspections may be scheduled either by port area or by employer.

Bureau of Labor Statistics (BLS) 2023 data, the DART (Days Away, Restricted or Transferred) incidence rate for Marinas was 1.4, for Ship building and repairing was 3.2, for Marine cargo handling was 1.7, for Boat building was 2.5 and for Port and harbor operations was 1.0 compared to 2.4 for private industry. According to the BLS Table 2, in 2023 the number of nonfatal occupational injuries and illnesses for the NAICS codes covered by this instruction was approximately 13,200. This instruction provides the authority to area offices to continue conducting inspections of these operations.

During FY24, the OSHA Birmingham, Mobile, Jackson and Nashville Area Offices of the Birmingham Region, conducted 24 programmed Maritime inspections with 49 Serious and 39 Other-than-Serious violations at facilities in the North American Industry Classification System (NAICS) codes covered by these operations. To better address the hazards that employees in this industry face, Birmingham Region renewed this REP for the affected Action Offices.

IX. **Procedures**

- A. Scheduling lists shall be developed in one of the following two ways per CPL 2-00-025, paragraph B.1.b(3)(c):
 - 1. List by Port Area - A list of port areas within the Area Office's jurisdiction may be prepared at the beginning of the fiscal year by the Area Director, based on geographical location, OSHA inspection history, local knowledge and experience, company schedules, and information from other sources.
 - 2. List by Employer - A list of all maritime service employers within the Area

Office's jurisdiction may be prepared based on geographical location, OSHA inspection history, local knowledge and experience, company schedules, and other sources.

- B. The method of selection (for the lists) shall be determined at the beginning of each fiscal year by each Area Director, based on the type of maritime activities within the Area Office jurisdiction and on the ability to identify active employers and their worksites. The selection method shall be approved by the Regional Administrator.
- C. The work sites shall be grouped into distinct geographical locations that shall be used for the duration of this local emphasis program. The boundaries of the locations may vary and shall be determined based on past inspection activity and local knowledge. Locations with roughly equal numbers of work sites will be established. For example, in metropolitan areas, a grouping may consist of an area of a city. In a less populated area, the grouping may be a set of small cities, while in rural areas the grouping may be on a county-wide basis. In some situations, present port area designations may suffice.
- D. Deletions shall be made in accordance with CPL 02-00-025, paragraph B.1.b(3)(c)6.
- E. Health inspections shall be scheduled in accordance with CPL 02-00-025, paragraph B.1.b.(3)(c) 8.
- F. Inspections shall be conducted in accordance with CPL 02-00-164 Field Operations Manual, and the guidance of CPL 02-00-162 Shipyard Employment "Tool Bag" Directive and CPL 02-00-154 Longshoring and Marine Terminals "Tool Shed" Directive.

X. Recording in OIS

Current instructions for completing the appropriate OSHA forms shall be applied when recording inspections under this REP.

- A. For any programmed inspection conducted under this REP, the Inspection Data section of OIS shall be coded as Programmed Planned with the Regional Emphasis Program code "MARITIME".
- B. For any unprogrammed inspections conducted under this REP (i.e., accidents, complaints, referrals, fatalities/catastrophes), the Inspection Data section of OIS shall be coded as Unprogrammed with the Regional Emphasis Program Code "MARITIME".

XI. Outreach

The Area Directors will provide educational and compliance assistance information relevant to the industry along with other applicable outreach materials to appropriate stakeholders (employers, employees, unions, and trade associations) to explain this REP and the hazards associated with Maritime Operations, particularly Marine Cargo Handling. They may utilize letters (see Appendix A) or other means to communicate this information. Compliance Assistance Specialists and Area Directors will also include information about this emphasis program in all their outreach efforts, as well as providing information on the health and safety hazards of the industry. Resources may be found at the links provided in Appendix B.

XII. Evaluation

An evaluation of the program will be conducted midway through and at the completion of the effective period that includes:

1. The goal of the program.
2. Data and information used to support the continuation or cancellation of the program. Data may include enforcement statistics, serious hazards identified and abated, the number of employees removed from hazards, and any impact on covered, non-inspected employers.
3. Statement and rationale of whether the program should be continued.
4. Description of any legal issues that arose which would necessitate a review by the Solicitor before renewal of the program.
5. Any other comments or recommendations, including findings, might have an impact on how the industry conducts business.
6. Data associated with outreach sessions in which this emphasis program is addressed.

Appendix A

Sample Letter

Dear Stakeholder:

The Occupational Safety and Health Administration (OSHA) has initiated a Regional Emphasis Program (REP) focusing on hazards related to maritime industries. The initiative focuses on (NAICS) code 336611 (ship building and repairing), 488320 (marine cargo handling), 488330 (navigation services to shipping), 488310 (port and harbor operations), 488390 (other support activities for water transportation), 336612 (boat building), 811490 (pleasure boat maintenance) and 713930 (marinas).

As a result of this, the *(Area Office Name)* Area Office will be conducting inspections of workplaces that have been identified as having operations and possible worker exposures to common hazards found in this industry. The most common hazards include falls, power industrial trucks (PIT), and working under an overhead load. We are notifying you of our intent to conduct these inspections because your company may be covered by this emphasis program.

OSHA continues to offer compliance assistance focusing on the prevention of occupational injuries and illnesses. As part of this new emphasis program, compliance assistance products are readily available to assist your company in enhancing its safety and health program. You can obtain information about electrical safety, powered industrial trucks, emergency action plans, hazard communication, hearing conservation and noise, lockout/tagout, machine guarding, respiratory protection, and safety and health programs from OSHA's website at www.osha.gov. Specific information about the hazards of working in maritime operations can be obtained from OSHA's area offices. If you do not have access to the Internet, please contact our office and we will provide copies of this information to you. You may contact our office at any time for further assistance: *(insert phone number and address for the Area Office)*.

OSHA also offers a free Consultation Service under Section 21(d) of the Occupational Safety and Health Act to small employers. The 21(d) Consultation Service helps employers to identify (and correct) potential hazards at their work sites and improve their occupational safety and health management systems. This service is delivered by universities using well-trained safety and health professionals. To schedule this consultation service, please contact the 21(d) Consultation Program at:

(Insert contact information for the local Consultation Program including the Address and

Telephone Number for the State Consultation Program)

Your interest in protecting your employees from safety and health hazards is appreciated.

Sincerely,

Area Director

Appendix B

Maritime Industry Resources

Resources available on the web at: www.osha.gov

Maritime Topics Page: <https://www.osha.gov/maritime>

Maritime Standards and Guidance: <https://www.osha.gov/maritime/standards>

Maritime Advisory Committee: <https://www.osha.gov/advisorycommittee/macosh>

Maritime OSHA 10 & 30 Hour Training: <https://www.osha.gov/maritime/training>

Maritime Resources and Solutions: <https://www.osha.gov/maritime/resources>

Shipyard Employment eTool: <https://www.osha.gov/etools/shipyard>

Publications on:

[Longshoring](#)

[Maritime Industry](#)