



# OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

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**DIRECTIVE NUMBER:** CPL 02-19-01A | **EFFECTIVE DATE:** October 1, 2019

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**SUBJECT:** Regional Emphasis Program for Fertilizer Grade Ammonium Nitrate (FGAN) and Agricultural Anhydrous Ammonia Facilities

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**REGIONAL IDENTIFIER:** Region VII

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## ABSTRACT

- Purpose:** The purpose of this Instruction is to continue a Regional Emphasis Program (REP) to reduce injuries, illnesses, and fatalities related to workers' exposures in fertilizer grade ammonium nitrate (FGAN) and agricultural anhydrous-ammonia mixing/blending, storage, and distribution facilities.
- Scope:** This Instruction applies to all Federal Enforcement Offices within Region VII's jurisdiction.
- References:** OSHA Instruction CPL 02-00-163, Field Operations Manual (FOM), September 13, 2019, or the most current version at the time of the inspection opening conference  
OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs (LEPs), November 13, 2018  
OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act, May 28, 1998, or successor guidance.
- Cancellations:** This instruction cancels CPL 02-19-01, Regional Emphasis Program for Fertilizer Grade Ammonium Nitrate (FGAN) and Agricultural Anhydrous Ammonia Facilities, October 1, 2018.
- State Plan Impact:** None
- Action Offices:** Region VII Area Offices, Region VII Consultation Project Offices, Kansas City Regional Office
- Originating Office:** Kansas City Regional Office

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By and Under the Authority of:

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Kimberly A. Stille  
Regional Administrator, VII

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## **EXECUTIVE SUMMARY**

Workers employed in the fertilizer storage, mix/blend, and distribution industry face many hazards such as fire, explosions, and hazardous chemicals, which can lead to serious injury, illness, and death.

The intent of this Regional Emphasis Program is to encourage employers to take steps to address hazards, evaluate facilities to determine if the employer complies with all relevant OSHA requirements, and help employers to correct hazards, thereby reducing potential worker injuries, illnesses, and deaths.

Region VII OSHA proposes accomplishment through outreach and enforcement activities. Outreach activities include letters to employers, training sessions with stakeholders, electronic information-sharing activities, public service announcements, and news release broadcasts. Enforcement activities will not begin earlier than three months after outreach initiation. They shall identify and obtain corrections of workplace hazards. Enforcement activities will include but not be limited to the inspection and review of production operations, working conditions, injury/illness records, safety and health programs, and chemical handling & use.

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**I. Purpose.** This instruction continues a Regional Emphasis Program (REP) to reduce injuries, illnesses, and fatalities related to workers’ exposures in fertilizer grade ammonium nitrate (FGAN) and agricultural anhydrous ammonia facilities. The REP will provide authority to evaluate employers’ workplace(s) at all programmed, unprogrammed, or other limited-scope inspections pertaining to FGAN and agricultural anhydrous ammonia operations to ensure employers properly protect employees. Area Offices will normally conduct inspections for all complaints, formal or non-formal, containing allegations of potential worker exposure to hazards associated with FGAN and agricultural anhydrous ammonia. Where applicable, Area Offices will expand all unprogrammed inspections to include all potential hazard areas addressed by this emphasis program.

**II. Scope.** The Instruction applies to:

- A. all inspections conducted at facilities handling, storing, or distributing FGAN or agricultural anhydrous ammonia and
- B. all worksites in Kansas, Missouri, and Nebraska under Federal Jurisdiction, and those worksites in Iowa under Federal Jurisdiction in the North American Industrial Classification System (NAICS) Codes listed below:

NAICS	Description
424510	Grain and Field Bean Merchant Wholesalers
424590	Other Farm Products Raw Material Merchant Wholesalers
424910	Farm Supplies Merchant Wholesalers

**III. Expiration.** This Instruction will expire on September 30, 2024.

**IV. Action.** OSHA compliance personnel shall follow the procedures contained in this Instruction when conducting outreach and enforcement activities.

**V. References.**

- A. Title 29 Code of Federal Regulations, [Part 1910](#).
- B. OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs (LEPs), November 13, 2018.
- C. OSHA Instruction CPL 02-00-163, Field Operations Manual (FOM), September 13, 2019, or the most current version at the time of the inspection opening conference.
- D. OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, dated January 4, 1995.

- E. OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act, dated May 28, 1998 and Change dated December 18, 2018 (Appendix A), or most current version.
- F. OSHA Memorandum from Francis Yebesi to Regional Administrators, Establishment-Targeting Lists for Emphasis Programs, November 12, 2014.
- G. [OSHA Memorandum for Regional Administrators, Subject: Guidance on the Ammonium Nitrate Storage Requirements in 29 CFR 1910.109\(i\)](#), December 3, 2014.
- H. OSHA Instruction [CPL 02-01-037](#) (CPL 2-1.037), Compliance Policy for Emergency Action Plans and Fire Prevention Plans, July 9, 2002.
- I. OSHA Instruction [CPL 02-00-094](#) (CPL 2.94), OSHA Response to Significant Events of Potentially Catastrophic Consequences, July 22, 1991.
- J. National Fire Protection Association (NFPA) 400, Hazardous Materials Code (2016 Edition)
- K. The Fertilizer Institute, 425 Third Street, SW, Suite 950 Washington, D.C. 20024 <https://www.tfi.org>
- L. Institute of Makers of Explosives, 1120 19th St NW #310, Washington, DC 20036 <https://www.ime.org/>

**VI. Cancellation.** This instruction cancels CPL 02-19-01, Regional Emphasis Program for Fertilizer Grade Ammonium Nitrate (FGAN) and Agricultural Anhydrous Ammonia Facilities, October 1, 2018.

**VII. Action Offices.** Region VII Federal Enforcement Offices

**VIII. Background.** Workers employed in fertilizer storage, mixing/blending, and distribution industries face many hazards which can lead to serious injury, illness, and death, including fire, explosions, and hazardous chemicals.

Ammonium nitrate (AN) in its pure form is a solid, stable material and is usually not sensitive to mild shock and other sources of ignition or detonation. However, (AN) has both oxidizer and unstable reactive properties which make it extremely hazardous under certain circumstances including fire exposure and when contaminated with combustible materials.

As an oxidizer, (AN) promotes combustion of other materials. In turn, heating due to fire exposure can cause (AN) to thermally decompose, releasing toxic gaseous ammonia (NH<sub>3</sub>), Nitric Acid (HNO<sub>3</sub>), nitrogen oxides (NO and NO<sub>2</sub>), and nitrous oxide (N<sub>2</sub>O). Decomposing and/or molten (AN) can detonate when confined or exposed to a strong impact or shock. When (AN) contains combustible contaminants such as grain dusts, fuel oils, or metal flakes, the likelihood and intensity of detonation is increased.

Over the past century, there have been several catastrophic events involving FGAN in the United States and abroad. The most recent of these occurred at West Fertilizer Company in West, Texas. On April 17, 2013, fire followed by an explosion, killed 15, and injured over 200. Additional incidents have occurred, including a fire in a Bryan, Texas, facility in 2009, that processed (AN) into fertilizer, and caused the evacuation of over 80,000

residents. On September 21, 2001, in Toulouse, France a pile of off-specification granular (AN) exploded due to unknown causes, killing 31 and causing billions of euros in damage. The greatest loss of life, in an (AN) catastrophic event in the United States, took place in Texas City in 1947; a cargo ship loaded with 2600 metric tons of bagged (AN) caught fire, exploded, and left 581 dead before setting fire to another ship also loaded with (AN), which subsequently exploded.

The U.S. Chemical Safety and Hazard Investigation Board (CSB) and OSHA responded to and investigated the West Fertilizer Company incident. The CSB identified several key findings and associated recommendations. CSB found the employer failed to conduct safety inspections and had shortcomings in emergency response planning and training. CSB also identified facility siting and land use planning, among others, as contributing factors. Included in CSB's recommendations, was development of OSHA Regional Emphasis Programs (REPs) for inspection of FGAN facilities and establishment of a minimum number of inspections for each region.

Section (i) of Explosives and Blasting Agents standard, 29 CFR 1910.109, applies to any employer storing (AN) or any mixture containing more than 60 percent (AN) by weight. NFPA 400 - 2016 *Hazardous Materials Code* is a recognized consensus standard, which includes useful guidance on safe storage of (AN).

In addition, agricultural anhydrous ammonia storage and dispensing potentially exposes employees to airborne concentrations of toxic gas. Storage and Handling of Anhydrous Ammonia, 29 CFR 1910.111, addresses all anhydrous ammonia systems except for ammonia manufacturing plants and refrigeration plants using ammonia solely as a refrigerant. Anhydrous ammonia, a toxic gas stored under pressure as a liquid, is involved in many releases each year including an incident in Stewardson, Illinois in April 2016, which forced evacuation of most of town.

During FY 2018 through May 20, 2019, Region VII coded six inspections under this REP. One inspection resulted from an employer report of an employee hospitalization; five remaining inspections have programmed inspection coding. In accordance with Department of Labor's Strategic Plan, the REP addresses OSHA Performance Objective 2.1: "Secure safe and healthful working conditions for America's workers."

CY 2017 U. S. Bureau of Labor Statistics (BLS) Days Away, Restricted, or Transferred (DART) rates in addition to Days Away From Work Injury and Illnesses (DAFWII) rates justifies continuation of the region-wide problem solving initiative to reduce injuries, illnesses, and fatalities related to workers' exposures in fertilizer grade ammonium nitrate (FGAN) and agricultural anhydrous ammonia facilities.

**Number and rate of nonfatal occupational injuries and illnesses by selected industry, All U.S., private industry, 2017 (Numbers in thousands)**

Characteristic	Private industry		Miscellaneous nondurable goods merchant wholesalers	
	Number	Rate	Number	Rate
	2017	2017	2017	2017
<b>Injuries and Illnesses</b>				
Total cases	2,811.5	2.8	8.2	2.8
Cases with days away from work, job transfer, or restriction	1,528.0	1.5	4.5	1.5
Cases with days away from work	882.7	0.9	2.9	1.0
Cases with job transfer or restriction	645.3	0.7	1.6	0.5
Other recordable cases	1,283.5	1.3	3.8	1.3
<b>Injuries</b>				
Total cases	2,685.1	2.7	7.9	2.7
<b>Illnesses</b>				
Total cases	126.4	12.8	0.3	10.5
<b>Illness categories</b>				
Skin disorders	18.5	1.9	0.0	1.0
Respiratory conditions	10.4	1.1	0.1	2.5
Poisoning	1.7	0.2	-	-
Hearing loss	14.0	1.4	-	-
All other illness cases	81.8	8.3	0.1	3.7

**IX. Inspection Scheduling and Site Selection.**

- A. The Area Office will develop a list of establishments, in accordance with CPL 02-00-025, paragraph B.1.a.(2)(c), when the National Office provides no establishment list. The Area Director shall compile a complete list considering all establishments within coverage of the office using best available information (e.g., commerce directories, commercial telephone listings, local permits, local knowledge, internet, etc.).
- B. Additions. Area Offices will make additions in accordance with CPL 02-00-025, paragraph B.1.b.(1)(b)(6)(c).
- C. Randomization. The Area Office shall alphabetize and number the list consecutively, beginning with number one. Using a random number method and



following the guidelines in CPL 02-00-025 Appendix C, the Area Office will develop an inspection list.

- D. Cycles. The Area Office will select establishments in the order prescribed by the inspection list until the total of establishments selected equals the annual number of REP inspections projected, not to exceed twenty (20). The resulting list shall constitute an inspection cycle. If the Area Office documents any establishment on the cycle to be unavailable for inspection, the next inspection list establishment shall replace it on the cycle. Within a cycle, the office may schedule and inspect the establishments in any order that makes efficient use of available resources. The office may carry over an establishment to another cycle for the reasons set forth in CPL 02-00-025.
  - E. Deletions. Deletion criteria in OSHA Instruction CPL 02-00-025, Paragraph B.1.b.(1)(b)6.d., will be applied to the Cycle.
  - F. Area Offices will conduct unprogrammed inspections for **all** complaints containing allegations of employee exposure to hazards associated with FGAN or agricultural anhydrous ammonia.
- X. Inspection Procedures.** Inspections will be conducted in accordance with this Instruction and the Field Operations Manual.
- A. Area Directors shall insure compliance officers are sufficiently qualified/trained to conduct an inspection under the REP.
  - B. Programmed Inspections. CSHOs will conduct programmed inspections under the emphasis program *as a partial safety inspection*, to include all areas where facilities handle, store, or distribute FGAN or agricultural anhydrous ammonia in the facility, based on procedures listed in FOM Chapter 3 (Inspection Procedures) and any relevant regional notices.
  - C. Unprogrammed Inspections. CSHOs assigned to conduct an unprogrammed inspection under the emphasis program must review inspection history for the specific site to determine if the Area Office had previously performed a comprehensive programmed safety or health inspection.
    - i. If the site received a programmed comprehensive inspection (safety or health) within the preceding three years, the CSHO will review the inspection file for earlier FGAN inspection activity, confer with Area Office managers, and determine if OSHA will expand the unprogrammed inspection to include the scope of this Instruction. CSHOs must document history of prior programmed inspections in the Inspection Narrative for the current inspection.
    - ii. If the site received a comprehensive OSHA inspection within the past three years and OSHA addressed **all** elements required under this REP, the CSHO may conduct an unprogrammed (complaint/referral) inspection, but will not expand the current inspection to include the scope of this Instruction unless plain-view hazards demonstrate a need for expansion. CSHOs must discuss considerations for expanding the current inspection

and receive approval by Area Office management prior to expansion. The CSHO must document history of prior programmed inspection activity in the Narrative of the current inspection.

- D. Determine if any appropriations riders apply to the facility. Offices will adhere to OSHA Instruction CPL 02-00-051, Exemptions and Limitations under the Current Appropriations Act, in implementation of this program.
- E. Familiarize themselves with the following documents as appropriate:
1. [CPL 02-00-147](#) – The Control of Hazardous Energy – Enforcement Policy and Inspection Procedures, February 11, 2008
  2. [CPL 02-00-135](#) – Recordkeeping Policies and Procedures December 30, 2004.
  3. [CPL 02-02-072](#) – Rules of Agency Practice and Procedure Concerning OSHA Access to Employee Medical Records, August 22, 2007.
  4. [CPL 02-00-100](#) (CPL 2.100) – Application of the Permit-Required Confined Spaces (PRCS) Standard, 29 CFR 1910.14, May 5, 1995.
  5. [CPL 02-02-079](#) – Inspection Procedures for Hazard Communication Standard (HCS 2012), July 9, 2015.
  6. [CPL 03-00-008](#) – NEP: Combustible Dust Explosion Prevention Program, March 11, 2008.
  7. [CPL 02-01-050](#) – 29 CFR Part 1910, Subpart I, Enforcement Guidance for Personal Protective Equipment in General Industry, February 10, 2011.
  8. [CPL 02-01-037](#) – Compliance Directive for Emergency Action Plans and Fire Prevention Plans, July 9, 2002
  9. [OSHA Memorandum for Regional Administrators addressing Guidance on the Ammonium Nitrate Storage Requirements in 29 CFR 1910.109\(i\)](#), December 3, 2014.
- F. Since employees are subject to multiple hazards at industries covered by the REP, CSHOs shall review the past five years of injury and illness records for trends, which may identify a common hazard at the workplace. When a CSHO with expertise (such as equipment familiarity and training) to address injury and illness trends identifies hazards, the inspection shall be expanded to address identified trends. When the CSHO needs additional technical assistance/support to evaluate the identified hazard trends (such as engineering hazards), the CSHO shall make a referral to appropriate personnel (e.g., safety engineer) for hazards investigation.
- G. If an employer refuses to allow the compliance officer to perform an inspection under the program to cover FGAN or agricultural anhydrous ammonia operations, the Area Office will follow procedures in the current FOM for handling such refusals, including seeking a warrant.

H. Site evaluation. CSHOs will evaluate the following safety and health program elements and issues during all compliance inspections conducted at targeted NAICS sites under the REP. Compliance inspections cover all portions of the employer's operations at the site.

1. *Storage of Ammonium Nitrate under 29 CFR 1910.109(i)*: The standard applies to establishments storing, having, or keeping Ammonium Nitrate (AN), including fertilizer grade, and other mixtures containing 60 percent or more by weight.
  - i. CSHOs shall determine the means and manner FGAN is stored and handled at the facility.
  - ii. CSHOs shall determine adequacy of ventilation and construction of the building to allow for self-ventilation during a fire event.
  - iii. CSHOs shall evaluate flooring in storage and handling areas. Flooring shall be of noncombustible material and protected against impregnation by (AN) and without open drains, traps, tunnels, pits, or pockets into which molten (AN) could flow and be confined in event of fire.
  - iv. CSHOs shall evaluate potential for contamination of (AN) with galvanized iron, copper, lead, and zinc used in construction of bins and partitions dividing storage areas. Partitions dividing (AN) shall be of tight construction.
  - v. CSHOs shall evaluate height or depth of (AN) piles to ensure they are no higher than 36 inches below the roof or supporting structure of the storage-building roof.
  - vi. CSHOs shall evaluate adequacy of sprinkler systems in storage building or structure and suitability and availability of water supplies, fire hydrants, fire control devices, and fire extinguishers.
2. *Storage and Handling of Anhydrous Ammonia under 29 CFR 1910.111*: This standard applies to all facilities storing, handling, and dispensing anhydrous ammonia except facilities where anhydrous ammonia is used for refrigeration or those facilities manufacturing anhydrous ammonia.
  - i. CSHOs shall evaluate storage vessel integrity, operation, and maintenance.
  - ii. CSHOs shall ensure facilities use storage vessels approved for the service with appropriate marking.
  - iii. CSHOs shall determine that all piping, tubing, and hoses are appropriate for the service.
  - iv. CSHOs shall evaluate suitability of emergency relief from the storage vessel.
3. *Hazard Communication*: CSHOs will evaluate the employer's use of chemicals in the work environment for compliance with [29 CFR](#)

[1910.1200](#) – Hazard Communication. CSHOs will use [CPL 02-02-079](#), Inspection Procedures for the Hazard Communication Standard (HCS 2012), as guidance. CSHOs will determine compliance with OSHA’s HCS requirements for safety data sheets (SDSs), labeling, and worker training.

4. *Other Hazards.* The CSHO will review the past five years of injury and illness records, including first aid and nursing logs for trends, which might identify a common hazard at the workplace. Conditions and hazards vary from plant to plant depending on process design. However, there is a variety of hazards common industry-wide including noise, chemicals, thermal, electrical, and struck-by hazards. In addition to any hazards identified in the injury and illness records review, CSHOs will:
  - i. Identify and evaluate operations performed in permit-required confined spaces including but not limited to fertilizer storage structures.
  - ii. Identify and evaluate employee contact with or entrapment in moving machine parts both during normal operations and during preventive maintenance/periodic self-inspection of production, facility, and shop machinery.
  - iii. Evaluate condition of electrical equipment such as panels, cabinets, motor control centers, conduits, etc.

**XI. OSHA Information System (OIS) Coding.** Offices shall follow current instructions for completing Inspection, Complaint, Fatality, and Referral Forms when recording inspections conducted under the REP.

- A. Offices shall code the Inspection Report for any inspection expanded or scheduled under this Instruction as “FGAN7” under the drop down menu of “Local Emphasis Program”.
- B. Offices shall code the Unprogrammed Activity (UPA)/Fatality Report for any accident related to FGAN mixing/blending hazards as “FGAN7” in the appropriate field.
- C. Offices shall code the UPA/Complaint Report for any complaint related to FGAN mixing/blending hazards as “FGAN7” in the appropriate field.
- D. Offices shall code the UPA/Referral Report for any referral related to FGAN mixing/blending hazards as “FGAN7” in the appropriate field.
- E. Offices shall apply all other applicable OIS codes as appropriate.

**XII. Outreach.** The Regional and Area Office will conduct outreach activities intended to reach as many employers and stakeholders as practicable. Region VII will conduct outreach activities to raise awareness of hazards associated in FGAN and agricultural anhydrous ammonia facility industries to inform stakeholders and employers of elements of the REP.

- A. Enhancing Compliance Assistance and Outreach Activities

Each Area Director will develop an outreach plan and program supporting enforcement efforts, by working with compliance assistance specialists (CAS) and regional labor liaison when available, to suggest relevant outreach materials and targeted audiences. Regional labor liaison will provide guidance on how to best implement current and new outreach activities and continue successful outreach strategies implemented in the past and/or currently implemented.

Outreach activities will utilize OSHA's already established compliance assistance workshops, tools, and resources, as well as other mediums, such as news releases, information packets, seminars, etc. Area Offices should determine and establish relationships with local organizations, interested parties, stakeholders, and community groups, as well as foster already existing relationships in order to maximize and expand scope, reach, and effectiveness of outreach efforts. Outreach will place emphasis on reaching out to organizations such as consulates, faith-based, and community groups to assist in reaching limited English proficiency workers.

The Area Office should consider stakeholders participating in training, assisting in the dissemination of information from the REP, and participating in any other outreach activity where stakeholder participation would benefit the program. Potential stakeholders include actual physical mixing/blending facilities, manufacturers' representatives, industry periodical publishers, safety and health consultants, insurance companies, local and national associations, safety councils, and unions.

The method of outreach is at the Area Director's discretion; however, efforts shall begin at least three months before initiation of inspections. A detailed description of outreach activities will be included in REP evaluation. Below are examples of outreach activities and other compliance assistance Area Offices may incorporate into REP procedures.

- B. Outreach activities to Industry, Workers and other Stakeholders may include, but are not limited to the following:
1. Encourage employers to utilize OSHA's free on-site consultation programs and provide educational and compliance assistance information relevant to industry, along with other applicable outreach materials to appropriate stakeholders.
  2. Inform employers and other stakeholders that many new resources exist in many languages on hazard identification and prevention.
  3. Upon establishing a list of affected worksites, provide a letter to inform industry, employees, government and other stakeholders of hazards associated with the industry, and inform employers of your outreach and targeting plan prior to commencement of inspection activities. Furthermore, inform employers and workers of educational resources, such as listed below, which give them information on potential hazards and how to prevent them:

- i. Fertilizer Industry Guidance on Storage and Use of Ammonium Nitrate [Fertilizer Industry Guidance on Storage and Use of Ammonium Nitrate | Occupational Safety and Health Administration](#)
- ii. OSHA Letter to the Fertilizer Industry, February 14, 2014. [https://www.osha.gov/dep/fertilizer\\_industry/letter\\_fertilizer\\_industry.html](https://www.osha.gov/dep/fertilizer_industry/letter_fertilizer_industry.html)
- iii. OSHA, EPA, and Fertilizer Safety and Health Partners Alliance. <https://www.osha.gov/dcsp/alliances/fshp/fshp.html#!2B>
- iv. Worker protection training, information and materials to specific groups, appropriate to the industry. [NFPA 400 - 2016 Hazardous Materials Code](#), which includes key practices for facility design and operation for safe storage of (AN).

C. Utilization of Existing OSHA resources and Outreach Tools

1. Conduct targeted training sessions for employers on recognition, prevention, and abatement of safety and health hazards in workplaces. Provide information to workers covering worker rights, job hazards, employer responsibilities, and filing of a complaint.
2. Conduct stakeholder meetings and disseminate information through speeches, training sessions and Area Office newsletters.

D. Leveraging of Community Knowledge and Local Institutions

1. Area Offices will tailor outreach to FGAN and agricultural anhydrous ammonia industries and communities of workers and stakeholders. Therefore, outreach programs with employers and trade associations, unions, professional associations, advocacy groups, community and faith-based organizations and others, will be in conjunction with local resources, knowledge, and relationships to involve employee and management stakeholders in identification and elimination of worksite hazards.
2. State Consultation Programs should be encouraged to participate in local outreach efforts performed by Area Offices.

**XIII. Program Report.** No later than midway through the life of the program and completion of the program, the Area Office will provide a program report of this REP to the Regional Office. At a minimum, the report should respond to the requirements of CPL 04-00-002, Section VIII, E. In addition, the following factors should also be included.

- A. The number of inspections where FGAN and agricultural anhydrous ammonia was evaluated and total number and percent of violations cited serious, willful, or repeat.
- B. The number of serious or other-than-serious violations for the following unique hazards to the industry:
  - Lockout/Tag-out

- Machine guarding
  - Electrical
  - Confined space
  - Hazard Communication
- C. The number of hazard alert letters (HAL) issued.
- D. Annual number of fatalities, hospitalizations, amputations, and serious incidents at FGAN and agriculture anhydrous ammonia facilities.
- E. Number of unprogrammed activities concerning FGAN and agricultural anhydrous ammonia facilities conducted annually.
- F. Number of employees covered during enforcement and outreach activities.
- G. Narrative that describes how outreach activity may have affected employers and employees.
- H. Abatement measures implemented, if novel and innovative.

## APPENDIX A

Date

Company Name

Address

Dear [Stakeholder]:

The United States Department of Labor/Occupational Safety and Health Administration (OSHA), Region VII, has developed a local outreach, education, prevention, and inspection program pertaining to employers who may have fertilizer grade ammonium nitrate and agriculture anhydrous ammonia facilities, located in Kansas, Missouri and Nebraska. We will be conducting outreach efforts to employers in order to raise awareness of the hazards related to fertilizer grade ammonium nitrate storage, mixing/blending, and distribution operations. We are writing to invite you to participate in our future outreach efforts and to begin evaluating your workplaces to identify and remove hazards.

The intent of this emphasis program is to encourage employers to take steps to address and correct these hazards in fertilizer grade ammonium nitrate facilities, thereby reducing potential worker injuries, illnesses, and deaths. Hazards associated with FGAN operations include fires, explosions, lockout/tag-out, machine guarding, electrical hazards, chemical hazards, and confined spaces, among others. OSHA in Region VII proposes to accomplish this through outreach and enforcement activities. Outreach activities will include letters to employers; training sessions; electronic information sharing activities; public service announcements and other outreach with stakeholders. Enforcement activities will begin not sooner than three months after outreach begins and will include, but not be limited to, on-site inspection and review of production operations; working conditions; records; safety and health programs; chemical handling and use; and safety management systems, to identify and obtain corrections of workplace hazards at all applicable inspections.

Small employers may contact On-Site (State) Consultation Program for a free confidential safety and health consultative visit. The consultation program, funded primarily by Federal OSHA, provides safety and health consultative services to help employers establish and maintain a safe workplace by coming into compliance with OSHA's regulations. Although the consultants' findings are confidential, employers are required to correct any serious hazards observed on the consultation visit. Information related to the On-Site Consultation Program is found at the OSHA website, [www.OSHA.gov](http://www.OSHA.gov).

The mission of OSHA is to ensure working men and women arrive home safely each night from



their place of employment. Together, we can accomplish this task. OSHA shares each employer's goal of reducing occupational injuries and illnesses to the maximum extent practicable. Should you wish to participate with us in our efforts or if you have any questions or comments, please contact me at (xxx) xxx-xxxx. More information on hazards and means of control in the FGAN industry are available at [http://www.osha.gov/dep/fertilizer\\_industry/index.html](http://www.osha.gov/dep/fertilizer_industry/index.html). We look forward to working with you toward this common objective.

Sincerely,

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Area Director