



OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: CPL 04-00 (LEP-028) | **EFFECTIVE DATE:** October 1, 2018

SUBJECT: Emphasis Program for the Wood Pallet Manufacturing Industry

REGIONAL IDENTIFIER: Region V

ABSTRACT

- Purpose:** This Instruction continues a Local Emphasis Program (LEP) for safety and health inspections of employers engaged in the manufacturing of wood pallets.
- References:**
- A) CPL 02-00-160 - Field Operations Manual (FOM), August 2, 2016.
 - B) CPL 04-00-002 - Procedures for Approval of Local Emphasis Programs (LEPs), November 13, 2018.
 - C) CPL 03-00-019 – National Emphasis Program on Amputation, August 13, 2015.
 - D) CPL 03-00-008 – National Emphasis Program on Combustible Dust, March 11, 2008.
 - E) CPL 04-00 (LEP 002) – LEP for Powered Industrial Vehicles – Region V, October 1, 2018.
 - F) CPL 02-00-147 – The Control of Hazardous Energy – Enforcement Policy and Inspection Procedures, February 11, 2008.
 - G) STD 01-16-007 – Electrical Safety-Related Work Practices – Inspection Procedures and Interpretive Guidelines, July 1, 1991.
 - H) CPL 02-00-051 – Enforcement Exemptions and Limitations Under the Appropriations Act, May 28, 1998.
 - I) CPL 02-00-025 – Scheduling System for Programmed Inspections, January 4, 1995.
- Cancellations:** This instruction cancels the Local Emphasis Program for the Wood Pallet Manufacturing Industry, CPL 04-00 (LEP-028), made effective October 1, 2017.
- Expiration:** This instruction expires September 30, 2023.
- State Impact:** None
- Action Offices:** All Area Offices in Ohio, Illinois and Wisconsin

Originating Office: Toledo Area Office

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By and Under the Authority of

Ken Nishiyama Atha
Regional Administrator

I. **Purpose:** This Instruction continues a Local Emphasis Program (LEP) for safety and

health inspections of employers engaged in the manufacturing of wood pallets.

II. **Scope:** This Instruction applies to all Area Offices in Ohio, Illinois and Wisconsin.

III. **References:**

- A. CPL 02-00-160 - Field Operations Manual (FOM)
- B. CPL 04-00-002 - Procedures for Approval of Local Emphasis Programs
- C. CPL 03-00-019 – National Emphasis Program on Amputations
- D. CPL 03-00-008 – National Emphasis Program on Combustible Dust
- E. CPL 04-00 (LEP 002) – LEP for Powered Industrial Vehicles – Region V
- F. CPL 02-00-147 – The Control of Hazardous Energy – Enforcement Policy and Inspection Procedures
- G. STD 01-16-007 – Electrical Safety-Related Work Practices – Inspection Procedures and Interpretive Guidelines
- H. CPL 02-00-051 – Enforcement Exemptions and Limitations Under the Appropriations Act
- I. CPL 02-00-025 – Scheduling System for Programmed Inspections

IV. **Expiration:** This Instruction expires September 30, 2023.

V. **Action:** The Area Directors shall use the procedures described in paragraph VIII of this Instruction as the basis for developing and implementing inspection activity at those employers engaged in the manufacturing of wood pallets.

VI. **Policy:** The Area Directors shall use the LEP as described herein as the basis for scheduling safety and health inspection activity at facilities engaged in the manufacturing of wood pallets.

VII. **Background:** Local enforcement and outreach experience has indicated that the pallet manufacturing industry has the potential for multiple types of serious safety and health hazards. Wood container and pallet manufacturers experienced a recordable incidence rate of 7.4, versus 3.7 for all, according to 2012 Bureau of Labor Statistics (BLS) data. More recently, 2016 BLS data shows this industry has recordable incident rates of 7.7, versus 3.2 for all industries combined.

A review of the citation history for the state of Ohio from June 2010 through February 2014, indicated approximately 3.4 serious hazards were identified per inspection at establishments within this industry (2012 NAICS code 321920). A review of FY18 citation data for covered Area Offices shows an average of 4.1 serious hazards being identified per inspection. The most common hazards identified were machine guarding (1910.212), lockout-tagout (1910.147), powered industrial vehicles (1910.178), electrical safety (1910.303 and 1910.305), noise (1910.95), and hazard communications (1910.1200).

Local experience has also shown that some pallet manufacturing establishments employ temporary workers as well as workers whose primary language is other than English. Agency history has demonstrated a need to focus outreach and enforcement resources for

employers who employ traditionally difficult to reach employee groups. Accident history searches of this industry show numerous case studies of amputation injuries due to machine guarding and hazardous energy control hazards. A review of OIS investigation reports from FY12-FY17 shows 88 incident investigations in this industry nationwide, including three fatal events. For FY18 in Region V, 17 inspections were opened by covered Area Offices after an employer reported to OSHA that a serious workplace injury had occurred.

- VIII. **Procedures**: The following procedures will be used in targeting, scheduling and conducting inspections under this LEP.

The Area Offices shall conduct inspections under this program through the Fiscal Year this program is active. The inspections under this LEP should be incorporated into the Area Office's overall strategic operating goals.

- a. **Selection and Scheduling Unprogrammed Inspections**: The Area Offices will conduct inspections for all complaints and referrals alleging a serious hazard or a condition that may be a violation of the machine guarding, woodworking, lockout/tagout, electrical safety or combustible dust standards or the report of any serious injuries associated with the operation of saws or other woodworking equipment. The inspection will address all complaint items, all aspects of the machine guarding, woodworking and lockout/tagout standards, electrical safety, combustible dust and associated hazards, respiratory hazards, potential exposure to noise, collection of OSHA 300 data and hours worked for the previous three years plus the current year, and an evaluation of the employer's safety and health program. The inspection will be expanded in accordance with programmed inspection scheduling procedures and hazards in plain view as applicable.
- b. **Programmed Inspection Lists**: The National Office will prepare a master inspection list for Area Offices in accordance with the CPL 02-00-025 – Scheduling Systems for Programmed Inspections. The National Office will assign a random number to each establishment on the list and provide the list to the Area Offices, sorted in random number order.

All selected establishments, regardless of size, will be inspected, including establishments which employ 10 or fewer employees. The wood pallet manufacturing industry has not been identified as a low hazard industry under the Appropriations Act, and therefore, no establishment is exempt based on size.

- c. **Cycle Generation**: Cycles will be prepared in accordance with CPL 02-00-025 – Scheduling System for Programmed Inspections. All establishments in a cycle must be opened before any establishment from a new cycle can be inspected. The establishments within the cycle may be inspected in any order.
- d. **Additions**: Based on their familiarity with local industries, Area Offices shall add to the master inspection list any establishments that are covered by this LEP. If establishments are added to the master inspection list, the list must be re-

randomized prior to use. The Area Office may return the modified list to the National Office for assignment of new random numbers or the Area Office may assign new random numbers to the list using the RANDBETWEEN function in Microsoft Excel.

- e. Deletions: Based on their familiarity with local industries, Area Offices shall delete from the master inspection list any firms known to be out of business.
- f. Data Collection - The Area Office will collect data from OSHA 300 logs for the previous three (3) calendar years plus the current year from all establishments inspected under this program that are required to maintain them. The data, which will include the totals from all the columns of the 300 log and the total hours worked by all employees for these years, will be used to assist in the evaluation of the program.

- IX. **OIS Coding**: Inspections conducted under this LEP will be coded as appropriate as either “Programmed Planned” or “Unprogrammed” under Initiating Type and “PALLET” under Local Emphasis Program. Other coding related to concurrent NEPs or LEPs may also be used as appropriate.

Strategic Plan Activity codes shall be selected in accordance with the hazards cited as a result of the inspection.

- X. **CSHO Protection**: Inspections under this LEP are to be conducted by the Compliance Officers who have received training on the LEP and the hazards of the pallet manufacturing industry. Compliance Officers shall attempt to establish the presence of hazards prior to initiating the walk around portion of the inspection, relying on information such as that obtained during the opening conference, previous inspection activity at similar sites, safety data sheets, and/or previous exposure monitoring surveys.

The Area Directors will ensure that the Compliance Officer has the necessary PPE to conduct the inspection, including but not limited to hard hats, safety glasses, hearing protection, safety boots, and respiratory protection.

The Compliance Officer will not place themselves in potentially hazardous situations such as entry into a permit confined space (PRCS) or activities which would require the performance of hazardous energy control (lockout). In such cases, necessary information should be sought in other manners including private employee interviews, witness statements, engineering drawings, manufacturing specifications/manuals, etc.

Compliance Officers shall establish the presence of hazardous substances prior to initiating the walk around portion of the inspection, relying on information such as previous inspection activity at similar sites, safety data sheets, and/or previous exposure monitoring surveys. The Compliance Officer will conduct self-sampling when they are potentially exposed to hazardous chemicals or excessive noise. Hazardous chemicals encountered could include particulates not otherwise classified (PNOC).

- XI. **Outreach and Compliance Assistance:** The Area Offices will conduct outreach to local establishments within this industry. The Area Offices will also discuss this LEP with appropriate stakeholders when performing general outreach presentations and at other public speaking events.

- XII. **Program Evaluation:** The Toledo Area Office will prepare a written evaluation of this LEP in the format specified by OSHA Instruction CPL 04-00-001. Evaluations will be submitted annually for the previous Fiscal Year.