



OSHA

REGIONAL INSTRUCTION

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

DIRECTIVE NUMBER: CPL 2 02-00-013A	EFFECTIVE DATE: October 1, 2019
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SUBJECT: Regional Emphasis Program for the Upstream Oil and Gas Industry

REGIONAL IDENTIFIER: Region VI

ABSTRACT

Purpose: This Instruction renews a Regional Emphasis Program (REP) for the Upstream Oil and Gas Well Industry.

Scope: This Instruction applies to all worksites in Arkansas, Louisiana, Oklahoma, and Texas, and those worksites in New Mexico that are under Federal OSHA jurisdiction.

References: OSHA Instruction CPL 02-00-025
OSHA Instruction CPL 02-00-051
OSHA Instruction CPL 02-00-163
OSHA Instruction CPL 04-00-002

Cancellations: Region VI Regional Notice CPL 2 02-00-013, dated October 1, 2018, Regional Emphasis Program for the Oil and Gas Industry.

State Impact: Region VI 21(d) Consultation Project Offices in Arkansas, Louisiana, Oklahoma, and Texas will provide outreach, consultation services, and training to affected employers as requested.

Action Offices: Region VI Area Offices
Region VI Consultation Project Offices
Dallas Regional Office

Information Offices: New Mexico Occupational Health and Safety Bureau

Originating Office: Dallas Regional Office.

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By and Under the Authority of:

ERIC S. HARBIN
Acting Regional Administrator

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I. **Purpose.** This instruction renews an enforcement initiative to reduce fatalities and catastrophic events in the upstream oil and gas industry. The specified target industries are Drilling Oil and Gas Wells – NAICS Code 213111, Support Activities for Oil and Gas Operations NAICS Code 213112, Oil and Gas Field Services –NAICS Code 213118, Oil and Gas Pipeline and Related Structures Construction NAICS Code – 237120, Site Preparation Contractors - NAICS Code 238910, Geophysical Surveying and Mapping Services - NAICS Code 541360.

II. **Scope.** This instruction applies to all worksites in Arkansas, Louisiana, Oklahoma, and Texas, and those worksites in New Mexico that are under Federal Jurisdiction.

III. **References.**

- A. OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs (“LEPs”), November 13, 2018, or current update.
- B. OSHA Instruction CPL 02-00-163, Field Operations Manual (FOM), September 13, 2019, or current update.
- C. OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations Under the Appropriations Act, May 28, 1998, or current update.
- D. OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, January 4, 1995, or current update.

IV. **Expiration.** This Instruction expires on September 30, 2024, but may be renewed as necessary.

V. **Background.**

During FY 2019 Region VI conducted 207 inspections under this REP with one significant enforcement action. The total number of violations was 195 of which 64.6% were serious, repeat, or willful. Inspections under this REP include activities such as, but not limited to, drilling, exploration, workover, and servicing. Since OSHA has no national program dealing with this industry, a regional emphasis program is necessary to address the fatalities/catastrophes and severe injuries and illness occurring within this jurisdiction. Region VI investigated 19 fatal injuries and 35 employer-reported referrals during FY 2019 under this REP.

BLS Data demonstrates the fatality rate for 2017 of mining, quarrying, and oil and gas extraction is a rate of 12.9 compared to 3.5 for all industries.

Chart 14. Number and rate of fatal work injuries by industry sector, 2017		
Industry sector	Count	Rate
Construction	971	9.5
Transportation and warehousing	882	15.1
Agriculture, forestry, fishing and hunting	581	23.0
Professional and business services	532	3.0
Government	473	2.0
Manufacturing	303	1.9
Retail trade	287	2.0
Leisure and hospitality	262	2.2
Other services (exc. Public admin.)	205	2.9
Educational and health services	189	0.8
Wholesale trade	174	4.8
Mining, quarrying, and oil and gas extraction	112	12.9
Financial activities	101	1.0
Information	43	1.6
Utilities	28	2.6
Total	5,147	3.5

OSHA will employ a number of tools to address this issue, including enforcement, outreach, training, onsite consultation, partnerships, alliances, and the Voluntary Protection Program (VPP).

Activities involving the processing of the product which might come under the purview of Process Safety Management (PSM) are excluded from this program.

VI. Enforcement.

- A. Hazards. Explosion, fire, fall, struck-by, caught-in, caught between, and electrocution hazards will be addressed because past inspection evidence suggests that these hazards are the leading causes of death within the oil and gas industry. Additionally, potential health hazards, such as but not limited to silica, noise and hydrogen sulfide, and other recognized health hazards will be evaluated. If necessary, a health referral will be made.

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- B. This Instruction is provided because of the continued need to address unsafe working conditions in the upstream oil and gas industry that contribute to workplace fatalities and injuries.

The specified target industries are Drilling Oil and Gas Wells – NAICS Code 213111, Support Activities for Oil and Gas Operations NAICS Code 213112, Oil and Gas Field Services –NAICS Code 213118, Oil and Gas Pipeline and Related Structures Construction NAICS Code – 237120, Site Preparation Contractors - NAICS Code 238910, Geophysical Surveying and Mapping Services - NAICS Code 541360.

C. Scheduling of Inspections.

1. Each Area office having upstream oil and gas operations within its jurisdiction will divide the jurisdiction into geographic sectors. The area office will create no less than 4 sectors. If it is not possible to divide the area into 4 sectors, the Area Office will discuss this with the Regional Office, and they will agree on the number of sectors. This will be noted by the Area Office. Each geographic sector will be numbered consecutively and a random number table applied to create a list. The list will be sorted in ascending order of random numbers assigned resulting in a list of geographic sectors for inspection. The sectors will be inspected in the order in which they appear on this list. The Area Office will ensure that each geographic sector is selected for inspection activity during the fiscal year.

The time allocated to conduct inspections within the geographic sector will depend on the number of sectors identified by the area office. For example, if there are 4 sectors – a sector will be open for 90 days before a new sector can be opened.

2. Inspections under this Regional Emphasis Program will be initiated through either of the two following systems:
 - a. Compliance Officer (“CSHO”) observation of oil & gas activity as outlined in paragraph 3 below, or
 - b. Through the development of a list of known work sites where active drilling is taking place. The list can be generated through local media, internet searches, railroad commission web site, etc. Inspections shall be scheduled in accordance with the sector system as defined in paragraph 1 above.
3. Once the Area Office selects a sector for inspection, the Area Director will instruct CSHOs to be alert to oil and gas activity during their travels throughout the selected sector. Upon observing oil & gas activity at a work site, the CSHO will call the Area Director or Supervisor and provide as

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much information about the site as possible (e.g., the employer's name, location, and any other available information) without entering the work site.

4. The Area Director or Supervisor will review the information to determine (1) whether the identified rig has been inspected within the sector within the last 45 days and (2) whether the owner/operator of the rig has been inspected four (4) or more times under this REP within the specified sector timeframe established by paragraph VI. C. 1. If either the rig or four (4) or more rigs owned/operated by the same employer have been inspected within the above time frames, then the Area Director or Supervisor will direct the CSHO not to conduct an inspection.

Otherwise, the Compliance Officer will conduct a comprehensive inspection of the rig.

5. For each sector, the Area Office will maintain a list of all rigs that have been identified. The list will include the rig number, site location, and the employer's name with a notation as to whether or not the rig was inspected. If the rig was not inspected, the Area Office will note the reason(s) why an inspection was not conducted.
6. Upon arrival at the work site and before initiating enforcement activities, the CSHO will determine the number of employees employed to determine if an inspection is limited by the Enforcement Exemptions and Limitations under the Appropriations Act.

- D. Scope of REP Inspection. The inspections under this emphasis program will be comprehensive in nature covering the entire job site, in accordance with the FOM. All apparent potential safety and health hazards will be evaluated. If necessary, a health referral will be made. The inspection will evaluate the measures used by all employers at the site to manage the hazards associated with the oil and gas industry.

The CSHO will evaluate all on-site employers through inspection, observation, photographs, video footage, measurements, and interviews of management and employees.

- E. Citations. Citations for violations will be issued in accordance with the FOM, Chapters V, VI, and VII.
- F. Interface with Unprogrammed Activity. Reports of imminent danger, fatalities, catastrophes, complaints, and referrals shall be scheduled as unprogrammed inspections, and shall be inspected in accordance with the applicable provisions of the FOM.
- G. Inspection Resources. Only trained Compliance Officers who have attended the OTI Oil & Gas course or who have experience in the oil and gas industry will be assigned to conduct inspections under this REP. All OSHA personnel participating

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- H. CSHO Personal Protective Equipment (PPE). CSHOs will use personal protective equipment suitable for the targeted industry. PPE will include, at a minimum, respiratory protection (as necessary), a hard hat, safety glasses with side shields, safety shoes/boots (with metatarsal guards as necessary), hearing protection, and high visibility apparel/vest. CSHOs shall wear non-spark-producing clothing such as natural fiber (e.g., cotton) and flame-resistant clothing (FRC). When necessary, CSHOs will use direct read monitors (e.g., H₂S, LEL). All electronic equipment used will be intrinsically safe for the inspection environment.

VII. Recording in OIS.

- A. Enforcement Inspections: Enforcement inspections completed under this initiative will be coded:

In OIS in the Inspection Type sub-tab:

1. Initiating Type will be coded “Programmed Planned” with the following exception. Any inspections conducted as a result of a complaint, referral, or fatality/catastrophe will be coded as the appropriate “unprogrammed” activity.
2. Local Emphasis Program will be coded **OILGAS** for all programmed and unprogrammed inspections.
3. Additional Codes will be coded with any applicable additional codes.

- B. Enforcement Interventions: Enforcement Interventions completed under this initiative, including partnerships, alliances, Voluntary Protection Programs, and other interventions, will be coded:

In OIS in the Task sub tab, Task Details, Emphasis Areas as follows:

1. Local Emphasis Programs will be coded **OILGAS**.
2. Other Emphasis Areas will include any applicable additional codes and the codes specific to the activity covered by the inspection per VII.A.4.

- C. Consultation Visits: Consultation Visits completed under this initiative will be coded:

1. In OIS on the Request Form CONS-20:
 - a. Local Emphasis will be coded **OILGAS**.

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- b. Field 18 will include any applicable additional codes and the codes specific to the activity covered by the inspection per VII.A.4.
 - 2. In OIS on the Visit Form CONS-30:
 - a. Local Emphasis will be coded **OILGAS**.
 - b. Field 22 will include any applicable additional codes and the codes specific to the activity covered by the inspection per VII.A.4.
- D. Consultation Interventions: Consultation Interventions completed under this initiative will be coded:

In OIS on the Consultation Intervention Form CONS-66:

 - 1. Local Emphasis will be coded **OILGAS**.
 - 2. Field 15 will include any applicable additional codes and the codes specific to the general industry activity covered by the inspection per VII.A.4.
- E. Area Offices, Consultation Projects, and the Regional Office shall periodically check their OIS databases to verify accuracy of the data for the initiative.

VIII. Outreach.

All REPS must contain an outreach component that must be ongoing throughout the effective period of the program. These outreach efforts should be coordinated with or include the consultation program for that area. The method of outreach is at the Area Directors discretion and can consist of one or more of the following components.

- 1. Broadcast mail-outs or program information
- 2. Stakeholder meetings
- 3. Targeted training sessions
- 4. Presentations to the affected group(s)

IX. Partnerships and Alliances.

In the event outreach efforts result in the interest in developing an alliance or partnership the Area Director will insure that these efforts conform to current National and Regional Policy.

X. Evaluation.

The Regional office will evaluate the impact of the REP at the midpoint of the program as well as at the expiration. Information and data from OIS along with input from the Area Directors will be used in program reports. Elements to be considered in the program report are contained in OSHA Instruction CPL 04-00-002.