



OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: NYC-CPL-04-00-002

SUBJECT: Local Emphasis Program for Programmed Maritime Inspections

REGION: New York City Region

SIGNATURE DATE: February 9, 2026

EFFECTIVE DATE: March 2, 2026

ABSTRACT

- Purpose:** This Instruction implements a Local Emphasis Program (LEP) for the programmed inspection of Maritime Industries engaged in shipbuilding and repair, marine cargo handling, navigation services to shipping, port and harbor operations, other support activities for water transportation and boat building, located on or adjacent to U.S. navigable waterways.
- Scope:** This instruction applies to the Puerto Rico Area Office.
- References:** See references under section III.
- Action Offices:** Puerto Rico Area Office, New York City Region
- Originating Office:** New York City Regional Office, Office of the Regional Administrator
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By and Under the Authority of

Richard Mendelson
Regional Administrator

Executive Summary

This Local Emphasis Program (LEP) will support Performance Goal 2.1 established in the FY 2022-2026 Strategic Plan by focusing Area Office resources on maritime industry sectors that have a high potential for occupational hazards.

This instruction implements a Local 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) engaged in recreational boat repair located on or adjacent to navigable waterways throughout Puerto Rico and the U.S. Virgin Islands.

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

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.

Table of Contents

I. Purpose.....	1
II. Scope.....	1
III. References.....	1
IV. Cancellations.....	1
V. Expiration.....	1
VI. Action Offices.....	1
A. Responsible Office.....	1
B. Action Office.....	1
C. Information Offices.....	1
VII. Federal Program Change.....	1
VIII. Background.....	1
IX. Site Selection.....	2
A. Scheduling.....	2
X. Recording in OIS.....	3
XI. Evaluation.....	3
XII. Outreach.....	3

I. Purpose.

This instruction implements a new Local Emphasis Program for programmed inspections of Maritime Industries on the island of Puerto Rico and the U.S. Virgin Islands (St. Thomas, St. Croix and St. John).

II. Scope.

This Instruction applies to the Puerto Rico Area Office.

III. References.

- A. [CPL 02-00-164, Field Operations Manual \(April 14, 2020\)](#)
- B. [CPL 04-00-002, Procedures for the Approval of Local Emphasis Programs \(LEPs\) \(November 13, 2018\)](#)
- C. [CPL 02-00-025, Scheduling System for Programmed Inspections \(January 4, 1995\)](#)
- D. [CPL 02-01-066 OSHA Authority Over Vessels and Facilities on or Adjacent to U.S. Navigable Waters and on the Outer Continental](#)
- E. [Industry Injury, Illness, and Fatality Data, U.S. Department of Labor, Bureau of Labor Statistics](#)
- F. [OSHA Maritime Topic Page](#)

IV. Cancellations.

- A. None.

V. Expiration.

This Instruction will expire five years after the effective date of this LEP.

VI. Action Offices.

A. Responsible Office.

The office of the New York City Regional Administrator, New York City Regional Enforcement Programs, and the Puerto Rico Area Office shall ensure the procedures described in this Instruction are followed.

B. Action Office.

The Puerto Rico Area Office of NYC Region will perform the actions of site selection, scheduling and execution of inspections, and outreach within its jurisdictional area. The NYC Regional Office will assist as needed with oversight and outreach related to this emphasis program.

C. Information Offices.

None.

VII. Federal Program Change.

None.

VIII. Background

According to Bureau of Labor Statistics (BLS) 2023 data, the DART (Days Away,

Restricted or Transferred) incidence rate for reported NAICS are as follows: ship building & repair (NAICS 336611) was 53.8, boat building (NAICS 336612) was 21.8, barge transportation (NAICS 483211) was 11.4, marine cargo handling (NAICS 488320) was 20.8, and marinas was 15.4 compared to all private industry at 19.0. According to the BLS Table 2, in 2023 the number of nonfatal occupational injuries and illnesses for the NAICS codes covered by this instruction approximately 13,200.

Over the last 5 years (2019-2024), the New York City Region conducted 92 inspections under the covered NAICS. Of those inspections, 7 were related to fatalities, with 4 occurring in marine cargo handling operations (NAICS 488320). The remaining 3 fatalities were related to shipbuilding/repair (NAICS 336611), boat building (NAICS 336612), and barge transportation (NAICS 483211). This instruction emphasizes the importance of a proactive approach to reducing injury and illness rates within our region and assisting employees and employers in identifying potential hazards in the workplace.

IX. Site Selection

This instruction implements a Local 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) engaged in recreational boat repair located on or adjacent to navigable waterways throughout Puerto Rico and the U.S. Virgin Islands.

A. Scheduling

1. Scheduling lists shall be developed using the employer method per [CPL 02-00-025](#), paragraph B.1.b(3)(c): A list of all water transportation services employers within the Area Office's jurisdiction may be prepared, based on OSHA inspection history, local knowledge and experience, company schedules, and other sources.
2. The method of selection (for the lists) at the beginning of each fiscal year shall be approved by the Regional Administrator.
3. Deletions shall be made in accordance with [CPL 02-00-025](#), paragraph B.1.b(3)(c)(6).

B. Health inspections shall be scheduled in accordance with [CPL 02-00-025](#), paragraph B.1.b(3)(c)(8).

C. Inspections shall be conducted in accordance with [CPL 02-00-164, Field Operations Manual \(April 14, 2020\)](#).

X. Recording in OIS

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

XI. Evaluation

- A. An evaluation of the program will be conducted midway through and at the completion of the effective period in the format specified by OSHA Instruction [CPL 04-00-002 Procedures for the Approval of Local Emphasis Programs \(LEPs\) \(November 13, 2018\)](#).

XII. Outreach

During this LEP the Area Director will ensure that outreach to industry stakeholders occurs during a 90-day period before the enforcement element of the LEP is initiated. Additionally, a robust outreach program will continue during the enforcement phase of this program. Outreach activities are directed at reaching as many stakeholders in the Area Office jurisdiction as practicable. The purpose of the outreach is to inform interested parties of the existence, purpose, and objectives of this local emphasis program as well as to promote employer knowledge and employee awareness of the hazards and acceptable methods of abatement to prevent illness and injuries. The method of outreach is at the Area Director's discretion and can consist of one or more of the following components:

1. Broadcast mail-outs or program information to stakeholders and affected groups.
2. Conduct informational meetings with stakeholders and affected groups.
3. Targeted training sessions for specific groups appropriate to the industry.
4. Media press releases or e-blasts to stakeholders and affected groups.
5. Encourage employers to utilize OSHA’s free consultation program.
6. Prepare linguistically appropriate outreach materials.