

North Carolina Department of Labor
Division of Occupational Safety and Health

Field Information System

Operational Procedure Notice 117

Subject: Special Emphasis Program for Silicosis

- I. Purpose. This instruction establishes a Special Emphasis Program (SEP) for health inspections in operations where an exposure to crystalline silica may exist in accordance with the provisions of the Compliance Operations Manual. It is intended to eliminate the workplace incidence of silicosis.
- II. Scope. This instruction applies statewide.
- III. Action. Bureau Chiefs and District Supervisors will ensure that the procedures established in this notice are adhered to in conducting silica inspections.
- IV. References.
 - A. Compliance Operations Manual.
 - B. OSHA memorandum re: Special Emphasis Program (SEP) for Silicosis by Joseph A. Dear on May 2, 1996. (attached)
- V. Background. After 60 years, silicosis continues to be a major health threat. It is known that silicosis is preventable. Annually, more than 250 silica deaths occur and greater than one million workers are exposed to silica nationwide. In keeping with federal OSHA's emphasis on eliminating silicosis, the State of North Carolina has determined that it would like to be a part of this national emphasis.
- VI. Procedures. Inspections under this special emphasis program will be scheduled and conducted under the following priority in both general industry and construction.
 - A. Referrals:
 1. North Carolina Department of Health and Human Services (NCDHHS). Through a Memorandum of Understanding with NCDHHS, OSHNC will receive information related to silica exposure from the Sentinel Event Notification Systems for Occupational Risks (SENSOR) Data.
 2. Whenever a CSHO observes or receives information, the CSHO will:
 - a. Document the status and condition of the work operation as far as it is known, noting any serious hazards.
 - b. Note the name and address and location of the worksite or facility and, in construction, the name of the contractor(s) performing the work.

- c. Provide the Health Supervisor for the affected district with the information. Based upon the information provided, all potential crystalline silica dust exposures brought to the attention of the District Office will be inspected as follows:
 - i. If the worksite has been inspected within the last 30 days, the results of the inspection will be considered along with the current worksite observations in determining whether or not an inspection is to be conducted.
 - ii. If the crystalline silica dust-generating work was not in progress during the previous visit to the site but is currently in progress, the inspection will be authorized and opened.
 - iii. If the crystalline silica dust-generating work was in progress and evaluated during the previous inspection, the inspection will be opened only if apparent serious violations are present or can reasonably be expected at the site.
 - iv. If the worksite has not been inspected within the previous 30 days, an inspection will be conducted unless it is apparent that workers are not exposed to crystalline silica dust.
- 3. Reports of imminent danger, fatality/catastrophe reports, formal/nonformal complaints, safety and health referrals from other federal, state, county and city agencies, media reports, reports for physicians, hospitals, or medical clinics and reports from the general public will be investigated/inspected by the District Office.
- 4. The discovery of worksites may be the result of a specific search to find this type of operation, at the discretion of the Bureau Chief. Although sightings will be those normally that occur during the course of route travel during duty or non-duty hours, policy may provide that the District Supervisor investigate areas of high construction activity to identify potential silica in construction work sites.
- 5. Documentation of the events leading up to the observation will be maintained by the District Office in case of a denial of entry.
- B. MIE will develop a list of general industry and construction contractors likely to be involved in silica-related activities. SIC Codes most likely to be included in the list involve SIC Codes where overexposures to crystalline silica dust have been documented.

SIC CODE	Industry Type
0723	Crop preparation service for market
1542	Nonresidential construction
1622	Bridge, tunnel, and elevated highway construction
1629	Heavy construction
1721	Painting and paper hanging
1741	Masonry and other stone work
1799	Special trades contractors
3255	Clay refractories
3321-2	Foundries
3325	Foundries
3365	Foundries
3441	Fabricated structural metal
3443	Fabricated plate work
3479	Metal coating and engraving and allied services
3543	Industrial patterns
3731	Shipbuilding and repair

VII. As the lists in general industry and construction become viable, inspection sites can be randomly selected for inspection from the list compiled from the above sources using a random numbers table. (This selection process sets forth administratively neutral criteria to identify establishments for inspection.) As new sites are added, they should be randomized for inspection.

VIII. Application.

- A. Inspections under this SEP will address all aspects of any potential silica exposure and include a review of all related written documentation (i.e., recordkeeping, monitoring, medical, respirator fit testing and procedures, hazard communication, and training materials.) The CSHO may expand the inspection scope beyond the silica-related activities if serious hazards or violations are observed.
- B. Even if the company headquarters are located within another state, every attempt will be made to obtain the required information.
- C. If a site is located within the jurisdiction of another District Office, a referral will be made to the appropriate District Office according to current procedures. Information obtained from the contractor's headquarters will be shared with any other District Office having an active site.
- D. The number of inspections conducted under this SEP will be determined by the Chief of Health Compliance based on consideration of site information.

IX. Recording in the Integrated Management Information System (IMIS).

Current instructions for completing enforcement forms OSHA-1, OSHA-7, OSHA-36, and OSHA-90 and Consultation Request Form-20 and Visit Form-30 will be applied when recording inspections conducted under this SEP as follows:

- A. The OSHA-1 form for any programmed inspection covered under this special emphasis program for crystalline silica in all industries will be marked "PLANNED" (Item 24h) and "SPECIAL EMPHASIS PROGRAM" (Item 25d). Record SILICA in the space in item 25d.
- B. The OSHA-1 form for any unprogrammed inspection will be marked as unprogrammed (Item 24a. through 24g. as appropriate. In addition, it will be marked "SPECIAL EMPHASIS PROGRAM" (Item 25d). Record SILICA in the space in Item 25d.
- C. For focused inspection covered under this SEP, Item 42 (Optional Information) of the OSHA-1 form will be completed according to the guidelines outlined in the memorandum of March 10, 1995, detailing the proper coding for focused inspections (see Appendix G).
- D. Whenever an OSHA-7 is completed and the applicable complaint alleges the presence of crystalline silica or related silicates, complete the OSHA-7 in the normal manner, but include the code for silica in "Optional Information" Item 46. The following format should be used:

TYPE	ID	VALUE
N	16	SILICA

- E. Whenever an OSHA-36 is completed by an office and the inspecting compliance officer is able to identify at the site of the fatality/catastrophe the presence of crystalline silica or related silicates, complete the OSHA-36 in the normal manner, but include the code for silica in "Optional Information" Item 35. The following format should include the following:

TYPE	ID	VALUE
N	16	SILICA

- F. Complete the OSHA-90 in the normal manner and enter the code "SILICA" in "Optional Information" Item 26 when an OSHA-90 is completed by an office and the applicable referral case has crystalline silica as one of the subjects of the file. The following format should be used:

TYPE	ID	VALUE
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X. Other Divisional Activity.

- A. The Bureaus of Education, Training and Technical assistance and Consultative Services will develop outreach programs that will support the enforcement effort. Such programs may include letters to employers, the Associated General Contractors (AGC), local unions, Associated Builders and Contractors, local safety councils, apprenticeship programs, local hospitals and occupational health clinics, and/or other construction employer organizations that engage in activities that may involve silica exposure. Speeches through the local safety councils or industrial hygiene organizations can provide another avenue for dissemination of information as can press releases to the local media.
- B. Using the list compiled by Management Information and Evaluation (MIE), Education, Training and Technical Assistance (ETTA) will contact each employer covered by this SEP in writing and provide them with a copy of the appropriate silica standard and other general silica information. On-site consultation for qualified small employers will also be provided upon request.

XI. Expiration: This SEP expires one year from the effective date unless extended by the Director.

November 4, 1997
Date of Signature

(Signed on Original)
Charles N. Jeffress
Director