

North Carolina Department of Labor
Division of Occupational Safety and Health
Raleigh, North Carolina

Field Information System

Operational Procedure Notice 117B

Subject: Special Emphasis Program for Silicosis

- A. **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.
- B. **Scope.** This instruction applies statewide to establishments under OSHNC jurisdiction.
- C. **Action.** Compliance Bureau Chiefs and District Supervisors will ensure that the procedures established in this notice are adhered to in conducting silica inspections. OSHNC Compliance will review this instruction on an annual basis to confirm the need to continue the Special Emphasis Program.
- D. **References.**
 1. Compliance Field Operations Manual.
 2. OSHA memorandum re: Special Emphasis Program (SEP) for Silicosis by Joseph A. Dear on May 2, 1996.
- E. **Background.** After 60 years, silicosis continues to be a major health threat. It is known that silicosis is preventable. Annually, more than 250 silica-related 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. In North Carolina, doctors and laboratories are required to report and hospitals are encouraged to report suspected silicosis in adults. This information is communicated to the North Carolina Department of Health and Human Services (NCDHHS), Epidemiology Division, Occupational & Environmental Epidemiology Section.
- F. **Procedures.** Inspections under this SEP will be scheduled and conducted under the following priority in both general industry and construction.
 1. Referrals:
 - a. Whenever a CSHO observes or receives information about potential silica exposure, the CSHO will:
 - i. Document the status and condition of the work operation as far as it is known, noting any serious hazards.
 - ii. Note the name and address and location of the worksite or facility and, in construction, the name of the contractor(s) performing the work.
 - iii. Provide the Health District 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 field office will be inspected as follows:

- A. 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.
- B. 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.
- C. 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.
- D. 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.

- b. 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.
- c. 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 by the field office.
- d. 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 that normally occur during the course of travel during duty or non-duty hours, policy may provide that the District Supervisor investigate areas of high construction activity to identify potential work sites.
- e. In case of denial of entry, the field office will maintain documentation of the event leading up to the observation.

- 2. Policy, Statistics, and Information Management (PSIM) will develop a list of general industry and construction employers likely to be involved in silica-related activities. The Standard Industrial Classification (SIC) code list may include, but is not limited to, the following SIC codes:

| SIC CODE | Industry Type |
|----------|---|
| 0723 | Crop preparation service for market |
| 1542 | Nonresidential construction |
| 1622 | Bridge, tunnel, and elevated highway construction |
| 1629 | Heavy construction |

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| 1721 | Painting and paper hanging |
| 1741 | Masonry and other stone work |
| 1799 | Special trades contractors |
| 3251-3259 | Structural Clay Products |
| 3272 | Concrete Products, Except Block and Brick |
| 3273 | Ready-Mixed Concrete |
| 3281 | Cut Stone and Stone Products |
| 3291 | Abrasive Products |
| 3295 | Minerals and Earths, Ground and Otherwise Treated |
| 3299 | Nonmetallic Mineral Products, NEC |
| 3321-3325 | Iron and Steel Foundries |
| 3361-3369 | Nonferrous Foundries |
| 3441 | Fabricated structural metal |
| 3443 | Fabricated plate work |
| 3479 | Metal coating and engraving and allied services |
| 3543 | Industrial patterns |
| 3731 | Shipbuilding and repair |

*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.

G. Application

1. Inspections under this SEP will address all aspects of 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 scope of the inspection in accordance with the FOM for complaints and referrals.
2. If the company headquarters are located within another state, the CSHO will attempt to obtain the above information. The CSHO will document each attempt and the information obtained.
3. If a site is located within the jurisdiction of another field office, a referral will be made to the appropriate field office according to current procedures. Information obtained from the contractor's headquarters will be shared with any other field office having an active site.
4. The number of inspections conducted under this SEP will be determined by the Assistant Director and Bureau Chiefs of Compliance based on site information.

H. Recording in the Integrated Management Information System.

Current instructions for completing the OSHA-1, OSHA-7, and OSHA-90 forms will be applied when recording inspections conducted under this SEP as follows:

1. The OSHA-1 form for any programmed inspection covered under this SEP will be marked "PLANNED" (item 24h), "SPECIAL EMPHASIS PROGRAM," "SILICA" (item 25d) and "STRATEGIC PLAN," "SILICA EXPOSURE" (item 25f).
2. The OSHA-1 form for any unprogrammed inspection covered under this SEP will be marked "UNPROGRAMMED" (item 24a through 24g, as appropriate), "SPECIAL EMPHASIS PROGRAM," "SILICA" (item 25d) and "STRATEGIC PLAN," "SILICA EXPOSURE" (item 25f).
3. Complete the OSHA-90 and mark "STRATEGIC PLAN ACTIVITY," "SILICA EXPOSURE" (item 32).

I. Other Divisional Activity.

1. The Bureau of Education, Training and Technical Assistance (ETTA) and the Bureaus of Consultative Services will develop outreach programs that will support the enforcement effort. Such programs may include letters to employers, the Associated General Contractors, 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.
2. Using the list compiled by PSIM, 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.

J. Expiration: This SEP is effective on the date of signature. It will remain in effect until canceled by the Director.

Signed on Original

Robert K. Andrews, Jr.
Director

10/09/2000

Date of Signature

Signed on Original

Tim Childers
West Compliance Bureau Chief

Signed on Original

Paul Sullivan
Health Compliance Supervisor