

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

Field Information System

Operational Procedure Notice 126

Subject: Special Emphasis Program for Methylene Chloride

A. Purpose:

This instruction establishes a Special Emphasis Program (SEP) for health inspections in operations where exposures to Methylene Chloride (MC) may exist in accordance with the provisions of the Compliance Field Operations Manual. It is intended to reduce workplace exposures to MC, also known as dichloromethane.

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 MC 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 Directive CPL 2-2.68 - Inspection Procedures for Occupational Exposure to Methylene Chloride Final Rule 29 CFR Part 1910.1052, 29 CFR 1915.1052, and 29 CFR 1926.1152.

E. Background:

Methylene chloride (CH₂Cl₂) is a chlorinated compound that is frequently used as a solvent for plastics, as a degreasing agent, as a component of paint strippers, as part of propellant mixtures in containers for spraying aerosols such as adhesives, as an auxiliary blowing agent in Polyurethane foam manufacturing, and as an extracting agent in the pharmaceutical industry. MC is acutely toxic to the central nervous system, and is an anesthetic. CNS effects of acute toxicity include mental confusion, light-headedness, nausea, vomiting, and headaches. MC also irritates the eyes, skin, and respiratory tract. Chronic exposure to MC has been linked to cancers of the liver, lung, bile duct, and brain. On January 10, 1997, OSHA published the expanded MC standards in the Federal Register for General Industry, Construction, and Shipyard Employment. Following a partial administrative stay, all portions of the MC standard came into effect after August 31, 1998. Because of the large number of employees in the State of North Carolina who are frequently exposed to MC, OSHNC will implement a Special Emphasis Program for MC. The goals of this SEP will be to reduce the severity levels of exposure to MC by 10% by the year 2006. In order to accomplish this goal, at least 50 inspections for MC will be conducted per year.

F. Selection Procedures:

Inspections under this special emphasis program will be scheduled and conducted under the following priority in both general industry and construction.

1. Referrals and Complaints:

- a. Whenever a CSHO observes or receives information about potential MC 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. Document 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, unless the information has already been made known through a complaint. Based upon the information provided, all potential MC 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 MC-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 MC-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 MC.
- b. The District Office in case of a denial of entry will maintain documentation of the events leading up to the observation.
- c. OSHNC may also contact NC DEHNR, Division of Air Quality to identify companies in the State of North Carolina that have received air permits to discharge MC. These companies may then be selected for a MC SEP inspection, depending on their recent OSHNC compliance history. These inspections will be classified as referral inspections.
- d. Training will be given to Safety and Health Compliance Officers in the recognition of processes likely to involve MC. If Safety Compliance Officers document that MC is present at the worksite during an inspection (through material safety data sheets, product labels, employee interviews, etc.), a referral will be placed to the Bureau of Health Compliance.

2. SIC Code-Specific Targeting Assignments:

- a. PSIM will search available databases to develop a list of general industry employers likely to be involved in MC-related activities. The Standard Industrial Classification (SIC) Code list may include, but is not limited to, the following SICs:

SIC Code	Industry Type
2321	Men's and Boy's Shirts, Except Work Shirts
2392	House Furnishings, Except Curtains and Draperies
2511	Wood Household Furniture, Except Upholstered
2512	Wood Household Furniture, Upholstered
2515	Mattresses, Foundations, and Convertible Beds
2521	Wood Office Furniture
2531	Public Building and Related Furniture
2541	Wood Office and Store Fixtures, Partitions, Shelving, and Lockers
2821	Plastics Materials, Synthetic Resins, Nonvulcanizable Elastomers
2851	Paints, Varnishes, Lacquers, Enamels, and Allied Products
2869	Industrial Organic Chemicals, NEC
2891	Adhesives and Sealants
2893	Printing Ink
3069	Fabricated Rubber Products, NEC
3086	Plastics Foam Products
3471	Electroplating, Plating, Polishing, Anodizing, and Coloring
3498	Fabricated Pipe and Pipe Fittings
5113	Industrial and Personal Service Paper
7641	Reupholstery and Furniture Repair
8734	Testing Laboratories

- b. As the lists become viable, inspection sites can be randomly selected for inspection from the list compiled from the above sources. As new sites are added, they should be randomized for inspection.

- c. Each supervisor will review the generated list to remove inactive sites, duplicate sites, and those that have received a comprehensive health inspection within the last two years. Those that have received a comprehensive safety inspection within the last two years will still be included in the list. The generated list will be compared to the current General Schedule assignment lists. Establishments that appear on both lists will receive a methylene chloride inspection as part of a comprehensive inspection.

G. Inspection Procedures:

1. Health Compliance Officers (HCOs) will indicate during the opening conference that a special emphasis program inspection for MC is being conducted. OSHA 200 logs will be requested and reviewed. The HCO will determine if MC exposure-producing operations are present at the work site. The HCO reserves the right to request confidential interviews of employees to help determine the potential presence of MC exposure-producing operations.
2. If MC exposure-producing operations are present, the HCO will evaluate for employee MC exposure. If the employer has their own sampling data, the HCO will evaluate this data and will consult with their Supervisor to determine whether more sampling will be necessary. If sampling is necessary, the HCO will note any other hazards observed while performing the on-site sampling and applicable citations will be issued. Inspection will be noted on the OSHA-1 as a programmed planned inspection, but scope will be marked as partial, unless the inspection is also being conducted as a comprehensive inspection because the employer was on the General Schedule assignment list. These would be marked as comprehensive scope. In all cases, Block 25C (Local Emphasis Program) will be marked for methchlo and Block 25F (Strategic Plan Activity) will be marked for Methylene Chloride.
3. If MC-producing operations are not present, the HCO will discontinue the inspection, unless it is part of a General Schedule inspection, or a complaint inspection. If not, the inspection will be noted on the OSHA-1 as a records only inspection. If OSHA 200 logs have not been maintained and/or other hazards were observed while trying to determine the presence/absence of MC, the hazard and information required to correct the hazard will be brought to the attention of the employer and citations will be issued.
4. MC SEP inspections will be conducted statewide in accordance with the guidance given in CPL 2-2.68.

H. Application:

1. Inspections under this SEP will address all aspects of potential MC 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.) Any expansion of the scope of the inspection will be 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 Assistant Director and Bureau Chiefs of Compliance will determine the number of inspections conducted under this SEP.
5. Evaluation of Program:

Bureau Chiefs of Compliance shall submit to the Director an annual evaluation report to include at least the following:

- a. Number of inspections;
- b. Number of citations and violations issued;
- c. Impact on the severity rate of MC overexposures;
- d. Standards cited;
- e. Scheduling problems, such as locating work sites or establishments for this Special Emphasis Program;
- f. Overall assessment of this SEP, including recommendations for possible alterations of MC items in the Performance Plan.

I. 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), "LOCAL EMPHASIS PROGRAM" "METHCHLO" (item 25c), and "STRATEGIC PLAN" "METHYLENE CHLORIDE" (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), "LOCAL EMPHASIS PROGRAM" "METHCHLO" (item 25c), and "STRATEGIC PLAN" "METHYLENE CHLORIDE" (item 25f).
3. Complete the OSHA-90 and mark "LOCAL EMPHASIS PROGRAM" "METHCHLO" (item 31), and "STRATEGIC PLAN ACTIVITY" "METHYLENE CHLORIDE" (item 32).

J. Other Divisional Activity:

1. The Bureaus of Education, Training and Technical Assistance (ETTA) and Consultative Services will develop outreach programs that will support the enforcement effort. Such programs may include letters to employers, local unions, local safety councils, apprenticeship programs, local hospitals and occupational health clinics, and/or other employer organizations that engage in activities that may involve MC 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 MC standard and/or other general MC information. On-site consultation for qualified small employers will also be provided upon request.

K. Expiration:

This SEP is effective on the date of signature. It will remain in effect until revised or canceled by the Director.

Signed on Original
John H. Johnson
Director

Signed on Original
Brent Webber
Staff Industrial Hygienist

9/18/01
Date of Signature