

**North Carolina Department of Labor
Division of Occupational Safety and Health**

Raleigh, North Carolina

Field Information System

Operational Procedure Notice 117E

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 Field Operations Manual. It is intended to reduce levels of exposure to silica in targeted sites by the year 2005.

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. Referrals from the NC Department of Health and Human Services (NCDHHS).

- i. 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. This information may be used for targeted inspections.
- ii. OSHNC will receive information from NCDHHS on employers who are in the North Carolina Dusty Trades Program due to potential employee exposure to silica. This information may be used for targeted inspections.

c. Referrals from the NC Department of Environment and Natural Resources (NCDENR).

- i. OSHNC will periodically receive a list of permits for construction and renovation of elevated water tanks from the NC DENR - Public Water Supply Division. Because of the high potential exposure to silica (and lead) during paint removal and paint prepping operations on elevated tanks, this information may be used for targeted inspection.
- d. Reports of imminent danger, fatality/catastrophe reports, formal/nonformal complaints, and 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.

- e. 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.
- f. In case of denial of entry, the field office will maintain documentation of the event leading up to the observation.

2. Scheduled Inspections:

- a. Planning Statistics and Information Management (PSIM) will search available databases to develop lists of general industry and construction employers likely to be involved in silica-related activities. 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. The Standard Industrial Classification (SIC) Code list may include, but is not limited to, the following SICS:

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
3251-3259	Structural Clay Products
3272	Concrete Products, Except Block and Brick

SIC Code	Industry Type
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

- b. Each supervisor will review the generated lists to remove inactive sites, duplicate sites, and those that have received a comprehensive health inspection within the last three years. Those that have received a comprehensive safety inspection within the last three years will still be included in the list. Both lists (General Industry and Construction) will be merged into a prioritized inspection list with the highest hazard sites, in the opinion of the supervisor, listed and to be assigned for inspection first.
- c. Health Compliance Officers (HCOs) will indicate during the opening conference that a special emphasis program inspection for silica is being conducted. The CSHO will request and review the OSHA injury and illness logs. The HCO will determine if silica 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 silica exposure-producing operations.

- d. If silica-producing operations are present, the HCO will continue with the inspection and evaluate for employee silica exposure. During this time, HCO will note any other hazards observed 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.
- e. If silica-producing operations are not present, the HCO will discontinue the inspection. Inspection will be noted on the OSHA-1 as a records only inspection. If OSHA injury and illness logs have not been maintained and/or other hazards were observed while trying to determine the presence/absence of silica, the CSHO will bring the hazard and information required to correct the hazard to the attention of the employer and applicable citations will be issued.

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).
4. If an inspection covered under this SEP results in a program improvement (specifically associated with the employer's MC program), the following State IMIS code will be entered on the OSHA-1 form: "S 09 SILICA PROG IMPROVEMENT" (this is to be recorded in the Optional Information field).

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.

OPN 117D is canceled. This SEP is effective on the date of signature. It will remain in effect until canceled by the Director.

Signed on Original

John H. Johnson
Director

Signed on Original

Brent Webber
Staff Industrial Hygienist

5/7/02

Date of Signature