



Dear Client/Friend,

Industrial Health & Safety's April/May 2007 Spotlight on Safety has been released . The purpose of this newsletter is to provide friends and clients a greater understanding of the dynamic world of occupational safety and health, and to keep them acquainted with the various changes in policies and laws that will affect their facilities.

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### Dept of Homeland Security Issues Rules for Securing High-Risk Chemical Facilities

As part of the Homeland Security Appropriations Act of 2007 (Section 550) the government has issued an interim final rule (IFR) regarding the security of certain chemical facilities that produce chemicals they deem to be high-risk (a list of these chemicals can be found on the [Homeland Security website](#) or listed at the bottom of the [Homeland Security Appropriations Act of 2007](#), also the measures for chemical amounts are in pounds). The rule states that chemical facilities have to create Security Vulnerability Assessments (SVAs), to clarify any security vulnerabilities that the facility may have. They also have to create and implement Site Security Plans (SSPs) which would resolve the vulnerabilities found in the Security Vulnerability Assessments. Certain chemical facilities with specific circumstances can submit an Alternate Security Program (ASP) in place of the SVA, or SSP.

The act lays out regulations for inspections and audits, recordkeeping, and protecting information that

constitutes Chemical-terrorism Vulnerability Information (CVI). The act allows the Dept of Homeland Security to gain compliance through fines of up to \$25,000 per day, or even going as far as ordering a facility to stop production for non-compliance. Some of the goals of the security will be to secure the perimeters of the facility, control access to the facility, and to deter theft and sabotage by both employees and outside individuals.

Facilities contacted by the Dept of Homeland Security have 120 days from the time the regulation is published in the Federal Register to provide their information for the risk assessment process.

## EPA Releases New Brochure About Asbestos Safety For Auto Repair

For Professionals and do-it-yourselfers in the automotive field the Environmental Protection Agency has come out with a new [brochure](#) with guidelines for working with auto parts that may contain asbestos. The brochure titled *Current Best Practices for Preventing Asbestos Exposure Among Brake and Clutch Repair Workers* discusses the necessity to stop asbestos fibers from becoming airborne while working on the vehicle.

Though one cannot tell if the the clutch or brakes being worked on contain asbestos the brochure makes it clear to treat all components as if they do. It also mentions not to use compressed air to clean dust and debris from parts as it can cause the asbestos to enter the air.

The brochure has do's and don'ts for mechanics with points on using pre-ground ready-to-install parts so the avoid dust, and not wearing work clothes home to prevent exposure of one's family to asbestos.

## OSHA's New Compliance Products

OSHA has put out new safety posters, QuickCards, fact sheets, and brochures for safety compliance. They cover topics such as Avian Flu (in English and Spanish), Your Rights as a Whistleblower, guidelines for preparing for influenza pandemics, and many others. You can find all of these materials for at [OSHA's website](#). OSHA has also revised its guild on amputation protection called *Safeguarding Equipment and Protecting Employees*. *The guide points out eight mechanical motions and eight hazardous actions that can possibly result in amputation, and list steps that can be taken to reduce these hazards.*

## New DOT Final Rule Creates Changes in Classifications

December 29th 2006 the DOT issued revisions to the hazardous materials. These changes add and revise some PSN, change some special provisions (15 and 47), and quantity limits for air transport. The most important changes are to the defining criteria for hazard Classes 2 (for aerosols), Class 3 (flash point change), Class 4 (definition change), Classes 6.1 (criteria and packing group assignment). The changes to the criteria for Class 3 and 6.1 may result in some currently regulated materials becoming non-regulated and some currently non-regulated materials becoming regulated. Specific changes include the requirement that aerosols with Class 6.1 PG III or Class 8 PG II or III subsidiary hazard must be assigned as appropriate; the flash point cut off for Class 3, PGIII is changed from 60.5 to 60° C (141 to 140° F); Class 6.1 toxicity classification criteria has been modified as indicated in the table below.

PG	Oral LD50 mg/kg	Dermal LD50 mg/kg	Inhalation dust/mist LC50 mg/L
I	#5	#50	#0.2
II	>5 and #50	>50 and #200	>0.2 and #2
III	>50 and #300	>200 and #1000	>2 and #4

There is no longer a difference between solids and liquids for oral toxicity. Class 8 now includes both liquids and solids that may become liquid during transport and are corrosive to aluminum and steel at a rate exceeding 6.25mm/year. The classification criteria changes can be used now but are not mandatory until January 1, 2012.

A new label and placard have been added for Class 5.2 organic peroxides (shown below). The new label/placard is required January 1, 2011 (2014 for highway transportation). The order of the shipping description has also been changed to harmonize with IATA and IMDG. The new order is UN/ID Number, proper shipping name, hazard class, packing group. This change is optional as of January 1, 2007 and is mandatory January 1, 2013.



The entire text of this final rule can be reviewed on the DOT website at <http://hazmat.dot.gov/reqs/rules/final/71fr/71fr-78595.htm>

## OSHA's Teen Summer Job Safety Campaign

On April 17th OSHA kicked off its 2007 Teen Summer Job Safety Campaign: Building a Safe Work Foundation. This year they are focusing their safety campaign on young people working in the construction industry. OSHA has put out [Teen Worker: Construction – Build a Safe Work Foundation](#) web page to inform the teen workers, employers, educators and parents on many different levels of work place safety from job hazards to use of tools and equipment in many construction industry areas.

The Teen Summer Job Safety Campaign is a five year program to spotlight the importance of safety and health necessary during the summer. OSHA's intent is to teach teens safe working practice now so that they will bring that knowledge and skill with them as they become part of the country's work force.

## U.S. Gets C- when it Comes to Hand Washing

The Soap and Detergent Association, in a national survey for its Clean Hands Report Card, gave America a C- for its hand washing abilities. The survey found that 68% of Americans don't wash their hands properly or long enough to remove germs and dirt, while 36% don't wash their hands after coughing or sneezing, and 31% don't wash their hands before eating.

Properly washing one's hands is the best way to stop the spread of cold and flu germs the association says. They suggest that employers refresh their workers on proper hand washing to keep from getting an illness and spreading it. Their recommended method of hand washing is:

- Wet hands with running water prior to reaching for the soap
- Rub hands together to make a lather; do this away from running water so the lather isn't washed away
- Wash the front and back of hands, between fingers and under nails; continue washing for 20 seconds or more
- Rinse hands well under running water
- Dry hands thoroughly

Use hand sanitizers or gels or wipes if soap and water are not available

## School Specific Issues

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## OSHA Construction Standard Requirements for Materials that Contain Asbestos

## **in Quantities of Less Than One Percent**

A major element of the 1994 revision to the OSHA Construction Standard for asbestos (29 CFR 1926.1101) was the definition of "Asbestos Containing Material" (ACM) as "any material containing more than one percent asbestos." With this definition in place, OSHA went on to identify specific procedures to be followed when ACM could be disturbed by construction activities.

It is important to note, however, that many provisions of the OSHA Construction Standard for Asbestos apply to materials that contain asbestos in quantities in *less than* one percent. Until a "negative exposure assessment" is produced to demonstrate that employee exposures will not exceed the OSHA Permissible Exposure Limit when dealing with materials that contain less than one percent asbestos, OSHA requires compliance with the following sections of 29 CFR 1926.1101

- (c) Permissible Exposure Limits
- (d) Multi-Employer Worksites,(
- (e) Regulated Areas
- (f) Exposure Assessments and Monitoring
- (h) Respiratory Protection
- (i) Protective Clothing
- (j) Hygiene Facilities and Practices
- (k)(7) Signs
- (k)(8) Labels
- (k)(9) Employee Information and Training
- (l) Housekeeping
- (m) Medical Surveillance
- (n) Exposure Measurements
- (o) Competent Person

Even after a negative exposure assessment is in place, the following provisions still apply when materials that contain asbestos in quantities in less than one percent are disturbed by construction activities:

- (g)(1)(ii), which requires wet methods
- (g)(1)(iii), which requires prompt clean up and containerization of waste
- (g)(3)(i), which prohibits high-speed abrasive disc saws
- (g)(3)(ii), which prohibits the use of compressed air
- (g)(3)(iv), which prohibits employee rotation to reduce asbestos exposure
- (k)(8), which requires labeling of waste containers

Additional information on this topic can be found in the February 1, 2005 OSHA standard Interpretation entitled, ["Compliance requirements for renovation work involving material containing less than 1% asbestos."](#)

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