

PR OSHA Instruction CPL11-06
September 29, 2011
Bureau of Inspections

SUBJECT: Local Emphasis Program – Emergency, Disaster Preparedness and Management Offices

- A. Purpose:** This instruction describes policies and procedures for implementing a Local Emphasis Program (LEP) for programmed safety and health inspections in Government Agencies primarily engaged in emergency response and disaster preparedness and operations. This Local Emphasis Program (LEP) covers all Government Agencies in the following NAICS code 922120, 922160 and 922190 in accordance with the provisions of the Field Operations Manual (FOM), Chapter II, Program Planning.
- B. Scope:** This instruction applies PR OSHA-wide.
- C. References:**
1. OSHA Directive CPL 04-00-001 (CPL 2-0.102A) Procedure for Approval of Local Emphasis Programs (LEP'S).
 2. OSHA Directive CPL 2.25I and CH-1, or most current versions Scheduling System for Programmed Inspections.
 3. PR OSHA Instruction: CPL 02-00-150, September 23, 2011 Bureau of Inspections, Field Operation Manual (FOM).
- D. Action:** The Bureau of Inspections Director and Area Directors shall ensure that the procedures established in this instruction are followed in the scheduling of programmed inspections. This instruction is limited to those establishments classified under NAICS code 922120, 922160 and 922190.
- E. Background:** PR OSHA understands that there is a need for increased enforcement activity for those establishments engaged specifically in emergency response, disaster preparedness

and operations indicated by the fact that employees in this establishment can be potentially exposed to toxic materials or hazardous chemicals, among other dangerous substances, and contact with blood and other potentially infectious materials, which could result in acute or chronic exposure during their work shift.

This Local Emphasis Program was developed to increase awareness and provide faster enforcement to reduce work injuries and illnesses; motivate employers to change the work practices within the industry and come into compliance with current safety and health regulations and practices, establish comprehensive safety and health programs with employee involvement, which deal with the hazards as well as the injuries and illnesses they are experiencing.

The implementation of this LEP will help PR OSHA achieve its strategic objective and goal of reducing occupational injuries and illnesses.

F. Procedures:

1. Following the guidelines in PR OSHA Instruction CPL 2.25I and CH-1, the Area Director will develop a list of employers within NAICS codes 922120, 922160 and 922190, from the best sources available. These sources include, but are not limited to, phone books, business listing, Internet, previous OSHA history and local knowledge. Establishments with fewer than 10 employees shall also be included in this LEP.
2. The Area Director will review the list of all employers (see F.1. above) and a random number table will be used to develop the inspection register of establishments. This selection process sets forth administratively neutral criteria to identify establishments for programmed inspections. The Area Director must ensure that all selected establishments are inspected.
3. Additions: If, during this LEP, PR OSHA becomes aware of establishments that cover those activities within NAICS codes 922120, 922160 and 922190, and are not on the current establishments list, the site will be added to a new list and an inspection will be conducted in a random order.
4. Deletions: The Area Office will delete facilities from the establishments list when; the establishment have received a comprehensive inspection with an opening conference date less than two (2) years from the start date of this LEP and establishments known to be out of business.

5. All worksites that fall down under the NAICS code 922120, 922160 and 922190 and are inspected under unprogrammed activities following all the instructions on this LEP will be added to the LEP Inspection List. The scope of these inspections will be change to a comprehensive programmed safety and health inspection.
6. The Area Directors will provide training to the CSHO'S in order to keep them up to date of the latest on several standards, including, but not limited to: 1910.36 Design and construction requirements for exit routes, 1910.37 Maintenance, safeguards, and operational features for exit routes, 1910.157 Portable fire extinguishers, 1910.303 Electric utilization system, 1910.303 Electric General Requirements, 1910.132 Personal Protective Equipment, 1910.134 Respiratory Protection, and 1910.1030 Bloodborne Pathogens.
7. All contractors found during the LEP inspections shall be inspected following the FOM procedures.
8. For employers in the NAICS code 922120, we shall inspected only establishments with an emergency response unit established and when the employees are working in a facility where an inspection is underway.

B. Inspection Scope:

1. Programmed inspections under this LEP will be comprehensive safety and health inspections in nature and conducted in accordance with the FOM.”

C. Recordkeeping:

1. The employer shall submit, to the Area Office for the following five years after being inspected the annual summary report of injuries and illnesses in the establishments (Forms 300, 300A and 301). These data will be evaluated to verify if the injuries and illnesses show a trend in the establishment and a decision will be made to re-inspect the site in cases where the evaluation of the OSHA-300 log shows a rising on the rates. This report shall be completed by February 1, of each calendar year after the inspection under this LEP.
2. If the employer does not comply with the requirements of providing the information and records required on paragraph H.1, a follow up inspection will be schedule.

3. Recording in the Computer System: The following guidelines shall be applied when recording inspections conducted under this Local Emphasis Program:
 - a. Current instructions for completing the appropriate inspection classification boxes (Items 24 and 25) on the Inspection Report, (OSHA-1 Form) as found in the IMIS Manual shall be followed for inspections under this LEP.
 - b. The OSHA-1 for any programmed inspection scheduled under this Local Emphasis Program shall be marked Programmed (Item 24h), “Comprehensive” (Item 35) and Local Emphasis Program (Item 25c.). Record “EMEDIS” in the space in Item 25c.
 - c. The OSHA-1 for any programmed inspection scheduled from the Health Establishment List shall be marked Programmed (Item 24h), Health Planning Guide, “Manufacturing” (Item 25a or b) as appropriate. When scheduled from the Safety Planning Guide it shall be marked Programmed (Item 24h), Safety Planning Guide, “Manufacturing” (Item 25a or b) as appropriate. For either programmed safety or health inspection scheduled, it shall be marked Local Emphasis Program (Item 25c.), “Comprehensive” (Item 35). Record “EMEDIS” in the corresponding space (Item 25c).
 - d. The OSHA-1 for any unprogrammed activities shall be marked in Item 5. The other items shall be completed as established in section H.3.a.
 - e. Optional information for recording the appropriate values in the OSHA-1 (Item 42).

Type	ID	Value
S	19	“EMEDIS”
N	20	Training yes or no / Participation yes or no

4. Nonformal complaints, other government agency referrals and reports from the public reporting potential hazards related to “EMEDIS” shall be recorded on an OSHA-7 Notice of Alleged Safety or Health Hazards, or an OSHA-90, Referral Report, if appropriate, in accordance with current IMIS Instructions.

D. Evaluation:

1. Area Director's Responsibility – All Area Directors shall submit to the Bureau of Inspections Director by April 1, 2012 after the effective date of this instruction an evaluation report that shall include the following elements:
 - a. Description of the LEP purpose.
 - b. Area Director's opinion about the effectiveness of the LEP is in accordance with its purpose.
 - c. Data and information to support the conclusions above:
 - d. Number of inspections
 - e. Number of employees covered
 - f. Number of inspections in compliance
 - g. Number of inspections with violations
 - h. Average violations per inspection
 - i. Number of serious violations cited
 - j. Type and number of injuries and illnesses regarding to the LEP
 - k. Number of employers implementing or improving Safety/Health Programs
 - l. Evaluation of the standards cited to determine whether the LEP is addressing the goal.
 - m. Statement of whether the program should be continued, accompanied by brief rationale.

- E. Bureau of Inspection's Reports:** No later than 15 days after the expiration date of the Annual Performance Plan, the Director of the Bureau of Inspection will present to the Assistant Secretary an evaluation report, this will include the impact and the effectiveness of this Program.

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F. Full Service:

1. The Compliance Safety and Health Officer shall make a comprehensive evaluation of the safety and health program at the establishment and recommend proper measures to ensure an effective implementation of the program. Interviews with employees will be required in the evaluation of the program.
2. At the closing conference the Compliance Safety and Health Officer will offer information about the hazards found in the establishment, give advice of appropriate abatement methods and discuss all the violations observed during the walk around. Participation of the employees and union representative (if applicable) in the closing conference will be required and promoted.
3. Employees' involvement in all safety and health matters will be encouraged.

G. Effective Date: October 1, 2011.

H. Expiration Date: September 30, 2016.


Gladys Cruz Mercado
Assistant Secretary

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