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**AIHA® Shows Support for Proposed Noise Standards**

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## TRANSPORTATION NEWS SUMMARY

### U.S. Seeks EOBR Mandate; FMCSA Wants HOS Devices for 500,000 Carriers

The **Federal Motor Carrier Safety Administration** proposed requiring nearly all interstate commercial motor carriers to install electronic data recorders to monitor their drivers' hours-of-service compliance. [Read more....](#)

### FMCSA Hours Proposals

**FMCSA** is proposing seven changes to the current rules..... [Read more....](#)

### PHMSA Moving Forward With Effort to Ban Wetlines

Despite lingering doubts regarding the extent of the safety risk posed to motorists, the Pipeline and Hazardous Materials Safety Administration (PHMSA) is moving ahead with efforts to ban wetlines on most tank trailers. [Read more....](#)

### Report Finds Carrier Size, Location Matter in CSA Scores

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### Groups Split on Cell Phone Proposal [Read more....](#)

### Safety Score Could Hurt Local Truckers, Carriers

A new points system for truckers is supposed to make the roads safer, but it could make it harder for local truck drivers to find a job. [Read more....](#)

## MSHA NEWS SUMMARY

### MSHA Announces Results of January Impact Inspections

The U.S. Department of Labor's Mine Safety and Health Administration announced that federal inspectors issued 377 citations and orders in January during special impact inspections conducted at 15 coal and seven metal/nonmetal mine operations. [Read more....](#)

### Statement of MSHA Assistant Secretary Joseph A. Main on meeting with Reps. Shelley Moore Capito and John Kline

Joseph A. Main, assistant secretary of labor for mine safety and health, issued the following statement regarding yesterday's meeting with Reps. Shelley Moore Capito and John Kline. [Read more....](#)

### Update of the NIOSH and MSHA Collection and Testing of the CSE SR-100

**RESPIRATOR USER NOTICE** On December 7, 2009, the NIOSH and MSHA opened the first of two investigations into the performance of the oxygen starter assembly on the CSE SR-100 self-contained self-rescuer (SCSR). [Read more....](#)

## MONTHLY SAFETY TIP NEWS SUMMARY

### GENERAL SAFETY OF OIL AND GAS INDUSTRY

**OSHA** and other regulatory agencies mandate that each drilling and servicing company should have its own unique safety program. [Read more....](#)

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## OSHA/CONSTRUCTION

# Interactive Timeline Highlights 40 years of Healthier Workers, Safer Workplaces

An interactive timeline commemorating 40 years of progress in protecting the safety and health of working men and women illustrates milestones from OSHA and its state partners' efforts in preventing work-related injuries, illnesses, and deaths.

Looking back, the Occupational Safety and Health Act (OSH Act) was signed into law by President Nixon on December 29, 1970. On April 28, 1971, OSHA was created.

In the four decades since that time, the nation has made dramatic progress in reducing work related deaths and injuries. It is estimated that in 1970 around 14,000 workers were killed on the job. That number fell to approximately 4,340 in 2009. At the same time, U.S. employment has almost doubled and now includes over 130 million workers at more than 7.2 million worksites.

"We hope you will join us in this anniversary year as we recognize OSHA's accomplishments and reaffirm our dedication to the agency's mission," said Assistant Secretary of Labor for Occupational Safety and Health Dr. David Michaels. **"Help us celebrate four decades of healthier workers, safer workplaces, and a stronger America."**

OSHA invites the public to visit the [timeline](#) and explore 40 years of progress in workplace health and safety.

Also read Assistant Secretary Michaels' [Anniversary Message](#) about OSHA's journey during the past 40 years and priorities for the future.

## FY2012 Budget Request Shows OSHA's Priorities

OSHA is placing a priority on the continued development and revision of regulations and standards under the agency's regulatory agenda, as well as direct inspections and outreach at establishments and industries with the highest injury, illness, and fatality rates. In particular, the budget aims to promote the agency's mission and priorities through a request of \$583,386,000 and 2,387 full-time equivalent employees (FTE), an increase of \$24,766,000 and 52 FTE over the FY 2010 enacted level.

The FY 2012 budget request includes:

- A program increase of -  
*\$6,400,000, in which \$2,400,000 is allotted for the Injury and Illness Prevention Program rule development and \$4,000,000 to support safety and health standards by expanding the agency's regulatory program to meet the complex safety and health threats in today's workplaces.*

- *\$7,714,000 and 25 FTE to further support a reinvigorated enforcement program by expanding the compliance safety and health officer (CSHO) workforce to meet the challenges raised by changes in worker demographics and new technologies.*

- *\$5,988,000 and 45 FTE for the 21 whistleblower protection programs administered by OSHA.*

- *\$1,500,000 in the FY 2012 budget will allow State Plans to increase their number of compliance officers and fill other staff positions that have remained vacant over the years.*

- **Increases to bolster outreach to workers:**

- *\$1,250,000 for the Susan Harwood Training Grant Program to provide innovative training that targets high hazards and immigrant workers.*

- *\$1,000,000 focused on small business on-site consultation programs in high hazard industries.*

- OSHA's FY 2012 budget includes an additional \$650,000 and 2 FTE to modify the training curriculum for agency compliance officers to enable them to better identify potential employee misclassifications, building upon a multi-agency **Misclassification Initiative** to strengthen and coordinate Federal and State efforts to enforce statutory prohibitions, identify, and deter misclassification of employees as independent contractors.

# Return of Military Personnel to Workforce Suggests Safety, Work Organization Needs

As record numbers of **National Guardsmen and Reservists** return to the civilian workforce from active military duty — **in many cases, from duty in a combat zone** — they and their employers **face challenges** that occupational safety and health professionals are **uniquely positioned and skilled to address**, according to the **National Institute for Occupational Safety and Health (NIOSH)**.

Specifically, John Howard, M.D., Director of **NIOSH** noted: "**Before 9/11**, a commitment to the Guard or the Reserves **typically meant a few months of initial active duty**, followed by a weekend of service or training each month. **Today, service in the Reserves** is more likely to mean **activation and overseas deployment** than in the past, often lasting for a year or more, often **involving** assignment to a **combat zone**."

As a Guardsman or Reservist **returns to civilian life** and reintegration into the workforce, Dr. Howard stated that the **following considerations arise in regard to safety and health on the job**:

**Physical safety:** If the returning worker suffers temporary or permanent impairment from a combat wound, does that impairment place him or her at further risk of a job-related injury? In the past nine years, more than 8,000 Guardsmen and Reservists have been wounded in combat.

**Mental health:** Post-traumatic stress, anxiety or depression may be an emotionally painful legacy of combat service. Where a returning hero is undergoing treatment for a condition, or alternatively has adopted a harmful coping behavior, what safety implications exist for their ability to complete tasks, operate machinery, or deal with work pressures?

**Work organization:** Deployment of an employee for several months or a year can create disruptions in the company's and coworkers' schedules and work organization when the employee leaves, and again when he or she returns from duty. More and more, business leaders recognize that such stresses have implications for health and well-being, and in turn implications for efficiency, productivity, and profitability.

Dr. Howard noted that **NIOSH** has **begun to work with partners**, including the **Center for the Study of Traumatic Stress at the Uniformed Services University of the Health Sciences**, to address the safety and health community's role in **anticipating and meeting the needs of returning Guardsmen and Reservists** and their employers, determining the breadth of knowledge surrounding this population, and **determining the gaps** in knowledge that need to be addressed.

[See text of Dr. Howard's discussion in NIOSH eNews, Volume 8 Number 10, Feb 2011....](#)

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## NIOSH Takes Steps to Prevent Injuries, Deaths from Skid-Steer Loaders

Based on a study conducted by the **National Institute for Occupational Safety and Health (NIOSH)**, researchers found that employers, supervisors, and workers **may not fully appreciate** the **potential hazards** associated with **operating or working near skid-steer loaders**. To assist employers in **preventing injuries and deaths** among workers who operate, service, or **work near skid-steer loaders**, **NIOSH** just released an **Alert** that describes six deaths **involving** this type of equipment with **recommended methods for preventing similar incidents**.

According to **NIOSH**, if employees operate or work near skid-steer loaders, **the following steps should be taken to protect themselves**:

- Follow safe operating procedures
- Enter and exit from the loader safely
- Maintain the machine in safe operating condition

**Never:**

- Modify or bypass safety devices
  - Carry riders
  - Use foot or hand controls as steps or handholds
  - Modify or bypass safety devices
  - Exceed the manufacturer's recommended load capacity
-

# OSHA Releases Updated Compliance Directive Addressing PPE

OSHA just released an updated compliance directive, **CPL 02-01-050 Enforcement Guidance for Personal Protective Equipment in General Industry**, which instructs enforcement personnel on both the agency's **interpretations** of **PPE** standards and the **procedures for enforcing them**.

Prompted by numerous revisions to the **PPE** standards including a **final rule for employer payment for personal protective equipment** and a final rule to revise the **PPE** standards based on National Consensus standards, this updated instruction makes the **following changes, effective February 10, 2011**:

- **Clarification** on what type of **PPE** employers must provide at no cost, when employers must pay for **PPE**, or for replacement **PPE**, and when employers are not required to pay for **PPE**.
- **Clarification** of the **PPE** payment requirements for **PPE** worn off the jobsite, for **PPE** that must remain at the jobsite, and for employee-owned **PPE**.
- **Enforcement** policies that reflect court and review commission decisions concerning **PPE**.
- **Guidance** that allows employers to use **PPE** constructed in accordance with the most recent national consensus standards.

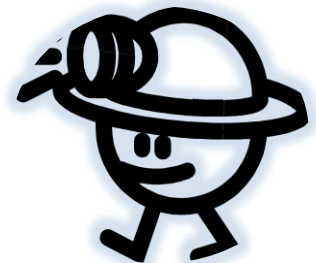
**Examples of PPE that employers must provide at no cost to employees:**

[\(OSHA warns that this list is not intended to be exhaustive.\)](#)

- Metatarsal foot protection.
- Special boots for longshoremen working logs.
- Rubber boots with steel toes.
- Shoe covers – toe caps and metatarsal guards.
- Non-prescription eye protection.
- Prescription eyewear inserts/lenses for full-facepiece respirators.
- Prescription eyewear inserts/lenses for welding and diving helmets.
- Goggles.
- Face shields.
- Laser safety goggles.

- Firefighting PPE (helmet, gloves, boots, proximity suits, full gear).
- Hard hats / Bump caps.
- Hearing protection.
- Welding PPE.
- Items used in medical/laboratory settings to protect from exposure to infectious agents (aprons, lab coats, goggles, disposable gloves, shoe covers, etc.).
- Non-specialty gloves:
  - *Payment is required if they are PPE, such as for protection from dermatitis, severe cuts/abrasions.*
  - *Payment is not required if they are only for keeping clean or for cold weather (with no safety or health considerations).*
- Rubber sleeves.
- Aluminized gloves.
- Chemical-resistant gloves/aprons/clothing.
- Barrier creams (unless used solely for weather-related protection).
- Rubber insulating gloves.
- Mesh cut-proof gloves, mesh or leather aprons.
- Self Contained Breathing Apparatus, atmosphere-supplying respirators (escape only).
- Respirators.
- Personal fall protection.
- Ladder safety device belts.
- Climbing ensembles used by linemen (for example, belts and climbing hooks).
- Window cleaners' safety straps.
- Personal flotation devices (life jackets).
- Encapsulating chemical protective suits.
- Reflective work vests.

The updated CPL replaces **OSHA** STD 01-06-006, Inspection Guidelines for 29 CFR 1910. Subpart I, the revised Personal Protective Equipment Standards for General Industry, June 16, 1995.



## ASSE Shares View, Support for I2P2

In a letter to the House Committee on Oversight and Government Reform Chairman Representative Darrell Issa, the **American Society of Safety Engineers (ASSE)** reiterated support for **OSHA's** development of an **injury and illness prevention program (I2P2) standard**, and shared the principles that it will use in **responding to the rulemaking**.

The **I2P2 rule** would require employers to implement a program **tailored to the hazards in their workplaces** and require employers to **"find and fix" hazards without waiting for a workplace incident**, an issue-specific **OSHA** standard, or an **OSHA** inspection.

"To be clear, **ASSE**, like everyone else, waits to see what **OSHA** proposes for its **I2P2 standard**," wrote ASSE President Darryl C. Hill, Ph.D., CSP. "If the **Committee determines** that its **oversight of OSHA's activities** with regard to the **I2P2** is needed, we **encourage** you to take the opportunity to **listen to our member safety, health and environmental (SH&E) professionals' view of such a standard**."

**ASSE maintains that principles an I2P2 standard must incorporate to succeed are:**

- Encouraging a movement in this nation towards risk-based management of workplace hazards.
- Recognize the need for involvement of both the employer and employee in establishing a safe workplace without diminishing or replacing the overall employer responsibility for the program.
- Instilling in workplaces a commitment to continual improvement and appropriate periodic review of the workplace **I2P2**.
- Addressing the qualifications of the individual charged by the employer with creating a workplace's **I2P2**.
- Creating an **I2P2 standard** that is scalable, reasonably flexible, and responsive to the realistic capabilities and hazards of employers of all sizes and industry groups.
- Taking into consideration the California **I2P2 standard** as a basis for a federal standard. States with an existing **I2P2 standard** should be exempt from a federal standard if their standard is at least as effective as the federal standard.
- Harmonizing **I2P2** with the most widely accepted voluntary consensus standards governing safety and health program management in the private sector.
- Encouraging cooperative as well as enforcement-directed interaction between **OSHA** enforcement personnel and employers.

According to **ASSE**, an **I2P2 standard** will not succeed if the end-result is simply a **reiteration** of the **General Duty Clause** to cover hazards not specifically addressed in current **OSHA** standards.

Also, **ASSE** points out that withdrawing support for VPP is not consistent with the establishment of an **I2P2 standard**. Participation in VPP demonstrates that **I2P2s** are effective in **addressing workplace risks** and developing a **shared employer/employee commitment** to workplace safety and health.

### AIHA® Shows Support for Proposed Noise Standards

In response to the **withdrawal** of the proposed interpretation for **noise standards**, the **American Industrial Hygiene Association® (AIHA)** submitted its comments to **OSHA**, which showed **strong support** for the agency's efforts to protect worker health with **administrative policies** based on sound science and effective business practices.

According to **AIHA**, noise is an **occupational hazard** that has concerned occupational and environmental health and safety professionals for a long time. For many years, the **requirement for feasible engineering and administrative noise controls** has been enforced by **OSHA** only when workers have been exposed to **eight-hour, time-weighted average levels of 100 dB(A)** or more, stated **AIHA**. This level of protection falls **well below other recognized standards**, such as the **NIOSH** criteria level, which **requires controls** at 85 dB(A) and **only allows exposures** to 100 dB(A) for 15 minutes a day, **AIHA points out**.

Although **AIHA** supports **OSHA's** consideration of the enforcement policy as it was proposed, it also supports the **revised enforcement policy** as proposed **because it accomplishes the following objectives:**

- Embraces the concept of "Hierarchy of Controls".
- Brings the noise standard in line with others.
- Places a more appropriate level of reliance on hearing conservation programs to mitigate noise exposure.
- Addresses noise as a risk factor in industrial accidents due to interference with communication, warning signals and situational awareness.
- Reduces worksite risk to additional individuals.
- Reflects a similar level of importance to the control of noise exposures that is given to control of other agents in the workplace.
- Addresses a misperception that workers are fully responsible for their own hearing health because hearing protection is a complete solution.
- Promotes Prevention through Design (PtD).

## U.S. Seeks EOBR Mandate; FMCSA Wants HOS Devices for 500,000 Carriers

The **Federal Motor Carrier Safety Administration** proposed requiring nearly all interstate commercial motor carriers to install electronic data recorders to monitor their drivers' hours-of-service compliance.

The proposed rule, an update to the agency's April 2010 proposal, would dramatically expand the EOBR mandate to roughly 500,000 from an estimated 5,700 carriers, **FMCSA** said.

The plan, announced on Jan. 31, would also ease the current requirement that fleets keep paperwork to document drivers' hours-of-service records.

"This proposal is an important step in our efforts to raise the safety bar for commercial carriers and drivers," **FMCSA** Administrator Anne Ferro said in a statement.

**Industry reaction** to the proposal was mixed, based at least in part by fleet size. Many of the larger fleets have already backed EOBRs while smaller ones, and some driver groups, have expressed opposition.

The agency said it expected to have a final rule in place by June 2012, and that motor carriers would have three years after the effective date of the final rule to comply. Officials said they will accept comments on the proposal until April 4.<sup>1</sup>

The proposal calls for interstate carriers that currently use paper logbooks to document drivers' hours of service to install electronic onboard recorders to "systematically and effectively" monitor their drivers' compliance with HOS requirements. Short-haul interstate carriers that use timecards to document drivers' hours would be exempt from the requirement.

Carriers that violate the EOBR requirement would face civil penalties of up to \$11,000 for each offense. Noncompliance would also negatively affect a carrier's safety fitness rating and Department of Transportation operating authority, **FMCSA** officials said.

The proposal would be an upgrade to the agency's April 2010 proposed "remedial" rule that EOBRs be required for carriers that have

a higher violation rate in their hours for rule noncompliance and driver-log noncompliance.

**FMCSA** said the cost of purchasing and installing EOBRs would range from \$1,500 to \$2,000 per truck, plus several hundred dollars annually in service fees for each unit. The rule would require that carriers still retain hours-of-service records for six months.

The proposal said the annualized cost for a motor carrier that does not currently use a fleet management system or other "EOBR-ready" system ranges from \$525 to \$785 per power unit. For a motor carrier that uses an "EOBR-ready" system, the annualized cost is \$92 per power unit, the agency said.

"Considering that the estimated annual revenue per power unit (on an industry-wide basis) is approximately \$172,000, the annual cost of an EOBR is between 0.3 percent and 0.5 percent of operating revenue," the proposal said.

But the agency also estimated that motor carriers would save an estimated \$688 per driver annually in record-keeping costs.

While the proposal would relieve interstate motor carriers from keeping hours-of-service supporting documents such as delivery and toll receipts, it would still require that supporting documents contain such required elements as personal identification, date, time, and location, either in an individual document or in specified combination.

The supporting documents provision in the EOBR proposal was required by the U.S. District Court in Washington, D.C., in connection with a lawsuit filed last year by **American Trucking Associations**.

David Osiecki, **ATA's** senior vice president for policy and regulatory affairs, said he was not surprised by the scope of the proposal, but that the supporting documents provision "appears to represent an improvement over the agency's existing guidance."

"Over the coming days, **ATA** will be carefully evaluating the proposal, especially with respect to the agency's explanations for expanding its scope, and the accompanying analyses," Osiecki said.

Meanwhile, the Owner-Operator Independent Drivers Association harshly criticized the proposal. "EOBRs are nothing more than over-priced record keepers," said Todd Spencer, its executive vice president. "This proposal is actually another example of the administration's determination to wipe out small businesses by continuing to crank out

overly burdensome regulations that simply run up costs,” Spencer said.

But several larger carriers, including Schneider National, Maverick USA, J.B. Hunt Transport, Knight Transportation and U.S. Xpress Enterprises, already have installed EOBRs on many of their trucks. The five carriers are pushing EOBR legislation and have banded together to form the Alliance for Driver Safety and Security.

Alliance spokesman Bill Vickery said that despite the FMCSA announcement, the group is still planning to push for EOBR legislation in Congress. “We can’t wait around for the bureaucratic process,” Vickery told TT. He said a legislative mandate could be in place quicker than an agency regulation, which would not likely go into effect until 2015.

Patrick Quinn, co-chairman and president of U.S. Xpress, said his company has equipped 3,100 trucks with EOBRs, more than a third of the company’s 8,000-truck fleet. “You put your head in the sand if you don’t think this is coming,” Quinn told TT.

In addition to helping monitor the hours rule, EOBRs help make company trucks more productive, Quinn said. The electronic data recorders also “level the playing field with those people in our industry that have been less than honest with their hours,” Quinn said.

But for some small carriers the extra expense would be unsettling, said Patsy Moore, president of F.L. Moore and Sons Inc., a Concord, Va., truckload carrier that owns 46 power units.

“That would put a really hard burden on us,” Moore told TT. Right now the way fuel is, we’re doing good just to pay for that each day.”

**<sup>1</sup>For truckers who don’t want to navigate the Federal Motor Carrier Safety Administration website to make comments about regulations or proposals, an alternative is the Regulation Room website.**

Regulation Room at <http://regulationroom.org> is an online public participation website where individuals and groups can learn about and discuss proposed new federal regulations. Regulation Room discussion gets read by the agency because a detailed summary of all comments is sent directly to FMCSA. Regulation Room, a U.S. Department of Transportation open government flagship initiative, is designed and operated by the Cornell University e-Rulemaking Initiative.



## ***FMCSA Hours Proposals***

*(The comment period on the HOS NPRM closed on February 28, 2011)*

**FMCSA is proposing seven changes to the current rules.....**

- Limit drivers to either 10 or 11 hours of driving time — to be determined during the rulemaking process — following a period of at least 10 consecutive hours off duty. (FMCSA currently favors reducing driving to 10 hours);
- Limit the standard “driving window” to 14 hours, while allowing that number to be extended to 16 hours twice a week;
- Limit actual duty time within the driving window would to 13 hours;
- Permit drivers to drive only if 7 hours or less have passed since their last off-duty or sleeper-berth period of at least 30 minutes;
- Retain the 34-hour restart, subject to certain limits: The restart would have to include two periods between midnight and 6 a.m. and could be started no sooner than 168 hours (7 days) after the beginning of the previously designated restart;
- Redefine “on duty” to allow some time spent in or on the CMV to be logged as off duty; and
- Revise the oilfield operations exception to clarify the language on waiting time and to state that waiting time would not be included in the calculation of the driving window.

# PHMSA Moving Forward With Effort to Ban Wetlines

Despite lingering doubts regarding the extent of the safety risk posed to motorists, the Pipeline and Hazardous Materials Safety Administration (PHMSA) is moving ahead with efforts to ban wetlines on most tank trailers. PHMSA's notice of proposed rulemaking on the issue was published January 27.

PHMSA seems in a big hurry to wrap up this rulemaking effort. The tank truck industry has been accorded a relatively short 60-day comment period. Comments on HM-213D are due no later than March 28.

The proposed rule would cover tank trailers used to transport Class 3 flammable liquids. In addition to gasoline, Class 3 products include acetone, alcoholic beverages, amines, benzene, butyl nitrates, isocyanates, methanol, paints and coatings, pesticides, and vinyl acetate.

Like the failed legislation proposed in the last Congress, the proposed rule does not address all trailer configurations used by tank truck fleets. The rule does not address Michigan trains or truck-and-trailer combinations that are widely used in the west.

However, most tank trucks would be exempt, but PHMSA leaves the door open to add these vehicles in the future. The rule also would not cover cargo tank motor vehicles transporting flammable products that have been reclassified as combustible.

The regulation would apply to any new trailers (DOT406 and DOT407 units in most cases) built two years after the effective date of the final rule. These trailers would need a means of allowing no more than 0.26 gallons of product in each loading line or be constructed with accident protection similar to rear bumper requirements.

There is no grandfather clause for the existing tank trailer fleet. Trailers in service at the time of the final rule would have to be brought into compliance with the requirements no later than 12 years after the effective date of the final rule.

In justifying the proposed rule, PHMSA officials totally discounted concerns of the tank truck industry. Throughout the many years that the issue has been discussed, the industry has argued consistently and validly that wetlines purging systems would do little or nothing to improve safety.

The federal government's own statistics indicate that the risk of a fatal wetlines incident is approximately one in 30 million. In fact, the odds of someone being struck by lightning during his lifetime is 6,000 times greater than the odds of being killed in a wetlines incident.

PHMSA states that the cost of installing a wetlines purging system should be around \$2,585, which might be optimistic since no production-volume purging system is available at this time. Some industry estimates suggest that the real cost will be at least \$5,000 per trailer. The agency also contends that no extra costs would be incurred during retrofits because they could be done at the same time as periodic pressure tests.

The tank truck industry had argued during previous rulemakings that it would be safer and faster if product lines were purged at the loading rack. PHMSA totally rejected that idea, and the proposed rule calls for the piping to be purged after the tractor-trailer rig pulls away from the loading rack.

PHMSA makes the assumption in the proposed rule that sight glasses would be specified with the external piping on tank trailers covered by the rule. This would make it easy for drivers and enforcement officials to verify that the purging system is working properly, according to PHMSA officials.

After failing in past regulatory attempts to cost-justify a wetlines-purging requirement, the PHMSA bureaucrats came up with something called "sensitivity analysis" to justify the latest proposal. This theory seems to suggest that as gasoline prices rise, more people will be riding in each car on the highway, which means more casualties every time a car runs into a tanker vehicle.

*Written comments on HM-213D can be submitted through the Federal eRulemaking portal (<http://www.regulations.gov>) or they can be faxed to 202-493-2251. Mail submissions should be sent to Docket Operations, US Department of Transportation, West Building, Ground Floor, Room W12-140, Routing Symbol M-30, 1200 New Jersey Ave, SE, Washington DC 20590.*

## Report Finds Carrier Size, Location Matter in CSA Scores

Larger carriers had significantly lower **BASIC (Behavior Analysis and Safety Improvement Categories)** scores than smaller carriers, a new trucking industry report says.

The **CarrierWatch CSA 2010 Industry Report** is based on TransCore's analysis of the latest set of carrier data from **Federal Motor Carrier Safety Administration**.

The **FMCSA** data covers all commercial vehicles subject to the new **Compliance, Safety, and Accountability (CSA)** program, but the **CarrierWatch CSA 2010 Industry Report** focuses on the approximately 166,000 for-hire, interstate carriers for whom data was reported.

**Other key findings of the CarrierWatch CSA report include:**

- There are significant state-by-state and regional differences in particular **BASIC** scores: *carriers domiciled in certain states appear to be scored more stringently than carriers domiciled elsewhere for controlled substances, unsafe driving, fatigued driving, and vehicle maintenance.*
- More carriers have alerts under **CSA** when compared to **SafeStat**, the **FMCSA's** previous carrier safety evaluation program.
- The qualification process brokers, 3PLs, and shippers will use in interpreting carriers' **CSA** prior to decide whether to load them will become more nuanced than under **SafeStat**.

Download the [free report](#).

**TransCore CarrierWatch** subscribers can monitor any of the 500,000 carriers in TransCore's DAT Directory and receive automated alerts when a carrier's DOT authority, CSA 2010 scores, and/or insurance certificates change, the company said.

**CarrierWatch** also has enhanced fraud protection, notifying shippers and freight brokers when a transportation company has operated under multiple names in an attempt to shield its identity, according to TransCore.

**Groups Split on Cell Phone Proposal**  
[Read the story here](#)



## Safety Score Could Hurt Local Truckers, Carriers

**A new points system for truckers** is supposed to make the roads safer, but it could make it harder for local truck drivers to find a job. The rules took effect last July, but the manager of a local trucking company in Cutler Illinois says **many in the industry are unaware.**



The **points are published online monthly**, although tabulated every day. The idea behind the points system is to **make roads and highways safer.**

**Scores are based on things like unsafe driving, driver fatigue, vehicle maintenance problems and crashes.** However, many truck drivers are just now **learning these records follow them** from company to company.

Mechanics are almost always busy at Southern Illinois Motor Xpress in Cutler. The company has 150 trucks, which are used to haul sand, grain and similar products across the region. Fleet manager Rob Arbeiter keeps a close watch on his company's safety performance, known as a **Motor Carrier Safety Score.**

"Their intent was to create a level playing field where your safety scores followed you--the carrier, and as well as follow the driver," Arbeiter said. **To improve the company's score**, Arbeiter says **every truck is now equipped with electronic log books.** They ensure drivers do not exceed their hours on the road, in order to prevent them from falling asleep at the wheel. The company also made it so the **trucks cannot exceed 65 miles an hour.** That cut traffic tickets from an average of 72 a month to zero, Arbeiter said. **Every point matters.**

"If your peers are doing good, then you have to be doing good as well," Arbeiter said. "As their score falls and your score falls, you've got to keep getting better."

Arbeiter says **many drivers don't know their score until it is too late.** They might leave their carrier, try to get a job somewhere else, and **not be hired because of a poor record.**

"We don't want them if they've had a **bad safety rating,**" Arbeiter said. "We've also had drivers come to us because a **certain carrier may have had a bad safety rating.** They want to work for a carrier that's **making the changes necessary** to become a better carrier."

**Carriers are compared to other businesses of similar size.** "If your peers are doing good, then you have to be doing good as well," Arbeiter said.

[Story on Video](#)

## MSHA Announces Results of January Impact Inspections

The U.S. Department of Labor's Mine Safety and Health Administration announced that federal inspectors issued 377 citations and orders in January during special impact inspections conducted at 15 coal and seven metal/nonmetal mine operations.

The coal mines were issued 208 citations and seven orders; the metal/nonmetal mines were issued 148 citations and 14 orders.

[See details](#)

Since April 2010, MSHA has conducted 220 impact inspections. These inspections have resulted in 4,114 citations, 384 orders and 13 safeguards.



### Statement of MSHA Assistant Secretary Joseph A. Main on meeting with Reps. Shelley Moore Capito and John Kline

Joseph A. Main, assistant secretary of labor for mine safety and health, issued the following statement regarding yesterday's meeting with Reps. Shelley Moore Capito and John Kline.

"Rep. Capito requested a meeting with Rep. Kline, chairman of the House Committee on Education and the Workforce, and me to discuss mine safety issues. I am grateful for the cooperative spirit that framed this meeting.

"I have always believed that improving safety measures for our nation's miners rises above partisanship. I look forward to an ongoing dialogue with our lawmakers. I welcome their suggestions on both how MSHA can most effectively use its existing tools and resources to protect the health and safety of all miners, and what new tools MSHA needs to ensure that all miners return home safely at the end of their shifts."

## Update of the NIOSH and MSHA Collection and Testing of the CSE SR-100

### RESPIRATOR USER NOTICE

On December 7, 2009, the NIOSH and MSHA opened the first of two investigations into the performance of the oxygen starter assembly on the CSE SR-100 self-contained self-rescuer (SCSR). During NIOSH tests, the oxygen startup cylinders in two SR-100 units failed to release a sufficient quantity of oxygen. Subsequently, CSE reported the failure of an oxygen startup cylinder during an in-process quality control check conducted as part of production. CSE voluntarily stopped production of the SR-100. The second investigation was opened on February 23, 2010.

Although the likely cause for failure of the oxygen starter cylinders has been identified as a quality control problem, how widespread the failures may be throughout the population of approximately 70,000 SR-100 units deployed in underground coal mines has not been determined. Consequently, NIOSH designed a plan to test field-deployed CSE SR-100s to determine the extent of the oxygen starter failures.

NIOSH generated a list of 1200 randomly selected units identified by serial number using the MSHA SCSR Inventory database. Assuming that some units would not be recoverable for testing, additional units were included in the random list to assure that the minimum of 500 samples could be retrieved for testing.

On October 4, 2010, NIOSH and MSHA began collecting SR-100s from this list according to the sampling protocol. The agencies have retrieved 80 of the 500 units needed for evaluation and testing. Of the 80 units tested to date, no units have failed the test. While the early results are promising, NIOSH and MSHA cannot be statistically confident that the failure rate is less than 1% until the remaining 420 units are retrieved and tested. Therefore, NIOSH and MSHA are continuing with the collection of the remaining samples.

Some mine operators have been reluctant to participate in this voluntary program because they are encountering difficulty obtaining replacement units needed to remain in compliance with MSHA standards. NIOSH is now offering to replace listed CSE SR-100 units collected for testing with new SCSRs produced by other manufacturers for those mines that already use multiple types of SCSRs. NIOSH and MSHA will contact those mine operators to offer the exchange. **UPDATE** - Until NIOSH and MSHA are able to evaluate the data from the audit of field-deployed units and offer additional guidance based on the results of the testing, mine operators and miners are reminded of the guidance found in the NIOSH and MSHA

June 23, 2010 [Respirator User Notice](#).

## GENERAL SAFETY OF OIL AND GAS INDUSTRY

**OSHA** and other regulatory agencies mandate that each drilling and servicing company should have its own unique safety program. **Worker safety awareness** is necessary for **injury prevention** during **all phases of drilling, and servicing and maintenance operations**. Procedures and processes will include **safety meetings, Job Safety Analyses, and general and task-specific training**.

Consider the following hazards as you send employees out to perform their jobs. These are just a few of the considerations you will have as an employer. Refer to your company safety program as a reminder of the potential hazards to caution your employees about that are a part of their daily work. Complacency is often a root cause to careless workplace accidents.

### SLIPS, TRIPS AND FALLS

There are many ways to protect from slips, trips and falls. Even so, they still happen and the following are means to either prevent slips, trips and falls or to minimize the consequences if they should happen.

- Wear personal protective equipment (such as hard hats, work gloves, safety shoes, and eye protection).
- Be aware of slipping and falling hazards when working on the drilling floor, servicing rig floors or other platforms.
- Keep all work areas clean and clear of oil, tools and debris.
- Use non-skid surfaces where appropriate.
- Provide guardrails and guards around work areas that are prone to slips, trips and falls.
- Install, inspect and secure stairs and handrails. [[29 CFR 1926.1052](#)]
- Instruct workers on proper procedures for using and installing ladders.
- Use only ladders in good repair that do not have missing rungs.
- Do not install stairs with missing or damaged steps. Repair them before installing them.
- Keep walkways clean and free of debris and tripping hazards. [[29 CFR 1910.22](#)]
- Keep all cords and hoses orderly and clear of walking spaces.
- Cover open cellars.
- Conduct a pre-job inspection to identify, then eliminate or correct hazardous work surfaces.
- Walking/Working Surfaces Standard requires [[29 CFR 1910.22\(a\)\(1\)](#)]: Keep all places of employment clean and in an orderly condition.
- Keep aisles and passageways clear and in good repair, with no obstruction across or in aisles that could create a hazard [[29 CFR 1910.22\(b\)\(1\)](#)]. Provide floor plugs for equipment so power cords need not run across pathways.
- Use waterproof footwear to decrease slip/fall hazards.

### STRAINS AND SPRAINS

**General solutions for strains and sprains include:**

- Use proper lifting technique.
- Hoist slowly to limit pipe momentum.
- Seek assistance when moving awkward and heavy guards and covers.
- Use proper stance and slip-lifting techniques. Slips have three handles and should be lifted jointly by more than one person.
- Use lifting equipment and limit manual positioning of elevators.
- Practice proper hand placement and use of pullback (tail) ropes.
- Use mechanical lifting aids, proper lifting techniques, and team lifting where appropriate.
- Use proper hand and body positioning.
- **Ergonomics**. OSHA Safety and Health Topics Page.
  - Hand Injury
  - Lifting
  - Repetitive motions

## WEATHER CONDITIONS

Weather conditions can create hazardous working conditions: therefore it is necessary to monitor weather conditions and forecasts to allow time to prepare for such conditions as may occur. Lightning is especially hazardous and unpredictable. When lightning is present, crews must avoid situations where they could become part of potential current paths.

## ELECTRICAL

Working with electricity can be dangerous and is an every-day part of working around an oil rig. Engineers, electricians, and other professionals work with electricity directly, including working on overhead lines, cable harnesses, and circuit assemblies. Others, such as office workers and sales people, work with electricity indirectly and may also be exposed to electrical hazards.

Electricity has long been recognized as a serious workplace hazard. OSHA's electrical standards are designed to protect employees exposed to dangers such as electric shock, electrocution, fires, and explosions. Electrical hazards are addressed in specific standards for the general industry, shipyard employment, and marine terminals.

