

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)
REGULATORY UPDATES

FINAL STATUTES AND RULEMAKING

CITATION	SUMMARY
<p>Subject: Department of Labor Occupational Safety and Health Administration (OSHA)</p> <p>29 CFR Part 1910, 1915, and 1926</p> <p>Docket No. OSHA-H005C-2006-0870</p> <p>RIN 1218-AB76</p> <p>Occupational Exposure to Beryllium</p> <p>Action: Final rule</p>	<p>OSHA issued a final rule on January 6, 2017, that lowers workplace exposure to beryllium metal and beryllium compounds that can be hazardous to workers when particles are inhaled through dust or fumes during processing. The new standards, which apply to general industry, construction, and shipyards, lower the 8-hour time weighted average (TWA) Permissible Exposure Limit (PEL) to beryllium from 2.0 to 0.2 micrograms per cubic meter of air ($\mu\text{g}/\text{m}^3$). When concentrations exceed those limits, employers will be required to take additional measures to protect workers. The rule becomes effective on May 20, 2017, after which employers have one year to implement most provisions of the new standard. The new standard for general industry also:</p> <ul style="list-style-type: none"> • Establishes a new Short Term Exposure Limit (STEL) for beryllium of $2.0 \mu\text{g}/\text{m}^3$, over a 15-minute sampling period. • The rule requires employers to: <ol style="list-style-type: none"> 1. Use engineering and work practice controls (such as ventilation or enclosure) in order to limit worker exposure to beryllium 2. Provide respirators when controls cannot adequately limit exposure 3. Limit worker access to high-exposure areas 4. Develop a written exposure control plan 5. Train workers on beryllium hazards 6. Make available medical exams to monitor exposed workers 7. Provide medical removal protection benefits to workers identified with a beryllium-related disease <p>The final rule is available on the OSHA Website at:</p> <p style="text-align: center;">OSHA.gov (PDF)</p>

LETTERS OF INTERPRETATION

OSHA has issued the following letters of interpretation since our last regulatory update:

April 6, 2017 - Delay of Enforcement of the Crystalline Silica Standard for Construction under 29 CFR 1926.1153[1926.1153]

[OSHA.gov](https://www.osha.gov)

RECENT DEVELOPMENTS**Nearly 5,000 workers died on the job in 2015**

The Bureau of Labor Statistics reported that 4,836 workers were killed on the job in the United States in 2015, a slight increase from the 4,821 who died in 2014. At the same time, the rate of fatal workplace injuries dropped slightly, from 3.43 to 3.38 per 100,000 full-time equivalent workers. Transportation incidents were the leading cause of worker deaths, accounting for more than one-fourth of all fatal work injuries in 2015.

Reporting requirements reveal more than 7 amputations a day in U.S. workplaces

Since OSHA began requiring employers to report severe injuries in 2015, the agency has recorded on average more than seven amputations a day. The total national number is undoubtedly higher because the data does not include workplaces covered by state plans. More than 90 percent of the reported amputations involved fingers; workers also lost hands, toes, feet and other body parts. These injuries are preventable by ensuring:

1. Machines are de-energized whenever they are being serviced
2. Machine guards or other engineering means are used to prevent contact with dangerous parts during operation

OSHA's "\$afety Pays" Program shows employers how workplace injuries and illnesses impact their bottom line

OSHA has updated the "\$afety Pays" Program to include the most recent workers' compensation data from the National Council on Compensation Insurance. The program helps employers understand the impact of workplace injuries and illnesses on their company's profitability. OSHA provides many resources to help employers develop an effective safety and health program to improve safety and reduce costs. Benefits include reduced absenteeism, lower turnover and workers' compensation costs, higher productivity and increased morale.

The "\$afety Pays" Program is available at:

[\\$afety Pays" Program](http://OSHA.gov)

OTHER RECENT DEVELOPMENTS

NIOSH releases sound app to help protect workers from hearing loss

The National Institute for Occupational Safety and Health (NIOSH) has developed a new, free mobile application for iOS devices that measures sound levels in the workplace. The NIOSH Sound Level Meter app displays real-time noise exposure data, based on NIOSH and OSHA limits.

Visit the app webpage for more information:

[OSHA.gov](https://www.osha.gov)

OSHA releases three new publications on Process Safety Management

OSHA has released three guidance documents to help employers comply with the agency's Process Safety Management (PSM) standard. PSM is vitally important to facilities that store highly hazardous chemicals. Implementing the required safety programs helps to prevent fires, explosions, large chemical spills, toxic gas releases, runaway chemical reactions, and other major incidents.

The new documents focus on PSM compliance for:

- Small Businesses (<https://www.osha.gov/Publications/OSHA3908.pdf>)
- Storage Facilities (<https://www.osha.gov/Publications/OSHA3909.pdf>)
- Explosives and Pyrotechnics Manufacturing (<https://www.osha.gov/Publications/OSHA3912.pdf>)

Safety seminars available online

Recordings of two recent training seminars are available to watch online. One is a symposium on ladder safety hosted by the OSHA Education Center at the University of Texas, Arlington.

- Ladder Safety Seminar (<https://web-ded.uta.edu/wconnect/CourseStatus.awp?&Course=17oecevent16>)

The other is a webinar on "Communicating with Workers about Hazardous Materials" hosted by the American Staffing Association as part of its alliance with OSHA.

- Hazardous Materials Seminar (<https://americanstaffing.net/webinars/twi-bulletins-series-part-hazard-communication/>)