

**OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)
REGULATORY UPDATES****FINAL STATUTES, RULEMAKINGS, AND GUIDANCE**

Citations	Summary
	There were no rulemakings issued by OSHA in the 1 st quarter of 2010.

Letters of Interpretation:

OSHA issued the following letters of interpretation during the 1st quarter of 2010. Links to the letters are provided below each reference.

- Use of padded slings/wire rope during steel erection.[1926.251; 1926.251(c)(9); 1926.753; 1926.753(c)(2)]. Issued on March 31, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27347
- Single-point suspension scaffold safety.[1926.451; 1926.451(g)(1); 1926.451(g)(3)(iii); 1926.552; 1926.552(c)(7)]. Issued on March 31, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27344
- Use of toeboards across scaffold access points.[1926.451; 1926.451(h)(2)]. Issued on March 26, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27335
- Whether an employer is permitted to double wrap #9 gage steel wire in order to guy, tie or brace a scaffold.[1926.451; 1926.451(a)(1); 1926.451(c)]. Issued on March 26, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27329
- Whether OSHA standards require employees to be tied off while working over water on an aerial lift.[1926.453; 1926.453(b)(2)(v); 1926.550; 1926.550(g)(6)(vii)]. Issued on March 20, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27332

- Enforcement policy for flame-resistant clothing in oil and gas drilling, well servicing, and production-related operations. [1910.132; 1910.132(a); 1910.132(d)]. Issued on March 19, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27296
- Restrictions on drilling within 50 feet of a hole loaded with explosives.[1926.905; 1926.905(h); 1926.905(j); 1926.905(k)]. Issued on March 5, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27323
- Whether guardrails are required on a two-point adjustable scaffold while workers who are tied off are painting the undercarriage of a water storage tank.[1926.451; 1926.451(b)(2)(ii); 1926.451(b)(3); 1926.451(g)(1)(ii)]. Issued on March 3, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27350
- Fall protection requirements for employees working on an elevator car frame.[1926.500(b); 1926.501(b)(1); 1926.502(d); 1926.502(d)(15)]. Issued on March 2, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27311
- Permissible methods of operating trucks in reverse on construction sites.[1926.601; 1926.601(b)(4); 1926.602(a)(9)(ii)]. Issued on March 2, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27308
- Fully planked and decked scaffolding. [1926.451; 1926.451(b)(1)]. Issued on March 2, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27320
- Whether an employer can use a controlled access zone during curtain wall installation. [1926.500;1926.500(a)(2)(iii);1926.502;1926.502(g);1926.751;1926.760;1926.760(a)(1)]. Issued on March 2, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27317
- Interpretation of OSHA Fall Protection Exemption (29 CFR 1926.500(a)(1)) during inspection, investigation, and assessment activities.[1926.500; 1926.500(a)(1)]. Issued on March 2, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27314

- Testing requirements for "lifting blinds" or "lifting covers" on pressure vessels.[1926.251; 1926.251(a)(4); 1926.251(a)(5)]. Issued on March 1, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27299
- Clarification of assigned working hours when recording work-related injuries/illnesses.[1904.5; 1904.5(b)(2)(v)]. Issued on February 16, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27338
- Using a stepladder as a non-self-supporting ladder.[1926.1053; 1926.1053(a)(2); 1926.1053(b)(4)]. Issued on January 21, 2010:
http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATION&p_id=27293

Other Recent Developments:

New OSHA Videos Provide Proper Respirator Fit and Use Guidance

OSHA has produced two new videos that feature training and guidance on respirator safety. The "Respirator Safety" video shows healthcare workers how to correctly put on and take off respirators, such as N95s. The "Difference between Respirators and Surgical Masks" video explains the particular uses for each one and how they prevent worker exposure to infectious diseases. Viewers can watch both English and Spanish versions by visiting the Department of Labor's YouTube site at:
<http://www.youtube.com/usdepartmentoflabor>

New Publication Addresses Protecting Workers Against Exposure to Hexavalent Chromium

Hexavalent chromium is a toxic chemical that can cause cancer and damage to the nose, throat and lungs of workers. The new Hexavalent Chromium booklet explains OSHA's hexavalent chromium standards so that workers and employers know the best ways to prevent illness and death caused by exposure in the workplace. The document is available at: <http://www.osha.gov/Publications/OSHA-3373-hexavalent-chromium.pdf>

NOTE: OSHA's hexavalent chromium standard, which was finalized in 2006, allowed for the use of respirators instead of feasible engineering controls until May 31, 2010. OSHA requires that engineering controls, that are required by the hexavalent chromium standard, be implemented **no later** than May 31, 2010.

OSHA Publishes Overview of Medical Screening and Surveillance Requirements

OSHA updated their *Screening and Surveillance: A Guide to OSHA Standards* pocket guide that provides occupational health professionals with an overview of OSHA requirements on medical screening and surveillance. It describes what physical examinations and tests, such as chest x-rays,

lung function tests and blood tests, are required to measure worker exposure to chemicals such as hexavalent chromium and benzene, and other workplace hazards such as noise and bloodborne pathogens. This quick-reference tool also points to the appropriate standards for more specifics. The Guide is available at: <http://www.osha.gov/Publications/osh3162.pdf>

OSHA Requests Comments on Direct Final Rule and Notice of Proposed Rulemaking to Protect Workers from Exposure to Hexavalent Chromium. March 18, 2010.

OSHA is publishing for public comment a direct final rule requiring employers to notify workers of exposures to hexavalent chromium. OSHA is responding to the Third Circuit Court's decision that the agency failed to explain why it departed from the proposed rule that would require notifying workers of all hexavalent chromium exposures. Workers exposed to this toxic chemical are at greater risk for lung cancer and damage to the nose, throat and respiratory tract.

OSHA currently requires employers to alert workers only when they experience hexavalent chromium exposures exceeding the permissible exposure level. After reviewing the issue, OSHA decided to make hexavalent chromium consistent with other OSHA standards on hazardous substances such as lead and arsenic that require worker notification of all exposures, whether above or below the limit. Additional information is available at:

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=NEWS_RELEASES&p_id=17274

OSHA eTool Explains Ways to Protect the Safety of Electric Power Workers. March 15, 2010.

Approximately 80 workers die from electric shock each year while working on electrical equipment or related utility operations. To help prevent such deaths, OSHA recently published the "Electric Power Generation, Transmission and Distribution Standard" eTool.

Recent deaths have illustrated the dangers of working with electric power. A worker installing decorative lights on a tree was electrocuted after touching a high-powered overhead electrical line. Another worker was electrocuted after contacting an overhead high-voltage line with a portable light tower while working at a water main repair site. A copy of the eTool is available at:

http://www.osha.gov/SLTC/etools/electric_power/index.html