



Hudson River Valley Chapter Newsletter

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Useful & Helpful Links

<http://www.assp.org>

Link to the National ASSP webpage for information on great topics in EH&S. Go look things up.

<http://hudsonrivervalley.assp.org>

Link to the Hudson River Valley Chapter web page. Information on the Local items and events as well as good information. Try it, you'll like it!

<https://www.cdc.gov/>

Link to the Center for Disease Control. Great current information on health items to help protect us all through illness controlling and prevention. Lots of good items!

Hotlinks in articles are in **Bold Red font.**

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OSHA and MSHA to Hike Civil Penalties.

U.S. Department of Labor plans to initiate significant hikes in the civil penalties imposed by OSHA and MSHA. For OSHA, the maximum increases to \$132,598 (from \$129,336) for willful and repeat violations, while the mandatory minimum penalty is now \$9,472. Regular "serious" and "other than serious" citations, as well as failure to abate situations, will carry a new maximum fine of \$13,260 (up from \$12,934).

The new maximum for MSHA civil penalties for regular assessments is \$72,620, while the maximum for flagrant violations increases to \$266,275. The mandatory minimum fine for failing to report a fatality or serious injury within 15 minutes was hiked to \$6,052, while penalties for failing to abate a violation can now reach \$7,867 per day.

Unlike OSHA, MSHA can issue personal penalties to miners for certain transgressions, such as smoking in an underground gassy mine or near flammables. The new penalty for those violations is \$332. However, MSHA can also issue personal penalties to agents of management, including hourly trainers or workplace examiners, of up to \$72,620. These citations occur where a miner knew or should have known of a violation (or personally participated in it, such as failing to wear PPE), failed to initiate corrective action and has authority to direct the workforce in some manner.

All statutory penalty mandates are binding on the agencies at the first stage, when they propose their penalties as citations are issued. However, if a case is contested and litigated, the respective review commission judges have "de novo" penalties authority, which means they not bound by the proposed amount or congressional mandate and can adjust the fines as they see fit or as agreed upon by the parties in settlement.

At this time, the increases will take affect once the government shutdown ends and they can be published in the *Federal Register*.

Insure Your Job Assets - Why Not.

John Harrison, the official taste-tester for Dreyer's Ice Cream has his tongue insured for \$1,000,000.00 due to his responsibility to the company. Just F.Y.I. to lighten things up a little, humor is good for you!

OSHA Drops Requirement to Electronically Submit Forms 300 and 301.

In what it calls a move to protect worker privacy, OSHA has issued a **final rule** that eliminates the requirement for establishments with 250 or more employees to electronically submit information from OSHA Form 300 (used to record work-related injuries and illnesses) and OSHA Form 301 (injury and illness incident report) to OSHA each year. These establishments must continue to maintain those records on-site, and OSHA will obtain them as needed through inspections and enforcement actions. In addition to reporting required after severe injuries, establishments will continue to submit information from their Form 300A.

"By preventing routine government collection of information that may be quite sensitive, including descriptions of workers' injuries and body parts affected, OSHA is avoiding the risk that such information might be publicly disclosed under the Freedom of Information Act," the agency states. "This rule will better protect personally identifiable information or data that could be reidentified with a particular worker." OSHA is also amending the recordkeeping regulation to require covered employers to electronically submit their Employer Identification Number with their Form 300A information. This will make the data more useful and could reduce duplicative reporting burdens on employers, OSHA says.

Collection of calendar year 2018 OSHA Form 300A began on Jan. 2, 2019. The deadline for electronic submissions is March 2, 2019.

Remember 2019 National Safety Stand-Down to Prevent Falls Announced.

OSHA has announced that the National Safety Stand-Down to Prevent Falls will take place on May 6 -10, 2019. Employers and workers are invited to participate in this the fourth annual **National Safety Stand-Down to Prevent Falls in Construction**. The weeklong outreach event encourages employers and workers to pause during the workday to discuss fall hazards and how to prevent them. Sadly falls are still the leading cause of death in the construction industry, accounting for 37 percent of fatalities industry-wide. Falls from elevation accounted for 370 of the 991 fatalities in construction recorded in 2016 (last full year of data from BLS). Those deaths were preventable. This National Stand-Down raises fall hazard awareness across the country in an effort to stop fall fatalities and injuries. Participants can include commercial construction companies, general industry employers, unions, trade associations, employee interest organizations, and safety equipment manufacturers, even the U.S. Military. Companies can participate by taking breaks to conduct a toolbox talk, or conduct inspections of the safety equipment, developing rescue plans, or addressing job specific safety hazards. For more resources on fall prevention visit OSHA's webpage on this annual Stand-Down, at the link given previously in this article, and click on the word "Resources".

Boric Acid Burns Kill Mechanic.

This unfortunate case comes from a fatality case reported by Washington Fatality Assessment and Control Evaluation (FACE) Program. An aluminum foil processing plant maintenance mechanic died after being exposed to a solution of boric acid and water – estimated to have been heated to 180°F - while trying to remove a recirculation pump from its housing. The pump was part of a boric acid evaporation system. Workers believed the system had been completely drained. As the victim and two other workers used two 1.5 ton puller devices to free the pump from its housing, a small amount of hot water and boric acid solution fanned out from around the seal. Seconds later, hundreds of gallons of hot liquid flowed out. The victim fell to the floor and was covered with the hot solution, receiving severe burns over 80% of his body. Safety glasses were the only personal protective equipment he was wearing. He died two days later as a result of his injuries. He was 64 years old.

What went wrong? What do you think caused it? Here are some items to prevent future occurrences:

Boric Acid Burns Kill Mechanic. (Continued).

1. Design new equipment for manufacturing processes using the concept of Prevention through Design to control risks by incorporating prevention methods in the final product.
2. Enforce a comprehensive written hazardous energy control program and train all workers on the program.
3. Develop written standard procedures for regular maintenance operations that includes information about hazards, required PPE, necessary safety checks, lockout/tagout procedures and coordination with other workgroups.
4. Ensure workers who may be exposed to hot liquids are provided with and use the proper PPE, including appropriate eye/face, hand and body protection.

This item from the National Safety Council publication “Safety + Health Magazine”, current issue.

NIOSH Updated Its FREE Sound Level Meter App for iPhones.

Did you know that NIOSH has just released an updated version of its free Sound Level Meter app for use in measuring noise exposure in the workplace? It is available for downloading in the Apple App Store for iPhones. The update includes new information on how to conduct a noise survey and selecting proper hearing protection. The app’s help screens have also been improved to help calibrate an internal or external microphone. It can also share or report data collected in the survey. It uses 27.2 MB of space on your iPhone. Unfortunately according to NIOSH, the variety of Android devices and models, “testing and verification of the accuracy and functionality of an Android-based app in our laboratory is not currently possible.”

For more information about this app, and the CDC/NIOSH release please click [here](#).

To view the app store preview of the screens and details for use of this app use this [link](#).

Hudson River Valley Chapter PDC 2019 Is Being Planned Now.

That’s right! Hudson River Valley Chapter PDC 2019, the biggest and best PDC in the Hudson Valley is being planned as you read this. The dates already designated are October 24 & 25, 2019. The location will be Vassar College in Poughkeepsie, NY.

We will be offering a seminar to present to the PDC attendees who sign up the OSHA 10 Hour Construction Safety Course along with other training track sessions, lectures, and demonstrations, and including Vendor Networking as in our past PDC offerings. Please mark your calendars now, and watch for updates as we get closer to the dates.

If you would like to assist with setting up the spaces, or logistic planning or suggesting Vendors, please contact us via email using my e-mail address as listed on the first page of this newsletter and I will pass it on to the PDC Committee. This is a great way to get involved in the Chapter, meet other chapter members or Chapter Executive Board members. Think about it, and volunteer if you would like become involved.

Chapter Executive Board Implementing New Procedures.

Your chapter’s Executive Board made some planning changes to the meeting structure of the chapter. The new process will involve more technical meetings and attempting to move the meeting locations in order to attract more members that are local to the meetings. These meetings will be announced and posted on the Chapter Web Page as soon as arrangements are made in order to give you the membership advance notice of the meeting locations as soon as possible. Please keep checking for announcements and our [web page](#). The February meeting announcement is below, and on the Web Page, as well as the announcement already sent to you for the meeting in the Harrison, NY location.

Call For Topics You Want To See Here.

In previous newsletters I asked if you the readers had a topic they felt would be useful and interesting to the general membership, to be summarized in a Newsletter item, or to be presented at one of our chapter meetings. If you do have a topic, please send it to me, Charles Von Dietsch, my email address is on the front page of this newsletter. Please feel free to contact me with any questions or concerns about the Chapter or with Technical or General Meeting topics you would like to see presented. I will bring them to the rest of the Chapter Executive Committee to discuss the possible use of your idea as a meeting topic presentation. I will also provide you with feedback concerning the decision to use your suggested topic or not. Just about any safety related item is welcomed, either an on-the-job topic, or one for family safety at home or on vacation, a near miss incident, local regulation, or federal regulation update will be welcome. There are a few guidelines that we follow which were outlined way back in June of 2016 when we published the first new chapter membership newsletter. Nothing political, inflammatory, or insulting to any other person – member of this chapter, or the Society – or non-member will be put in this newsletter. Items that describe a serious violation of safety standards are encouraged and will be allowed in the newsletter, or as a live topic. Specifics that might be identifiable to a person will be removed unless the suggested item is supplied to us with the required written permissions to use some personalized details for accuracy of the incident or experience. This is an easy way for you to become more involved in the chapter, so give it a try. Remember, this is YOUR Chapter and we need and look forward to your support, assistance, and participation.

Our Scheduled Next Chapter Meeting, New Location.

The next Scheduled Chapter meeting is scheduled for February 21, 2019, and will be a Technical Meeting. The meeting topic is “Measuring Safety Program Effectiveness” and will be presented by Mr. Ed Robinson of Consigli Construction Company, Inc. Consigli is a fourth generation family-operated construction Management Company in the New York Metropolitan area.

The location of the meeting is; 4 West Red Oak Lane, West Harrison, NY, and will be located on the 3rd Floor. You can use any GPS device, or mapping program app to get directions from your location to the meeting facility. You will be making a right hand turn onto West Red Oak Lane from Westchester Avenue. Proceed straight up the hill to the second building. Parking is in front of the building. Take the elevator in the lobby to the third floor, exit the elevator, and go left and straight ahead into the office suite of D & B Engineers and Architects. Please call 646 281 9367 if the front doors are locked upon your arrival.

Networking with a light meal and refreshments are usually served at 5:30 PM. The business session of the meetings generally start at 6:00 P.M., and they end at approximately 7:30 P.M., depending on the amount of discussion items and the agenda. See you there!