

OSHA announces 2008 site-specific targeting plan

By Edwin S. Hopson
Wyatt, Tarrant & Combs, LLP

On May 21, 2008, the U.S. Occupational Safety and Health Administration (OSHA) announced the issuance of its 2008 Site-Specific Targeting (SST) Plan. Its press release noted that the plan will focus on some 3,800 high-hazard employers on OSHA's primary list.

OSHA has used a site-specific targeting inspection program for the past 10 years based on injury and illness data submitted by employers. This year's program was developed using the agency's Data Initiative for 2007, which surveyed approximately 80,000 employers to obtain their 2006 injury and illness data.

OSHA also has implemented both national and local "emphasis" inspection programs to target high-risk hazards and industries, and it currently has eight National Emphasis Programs focusing on amputations, lead, crystalline silica, shipbreaking, trenching/excavations, petroleum refinery process safety management, microwave popcorn processing plants, and combustible dust. OSHA currently has approximately 140 Local Emphasis Programs.

The 3,800 individual worksites on the primary list are those that reported 11 or more injuries or illnesses resulting in days away from work, restricted work activity, or job transfer for every 100 full-time employees, which is known as the "DART" rate.

The primary list will also include sites based on a "Days Away from Work Injury and Illness" (DAFWII) rate of 9 or higher; that is, 9 or more cases that involved days away from work per 100 full-time employees. Employers not on the primary list, who reported DART rates of between 7.0 and 11.0, or DAFWII rates of between 5.0 and 9.0, will be placed on a secondary list for possible inspection.

The national DART rate in 2006 for private industry was 2.3, while the national DAFWII rate was 1.3.

In addition, nursing and personal care facilities (SIC code 805) for the SST-08 plan will be added by OSHA's Office of Statistical Analysis to the Primary Inspection List. Because of the large number of establishments in SIC code 805, only the highest 50% rated establishments are to be included on the Primary List; none of the establishments in this SIC code are to be added to the Secondary List or to the Tertiary List. Inspections in this SIC code will focus on (1) ergonomic stressors, (2) exposure to blood and other potentially infectious materials, (3) exposure to tuberculosis, and (4) slips, trips, and falls.

OSHA will also randomly select and inspect about 175 workplaces (with 100 or more employees) across the nation that reported low injury and illness rates for the purpose of reviewing their actual degree of compliance with OSHA requirements. These establishments are selected from those industries with above the national DART and DAFWII rates. Additionally, OSHA will include on the primary list some establishments that did not respond to the 2007 data survey.

The significant changes from the 2007 SST are:

- Changes the threshold DAFWII case rate for the Secondary inspection list (this list will contain establishments reporting DART rates of 7.0 or greater but less than 11.0, or a DAFWII case rate which has been increased to 5.0 or greater, but less than 9.0; only one of these criteria must be met).
- Increases the number of low-rate establishments from high-rate industries that are added to the Primary List.
- Adds to the Primary Inspection List some establishments that did not respond to the 2007 OSHA Data Initiative survey.
- Clarifies that the software on the SST website must be used to create inspection cycles and to update the inspection list.

States such as Kentucky with OSHA-approved plans are required to have their own inspection targeting systems, which must be ... at least as effective as OSHA's.

During
April
2008,
Kentucky
OSH
fined 37
businesses
\$124,000 ...
an average
of \$3,351
per fine.

- Changes the provision regarding consultation pre-visit deferrals to reflect a change in the Consultation Manual.

- Clarifies health inspection protocol.

If an establishment to be inspected under the SST-08 plan has fewer than 40 employees at the time the CSHO arrives on site to begin the inspection, the inspection will still be conducted, provided that the establishment has more than 10 employees and either its calculated DART rate or DAFWII case rate is at or above twice the private sector 2006 national incidence rates (that is, DART = 4.6; DAFWII = 2.6), or records are not available. Moreover, the SST is not intended to include establishments that are only offices.

States such as Kentucky with OSHA-approved plans are required to have their own inspection targeting systems, which must be documented and must be at least as effective as OSHA's.

States are required to notify OSHA whether they intend to adopt policies and procedures identical to SST 2008, or adopt or maintain different policies and procedures for targeting of general industry inspections. Whether or not the state adopts the current SST, if a state's plan is not up-to-date in its documentation of its targeting procedures, the state must submit a plan change supplement, if different from OSHA's program, or documentation of adoption, if identical.

Targeting options available to states include using (1) a state-developed high hazard inspection targeting system based on available state data, (2) a high hazard inspection targeting system based on OSHA Instruction CPL 02-00-025, which is based on Bureau of Labor Statistics injury/illness rate data, and (3) OSHA's Site-Specific Targeting 2008 inspection plan. ▲

Safety and Health Training Schedule — July 2008

The following are free courses offered by the state OSH agency. To enroll, go to <http://rsvpreister.com/event.php?28468>, or call 502-546-3070.

London
Cumberland Valley Area Development District
342 Old Whitley Road

Agenda

July 21 - 25, 2008

Monday, July 21, 2008

Overview of the Kentucky OSH Program 8:30 - 11:30 a.m.

Topics include the operations of the KY OSH Program, including enforcement and voluntary compliance services.

Injury/Illness Recordkeeping 1:00 - 4:00 p.m.

This session is for those persons responsible for maintaining the revised injury and illness records. The forms 300, 301, 300A will be covered. A recordkeeping example workshop will be part of the course, time permitting.

Tuesday, July 22, 2008

Bloodborne Pathogens 8:30 - 11:30 a.m.

This session explains the measures that must be implemented to protect employees from the hazards of occupational exposure to blood and other potentially infectious materials containing bloodborne pathogens, such as hepatitis B virus, and human immunodeficiency virus.

Back Care and Office Ergonomics 1:00 - 4:00 p.m.

This session explains why many back injuries occur from lifting and how they may be prevented.

Wednesday, July 23, 2008

Introduction to Basic Electrical Safety 8:30 - 11:30 a.m.

This session introduces its participants to basic electrical concepts and the hazards associated with them in general industry. The focus of the class is to show hazards looked for by KY OSH consultants while conducting safety and health audits.

Crane Safety For General Industry 1:00 - 4:00 p.m.

This session introduces various types of overhead cranes, mobile cranes, and hoists. Basic information concerning overhead and gantry cranes, wire ropes and slings, crane inspection, and maintenance procedures are discussed. Appropriate OSHA and ANSI standards and related requirements are also discussed.

Thursday, July 24, 2008

Fire Safety and Protection 8:30 - 11:30 a.m.

This session introduces the participant to the recognition of potential fire hazards and emergency procedures. Topics include the chemistry of fire, types and effectiveness of extinguishing agents, means of egress, detection and alarm systems, fire brigades, fire prevention plans. 29 CFR 1910, Subparts E and L, and references to NFPA codes provide the basis for the course.

Hexavalent Chromium Course 1:00 - 4:00 p.m.

This three hour course will cover the new hexavalent chromium standards as they apply in General Industry and Construction.

Friday, July 25, 2008

Noise and Hearing Conservation 8:30 - 11:30 a.m.

This session explains the composition of sound, the instrumentation and criteria used to determine excessive noise levels, the effects of noise on the hearing mechanism, personal protective equipment, and basic noise control methodology.

Confined Space Entry 1:00 - 4:00 p.m.

This session explains the regulations regarding entry into and working in confined spaces. Topics include assessment of the confined space environment; entry into continuous system confined spaces, such as sewers; entry into closed system confined spaces, such as tanks and pits; emergency entry into all confined spaces; and training of employees. ▲

APRIL CITATIONS & FINES

Below is a partial listing of the citations and fines issued by the Kentucky Occupational Safety and Health agency during the month of April 2008. Provided here are summaries of the citations and the total amount of the fine. A company has 15 working days from receipt of the citations and proposed penalties to either elect to comply with them, to request and participate in an informal conference with the KOSH area director, or to contest them before the independent Occupational Safety and Health Review Commission.

ARKEMA INC.

4444 Industrial Pkwy., Calvert City
 Inspection site: 4444 Industrial Pkwy., Calvert City
 4-16-08 \$13,500

Serious

- Employee exposed to asphyxiant gas, resulting in death. \$4,500
- Employees did not don proper respirators when attempting to pull co-worker out of oxygen-deficient atmosphere. \$4,500
- Caution signs warning employees of oxygen-deficient atmosphere in Analyzer Building were not present. \$4,500

GRIFFIN INDUSTRIES

PO Box 2007, Henderson
 Inspection site: 305 Priest St., Henderson
 4-18-08 \$9,000

Serious

- Procedures were not documented nor utilized to protect employees about the release of potentially hazardous energy associated with repairing a powered industrial truck. \$4,500
- Employer modified a powered industrial truck without obtaining manufacturer's prior written approval. \$4,500

SEDALIA WATER DISTRICT

PO Box 56, Sedalia
 Inspection site: State Route 339 E., Sedalia
 4-4-08 \$9,000

Serious

- Employer did not provide emergency eye-wash/shower for employees using chemicals, such as sodium hydroxide, chlorine and fluoride. \$1,500
- Employer did not assess workplace to determine if PPE was necessary for employees exposed to chemicals. \$1,500
- Employer did not maintain a written hazard communication program. \$1,500
- Information about hazards of chemicals was not immediately available to employees. \$1,500
- Employer did not maintain material safety data sheets for hazardous chemicals. \$1,500
- Employer did not provide employees with effective information and training on hazardous chemicals in their work areas. \$1,500

PATRIOT INDUSTRIES

800 Nunn St., Albany
 Inspection site: 800 Nunn St., Albany
 4-3-08 \$8,100

Serious

- Employer did not establish written exposure control plan for employees who have occupational exposure to blood; employer did not provide bloodborne pathogen training to employees who perform first aid. \$2,250
- Employer did not provide sharps containers for employees to properly dispose of blood-contaminated sewing needles or other sharps; employer did not have warning label on container of regulated waste. \$2,250
- Employer did not provide medical evaluation, hepatitis B vaccination series or follow-up after exposure to blood. \$2,250
- Employer did not provide a written hazard communication program for employees who work with substances containing, but not limited to, propane, butane and hydrocarbons. \$1,350

Other

- Employer did not keep OSH 300 logs for plant separate from OSH 300 logs at another plant. \$0

SKILCRAFT

PO Box 896, Burlington
 Inspection site: 5184 Limaburg Road, Burlington
 4-25-08 \$7,500

Repeat Serious

- Hydraulic press brakes were not properly guarded. \$6,000

Serious

- Electrical access door on rear of electric spot welder exposed two employees to electrical shock. \$1,500

Other

- Electrical cord on floor exposed employees to trip hazard. \$0
- Unused openings on electric spot welder were not effectively closed. \$0
- Fastening machine was wired to disconnect with a flexible cord. \$0
- Unlabeled container was found on punch press. \$0

MARTINREA HOPKINSVILLE

1500 Frank Yost Lane, Hopkinsville
 Inspection site: 1500 Frank Yost Lane, Hopkinsville
 4-29-08 \$7,125

Serious

- Floor around transfer press was not kept clean and dry, and spilled lubricant created a slip hazard. \$2,625
- Rungs of ladder were coated with spilled lubricant, creating a slip hazard. \$4,500

N.S.U. CORP.

9385 Sonora Road, Sonora

Inspection site: 9385 Sonora Road, Sonora

4-18-08

\$5,975

Serious

- Employer had not reviewed an emergency action plan with employees to ensure they know what to do in event of fire, tornado or other emergency. \$1,100
 - “Swage” machine was not properly guarded. \$3,500
 - Side barrier of hydraulic power press was not securely attached. \$1,375
-

LEVI STRAUSS & CO.

3750 N. Bend Road, Hebron

Inspection site: 3750 N. Bend Road, Hebron

4-28-08

\$5,000

Serious

- Employee was injured by an unguarded rotating pulley while working from a scissor lift. \$5,000
-

R.E. MICHEL CO.

5339 Hillcrest Road, Allen

Inspection site: 5339 Hillcrest Road, Allen

4-3-08

\$4,500

Serious

- Employee was seriously injured when he fell 15 feet from a plastic tote that was being lifted by the forks of a forklift. \$4,500
-

VARGAS PLASTERING EXTERIOR CONSTRUCTION

1705 E. Central Ave., Miamisburg, Ohio

Inspection site: 6600 Seminary Way, Louisville

4-7-08

\$4,500

Serious

- Tubular welded scaffold was not fully planked. \$1,500
 - Competent person was not on site while scaffold was being erected. \$1,500
 - Employee working more than 12 feet above ground on scaffold was not protected from falling. \$1,500
-

FANNINS PLUMBING HEATING ELECTRICAL

432 Main St., Paintsville

Inspection site: 5339 Hillcrest Road, Allen

4-3-080

\$4,250

Serious

- Employee was seriously injured when he fell 15 feet from a plastic tote that was being lifted by the forks of a forklift. \$2,500

Other

- Work-related accident involving employee injured in fall from

forklift forks was not properly reported to the Kentucky Department of Labor. \$1,750

JEFF CAMPBELL CONSTRUCTION

4511 Swake Lane, Louisville

Inspection site: Hancock and Liberty streets, Louisville

4-17-08

\$4,000

Repeat Serious

- Two employees working on roof at least 20 feet above ground were not protected from falling. \$4,000
-

CAPITAL CITY GROUP

808 Frank Road, Columbus, Ohio

Inspection site: 770 John Davis Dr., Frankfort

4-8-08

\$3,500

Serious

- Four employees conducting steel erection at least 18 feet above ground were not protected from falling. \$3,500
-

TOYOTA OF LEXINGTON

PO Box 55628, Lexington

Inspection site: 1160 Floyd Dr., Lexington

4-4-08

\$3,150

Serious

- For employees who spray-paint cars, employer did not ensure spray booth was free from storage of combustible construction; employer did not post “no smoking” signs in paint spray booth or paint storage room. \$1,050
- Employer did not provide employees who were permitted to use fire extinguishers with information on the hazards involved with incipient-stage fire fighting. \$1,050
- Employer did not maintain written hazard communications for employees using hazardous chemicals. \$1,050

Other

- Employer did not develop and implement a written respirator program for employees who spray-paint cars. \$0
 - Employer did not provide medical evaluations prior to employees using respirators. \$0
 - Employer did not provide fit-tests for employees using half-face respirators. \$0
 - Employer did not provide proper respirator training. \$0
 - Employer did not provide information to employees using respirators as required by Appendix D of the standard. \$0
-

SMITH CONTRACTORS

PO Box 480, Lawrenceburg

Inspection site: 213 Bend Road, Waco

4-3-08

\$3,000

Serious

- Gang form scaffold more than 20 feet above ground was not provided with a ladder or other safe means of access. \$1,500
- Gang form scaffold was not completely enclosed on all sides, exposing employees to fall hazard. \$1,500

SUPERIOR ROOFING AND CONSTRUCTION
231 B and B Court, Owensboro
Inspection site: 106 Magnolia Dr., Central City
4-25-08 \$3,000

Serious

- Three employees working at least nine feet above ground were not protected from falling. \$1,500
- Employees were not properly trained to recognize and avoid fall hazards. \$1,500

UNITED STRUCTURAL SYSTEMS
723 Chenault Bridge Road, Lancaster
Inspection site: 2083 Bridgeport Dr., Lexington
4-17-08 \$3,000

Serious

- Two employees were working in excavation eight-feet deep with a four-foot spoils pile located directly on edge of trench. \$1,500
- Two employees were working in excavation without cave-in protection. \$1,500

J-RON INC.
PO Box 294, Henderson
Inspection site: 635 Bob Posey Dr., Henderson
4-28-08 \$2,625

Serious

- Employer had not conducted annual period inspections of company's lockout/tagout procedure. \$875
- Points of operation on molding presses were not properly guarded. \$875
- 110-volt live parts on automatic sprinkler system were not adequately guarded to prevent employees from making accidental contact. \$875

Other

- Employer did not ensure areas of facility were kept clean and orderly. \$0
- Fire extinguisher was blocked by motor belts and not readily accessible to employees. \$0
- Alarm system on sprinkler system was not functional. \$0
- Orange extension cord was being used for fixed wiring. \$0
- Orange extension cord was spliced and connected with wire nuts. \$0

LINCOLN CONSTRUCTION
4790 Shuster Road, Columbus, Ohio
Inspection site: 770 John Davis Dr., Frankfort
4-8-08 \$2,500

Serious

- Four employees conducting steel erection at least 18 feet above ground were not protected from falling. \$2,500

AZTECA MILLING DBA VALLEY GRAIN PRODUCTS
5301 Industrial Park Dr., Henderson
Inspection site: 5301 Industrial Park Dr., Henderson
4-28-08 \$1,875

Serious

- An unguarded, fixed ladder opening exposed employees to a six-foot, four-inch fall. \$1,875

LOUISVILLE BEDDING CO.
660 National Turnpike, Munfordville
Inspection site: 660 National Turnpike, Munfordville
4-17-08 \$1,875

Serious

- Card machines were not properly guarded to protect employees from losing fingers or having feet caught in rollers. \$1,875

WAKO USA DBA WAKO ELECTRONICS USA
2105 Production Dr., Louisville
Inspection site: 2105 Production Dr., Louisville
4-7-08 \$1,750

Serious

- Eyewash facilities were not provided within 25 feet of where employees were engaged in changing or charging forklift batteries. \$500
- Cap stamper was not properly guarded. \$625
- Unused opening allowed access to live parts in "Life Tester" in test lab. \$625

GORDON FOOD SERVICE
342 Gordon Industrial Dr., Shepherdsville
Inspection site: 342 Gordon Industrial Dr., Shepherdsville
4-18-08 \$1,625

Serious

- 480-vold disconnect box was missing a knockout. \$1,625

POLYAIR PACKAGING
300 Spencer Mattingly Lane, Bardstown
Inspection site: 300 Spencer Mattingly Lane, Bardstown
4-28-08 \$1,625

Serious

- Standard stair railings were not installed to prevent employees from falling to ground floor. \$1,625

Other

- Electrical junction box did not have a cover. \$0
-

BOWLING ROOFING

311 Crab Orchard St., Lancaster

**Inspection site: 326 S. Main St., Harrodsburg
4-25-08 \$1,500**

Serious

- Four employees working more than 30 feet above ground were not protected from falling. \$1,500
-

EVANS MASONRY

PO Box 97, Beattyville

**Inspection site: 2081 Bryant Road, Lexington
4-17-08 \$1,500**

Serious

- Seven employees working on scaffold at least 26 feet above ground were not protected from falling. \$1,500
-

JACK READNOUR DBA READNOUR CARPENTRY CO.

55 Sunnymead Dr., Fort Mitchell

**Inspection site: 214 N. Main St., Williamstown
4-7-08 \$1,500**

Serious

- Employees working at least 18 feet above ground were not protected from falling. \$1,500
-

PEPSI-COLA BOTTLING CO. OF LEXINGTON

559 S. Forbes Road, Lexington

**Inspection site: 559 S. Forbes Road, Lexington
4-4-08 \$1,500**

Serious

- No emergency shower was in place for employees exposed to corrosive chemicals. \$1,500
-

KENTUCKY-INDIANA LUMBER CO.

2525 Palumbo Dr., Lexington

**Inspection site: 2525 Palumbo Dr., Lexington
4-25-08 \$1,300**

Serious

- Hydraulic press was not properly guarded to protect operator and other employees. \$1,300
-

LUSK MECHANICAL CONTRACTORS

820 S. Dixie Hwy., Muldraugh

**Inspection site: 950 N. Hurstbourne Pkwy., Louisville
4-28-08 \$1,125**

Serious

- Van did not have seats firmly secured; van did not have adequate seating for the number of employees carried. \$1,125
-

TAUBENSEE STEEL AND WIRE CO.

3200 Ohio Dr., Henderson

**Inspection site: 3200 Ohio Dr., Henderson
4-7-08 \$900**

Serious

- Employer did not provide emergency eye-wash station. \$900
-

MORGAN ELECTRIC MOTOR SALES AND SERVICE

7625 National Turnpike Unit 190, Louisville

**Inspection site: 7625 National Turnpike Unit 190, Louisville
4-3-08 \$750**

Serious

- Employer did not provide emergency eye-wash/shower station for employees exposed to corrosive materials. \$375
- Employer did not ensure that employees who provide first aid/CPR participate in training at no cost to employee and during work hours. \$375

Other

- Employer did not ensure that employees with occupational exposure participate in training at no cost and during working hours. \$0
 - Employer did not post copy of annual summary in conspicuous place. \$0
 - Employer did not provide procedures for emergency evacuation. \$0
 - Employer did not maintain procedure for accounting for all employees after emergency evacuation. \$0
 - Employer did not ensure that all containers of hazardous chemicals were labeled. \$0
 - Employer did not provide effective information and training on hazardous chemicals, including xylene, varnishes and steam-cleaning chemicals. \$0
-

TRIANGLE INVEST. HOSPITALITY DBA DAYS INN

PO Box 18549, Erlanger

**Inspection site: 599 Donaldson Hwy., Erlanger
4-10-08 \$675**

Serious

- Employer did not provide emergency shower for employees working with corrosive chemicals. \$675

Other

- Employer did not require employees who declined hepatitis B vaccination to sign statement in Appendix A of this standard. \$0
-

LYKINS ENTERPRISES
DBA MT. STERLING GASOLINE
 3197 AA Hwy., Maysville
Inspection site: SR-9 and SR-57, Tollesboro
4-17-08 **\$560**

Repeat Other

- Employer did not have a written hazard communication plan; employer did not maintain material safety data sheets; employer did not provide employees with effective information and training on hazardous chemicals in their work areas. \$560

THE SILVERADO GROUP
 5702 Hwy. 519, West Liberty
Inspection site: 5702 Hwy. 519, West Liberty
4-7-08 **\$375**

Serious

- Crane inspections were not routinely conducted, exposing employees to potential struck-by or crush hazards. \$375

Other

- Electrical cord was not fitted with strain protection. \$0

ACME AUTO ELECTRIC
 508 Baxter Ave., Louisville
Inspection site: 508 Baxter Ave., Louisville
4-16-08 **\$300**

Serious

- Employer did not provide training on hazardous chemicals in the work area. \$300

ACME AUTO ELECTRIC
 508 Baxter Ave., Louisville
Inspection site: 508 Baxter Ave., Louisville
4-16-08 **\$40**

Other

- Employer did not post copies of previous citations in or near area where violation occurred. \$40

ABSTRACT CONSTRUCTION
 2211 Garrs Lane, Louisville
Inspection site: Hancock and Liberty streets, Louisville
4-17-08 **\$0**

Other

- Employer did not maintain OSH 300 injury and illness logs for 2005, 2006 and 2007. \$0

AMERICAN FREIGHT OF KENTUCKY
 2748 Lexington Ave., Lexington, Ohio
Inspection site: 1920 Watterson Trail, Louisville
4-3-08 **\$0**

Other

- No written certification of powered industrial truck operator training was in place. \$0

COUNCIL ON POSTSECONDARY EDUCATION
 1024 Capital Center Dr., Suite 320, Frankfort
Inspection site: 1024 Capital Center Dr., Suite 320, Frankfort
4-4-08 **\$0**

Other

- Employer did not keep OSH 300 logs for 2005 and 2006. \$0
- Employer did not mount and identify fire extinguisher in kitchen/break area. \$0
- Fire extinguisher in kitchen/break area had not had annual maintenance check. \$0
- Employer provided fire extinguishers but did not provide employees with training and information on hazards involved in incipient-stage fire fighting. \$0

HUNTINGTON ALLOYS CORP. DBA SPECIAL METALS
 3200 Riverside Dr., Huntington, WV
Inspection site: 29500 Mayo Trail Road, Catlettsburg
4-28-08 **\$0**

Other

- Lockout device was removed by employee other than employee who applied the device. \$0
- Four authorized employees did not each affix a personal lockout device to a group lockout box or other lockout point. \$0

NAT'L BAND AND TAG CO. DBA INTERNATIONAL ID
 PO Box 430, Newport
Inspection site: 721 York St., Newport
4-18-08 **\$0**

Other

- Employer did not maintain written emergency action plan. \$0

R.A. JONES & CO.
 2701 Crescent Springs Dr., Covington
Inspection site: 2701 Crescent Springs Dr., Covington
4-3-08 **\$0**

Other

- Milling machine was not properly guarded to protect operator and other employees from flying chips. \$0

STANZEL INC., DBA PAPA JOHN'S PIZZA
 PO Box 2106, London
Inspection site: 785 E. Cumberland Gap Pkwy., Corbin
4-7-08 **\$0**

Other

- Junction box was missing a faceplate. \$0 ▲

Comparison of Kentucky OSH performance in Patton and Fletcher administrations

The Kentucky Department of Labor recently compiled data to show the activity level of OSHA inspectors during the terms of Democratic Gov. Paul Patton and Republican Gov. Ernie Fletcher. The information keyed on five indicators. In announcing the findings at a press conference with the governor (on a broader topic) last month, the Department said in a statement, "Overall, significant decreases in performance occurred during the Fletcher administration compared to the Patton administration."

However, an analysis of the Department's data by Kentucky OSHA Journal — provided in the chart below — reveals a somewhat divided picture. While the numbers under Gov. Patton (during his second term) trended up and the numbers under Gov. Fletcher trended down, except for the number of "imminent dangers" inspections, when averaged over each governor's four-year term, the Fletcher administration out-performed the Patton administration in all five categories.

In fact, KY OSH under Fletcher more than tripled the number of "imminent dangers" inspections when compared to the number of inspections in that category under Patton. The Department's news release offered a possible explanation:

"This increase may be explained by a drop in the number of programmed inspections during the Fletcher administration."

KY OSH's training courses increased under Patton and decreased under Fletcher . . . Patton's annual average, 447; Fletcher's, 280.

Terminology

Safety inspections: Number of inspections conducted by Safety Compliance Officers.

Health inspections: Number of inspections conducted by Health Compliance Officers.

S&H violations issues: Number of citations issued to employers for violations.

S&H inspections: Number of inspections completed by Safety and Health Compliance Officers.

Programmed inspections: Worksite inspections conducted on worksites characterized as high-hazard industry or by special emphasis program.

Imminent-danger inspection: Worksite inspections initiated by the report of a danger condition which could immediately result in death or serious physical harm.

Occupational Health and Safety Inspections A comparison of the Patton, Fletcher years

| Federal Fiscal Year | Gov. Paul Patton (D), 2000 - 2003 | | | | | Gov. Ernie Fletcher (R), 2004 - 2007 | | | | |
|----------------------|-----------------------------------|--------|--------|--------|-------|--------------------------------------|--------|--------|--------|-------|
| | FY2000 | FY2001 | FY2002 | FY2003 | Avg. | FY2004 | FY2005 | FY2006 | FY2007 | Avg. |
| S&H Inspections | 1,027 | 1,378 | 1,678 | 1,774 | 1,464 | 1,750 | 1,676 | 1,508 | 1,362 | 1,574 |
| S&H Violations Cited | 1,519 | 2,099 | 1,963 | 3,110 | 2,173 | 2,826 | 2,606 | 1,860 | 1,834 | 2,282 |
| Safety Inspections | 828 | 1,154 | 1,372 | 1,444 | 1,200 | 1,407 | 1,351 | 1,174 | 1,048 | 1,245 |
| Health Inspections | 199 | 224 | 306 | 330 | 265 | 343 | 325 | 334 | 314 | 329 |
| Imminent Dangers | 50 | 53 | 72 | 94 | 67 | 133 | 209 | 278 | 347 | 242 |

Asphalt fumes can lead to skin cancer

More than half a million American employees are regularly exposed to fumes from hot asphalt. Overexposure to such fumes can have adverse effects on employees' health, ranging from immediate maladies such as headache, rash, or throat and eye irritation, to long-term conditions such as skin cancer.

Many construction jobs, such as road paving, roofing, siding and concrete work, put employees at risk of hazardous asphalt exposure if proper precautions are not taken. OSHA recommends that employees:

- Use emission capture and destruction devices to evacuate

the asphalt fumes from the container;

- Substitute low-fuming asphalt whenever possible;
- Wear protective apparel, including appropriate clothing and respiratory protection;
- Use heating systems to keep the asphalt at a constant temperature, and check it frequently.

OSHA's Safety and Health Topics Page on Asphalt Fumes (<http://www.osha.gov/SLTC/asphaltfumes/index.html>) is a good resource for information that construction employees can use to prevent many of the health hazards associated with asphalt work. ▲

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