



OSHA Regional Instruction

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: 21-01 (CPL 04) | **EFFECTIVE DATE:** December 31, 2021

SUBJECT: Local Emphasis Program for Logging in Idaho

REGIONAL IDENTIFIER: Region 10

ABSTRACT

- Purpose:** This instruction renews the Local Emphasis Program for the logging industry in Idaho.
- Scope:** This instruction applies to the Boise Area Office.
- References:**
- OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, dated November 13, 2018.
 - OSHA Instruction CPL 02-00-164, Field Operations Manual, dated April 4, 2020.
 - OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, dated January 4, 1995.
 - OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act, May 28, 1998.
 - OSHA Memorandum for Regional Administrators, Subject: “Establishment-Targeting Lists for Emphasis Programs,” dated November 13, 2014.
 - OSHA Memorandum for Regional Administrators, Subject: “Procedures for Local and Regional Emphasis Programs,” dated December 3, 2014.
- Cancellation:** OSHA Regional Instruction 19-02 (CPL 04) dated December 31, 2018.
- Expiration Date:** This instruction will expire December 31, 2026, but may be renewed.

State Impact: None.

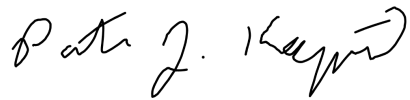
Significant Changes: None.

Action Offices: Boise Area Office and Office of Enforcement Programs.

Originating Office: Office of Enforcement Programs

Contact: Assistant Regional Administrator
Office of Enforcement Programs

By and Under the Authority of:

A handwritten signature in black ink, appearing to read "Patrick J. Kapust". The signature is written in a cursive style with a large, stylized initial "P".

Patrick J. Kapust
Acting Regional Administrator

Executive Summary

This instruction renews the framework for a local emphasis program to reduce and/or eliminate hazards associated with residential construction in the state of Idaho.

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I. Purpose.

This instruction renews the LEP for the logging industry in Idaho.

II. Scope.

This instruction applies Idaho wide.

III. Action Offices.

Boise Area Office and Office of Enforcement Programs.

IV. References:

OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, dated November 13, 2018.

OSHA Instruction CPL 02-00-164, Field Operations Manual, dated April 4, 2020.

OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, dated January 4, 1995.

OSHA Memorandum for Regional Administrators, Subject: "Establishment-Targeting Lists for Emphasis Programs," dated November 13, 2014.

OSHA Memorandum for Regional Administrators, Subject: "Procedures for Local and Regional Emphasis Programs," dated December 3, 2014.

V. Cancellation.

OSHA Regional Instruction 19-02 (CPL 04), dated December 31, 2018.

VI. Expiration.

This instruction will expire December 31, 2026, but may be renewed.

VII. Responsibilities.

Boise Area Office compliance personnel shall ensure that the procedures established in this instruction are adhered to when conducting LEP program inspections for logging.

VIII. Background.

This LEP supports the Occupational Safety and Health Administration (OSHA) Fiscal Year 2022 Agency Management Plan, Agency Theme 1, Assure Safe and Healthful Workplaces, particularly in high-risk industries, including the agency's theme to protect

the most vulnerable workers in high hazard industries, by targeting industries with higher than average illness and injury rates.

Logging operations in the state of Idaho, Region X, and nationwide have historically had a high incidence rate of fatal and/or serious injury and illness, which was significantly above the national average for other occupations. For 2019, the Bureau of Labor Statistics (BLS) reported that the logging industry (NAICS 1133) demonstrated a Total Case Rate (TCR) of 2.7 and a Days Away Restricted and Transferred rate (DART) of 2.3. For 2019, the BLS reported a TCR for all private industry of 2.8 and a DART of 1.5. Additionally, according to the BLS, the rate of fatal injury in the logging industry in 2015 was 132.7, which was more than 30 times the all-worker rate of 3.4 per 100,000 FTE workers. From 2006 to 2015, an average of 66 loggers died each year. Employers with ten or fewer employees are not required to maintain injury data unless it is required by BLS; therefore, small logging employers in Idaho do not report injury data. Logging operations tend to be seasonal and dependent on many factors including, but not limited to, weather, road conditions, and land management policies. These factors could affect the drop or rise in the amount of logging conducted and therefore, the injury and illness rates from year to year. The factors also make normal scheduling of programmed inspections very difficult. The logging industry is a high hazard industry in which the severity of injuries sustained by loggers is generally more severe and more debilitating.

According to the National Institute of Occupational Safety and Health (NIOSH) on their Logging Safety webpage, “Logging has consistently been one of the most hazardous industries in the United States (US). In 2010, the logging industry employed 95,000 workers, and accounted for 70 deaths. This results in a fatality rate of 73.7 deaths per 100,000 workers that year. This rate is over 21 times higher than the overall fatality rate in the US in 2010 (3.4 deaths per 100,000). This excessive risk for fatal work injuries points to a need for prioritizing research and intervention programs to make this industry less hazardous.”

This directive continues to improve on the previous logging LEP that established a master list of logging employers and randomly inspecting the employers.

IX. Actions Required.

All inspections shall be carried out according to the policies and procedures in the Field Operations Manual (FOM). In addition, the following procedures will apply to inspections of logging operations.

A. Outreach

This LEP has been in place for several years and outreach is a continual effort through programs such as Safety Fests and meetings with local industry organizations. The Boise Area Office will provide updated information to employers on topics such as the OSHA standards that apply to logging operations, how to implement a safety and health program, and details about the LEP. Information will

continue to be disseminated via the Boise Area Compliance Assistance Specialist and various groups of employers and industry representatives.

B. Programmed Inspection Scheduling

1. The Area Director shall include all areas in the state where logging operations (SIC 2411/NAICS 113310) are located in order to maximize safety awareness.
2. The Area Director shall use information from neutral sources to determine the location and number of active logging operations planned in the upcoming approval year. Neutral sources generally include business databases such as Reference USA (REFUSA).
3. The Boise Area Office will follow the inspection targeting methods described in the References contained in Section IV of this document. Logging establishments will be identified and an inspection cycle will include 10 logging employers. Within a cycle, establishments may be scheduled and inspected in any order that makes efficient use of available resources.
4. Programmed inspections will not be conducted when an employer is in the process of a consultation visit. During the opening conference, the CSHO should determine if the employer has a consultation visit in process, which extends from the opening conference until all the hazards are abated and consultation has received verification of abatement.

C. Unprogrammed Inspections

1. Complaints, referrals and fatalities will be handled in accordance with CPL 02-00-164, the FOM.
2. All valid complaints of unsafe practices both formal and non-formal on a logging site will normally be scheduled for an inspection as required by the FOM. Exceptions to this policy must be approved by the Area Director.
3. All valid referrals, which allege unsafe practices on a logging site, shall be scheduled for inspection. Exceptions to this policy must be approved by the Area Director.

D. Inspection Procedures

1. Each establishment will receive a comprehensive safety and health inspection including the shop, records, and as many active logging sales as possible to assess the logging methods.
2. The compliance officers will begin the inspection at the business office address or address listed on the inspection assignment sheet and then proceed to active logging sites operated by the employer being inspected.

3. If the establishment received a comprehensive inspection in the previous six months, only unprogrammed inspections shall be conducted, and the scope of the inspection will be limited to the issues related to the unprogrammed activity unless other serious hazards are observed during the inspection. Inspections shall be expanded following the instructions contained in the FOM.
4. Since good work practices used on logging sites are critical to preventing injuries, CSHOs should spend sufficient time at each logging site to thoroughly observe employee work practices and to conduct noise or other monitoring, as necessary. Most inspections will involve spending a full day observing work practices and monitoring for noise.
5. Noise exposure and hearing conservation shall be addressed during all comprehensive logging inspections.
6. Because of the remote locations of most logging sites, inspections will normally be conducted by a team of two CSHOs.

E. Training

All CSHOs conducting logging inspections shall be instructed on this procedure prior to conducting logging inspections and shall be familiar with OSHA's logging standard.

F. OIS Inspection Record Coding

Both programmed and unprogrammed logging inspections shall be coded on the inspection record according to protocol for the type of inspection. The LEP designation "LOGGING" shall be entered. Inspections conducted under this program shall be coded as "Programmed Planned" with the LEP designation "LOGGING". Unprogrammed inspections (i.e. Complaints, Referrals from Outside OSHA, Fatalities/Catastrophes, Employer reported hospitalization or amputation) shall be classified as "Unprogrammed" and coded under this local emphasis program designation of "LOGGING".

G. Evaluation

This LEP will be evaluated in accordance with the guidelines in OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, dated November 13, 2018. The Area Director will provide input concerning special problems that may have surfaced during the year, recommendations to improve the LEP, and recommendations to renew or not renew the LEP. The Office of Enforcement Programs shall prepare an evaluation report for the Regional Administrator's review at the midpoint, and at the completion of the program.