

Malter Up-to-the-Minute Update

Volume 5, Issue 1

October 2009

OSHA Issues Final Rule Updating PPE Standards

OSHA recently issued a final rule to revise the personal protective equipment (PPE) sections of its general industry, shipyard employment, longshoring, and marine terminals standards regarding requirements. These revised rules effect the requirements for eye and face protective devices, head protection, and foot protection. **This final rule became effective on October 9, 2009.**

In this Final Rule OSHA has:

- 1) Updated the references in its regulations to recognize more recent editions of the applicable national consensus Standards.
- 2) Allowed employers to meet the design requirements of its PPE standards by using PPE constructed in accordance with any of three national consensus standards. Previously, OSHA identified specific editions of the national consensus standards that PPE must meet if purchased before a specified date.

Specific requirements for the selection of safety shoes and filter lenses and plates in eye protection have been modified to reflect that the employer is only required to select PPE that complies with the (listed) consensus standard that applies to it.

- 3) Permitted employers to use PPE that is not manufactured in accordance with one of the listed consensus standards if the employer can demonstrate that the PPE it selects is as protective as PPE constructed in accordance with one of the incorporated consensus standards.

The next page contains key excerpts from the revised PPE Standards. A complete listing of the changes to Standards 29 CFR 1910, 1915, 1917, and 1918 can be found through this link (<http://edocket.access.gpo.gov/2009/E9-21360.htm>).



"Providing innovative solutions to meet today's complex challenges in health and safety."

Dave Malter, President
Malter Associates, Inc.
7212 Millburne Court
Bull Valley, IL 60050
Phone: 815-363-5512
Fax: 815-363-5514

OSHA's National Emphasis Program on Recordkeeping

OSHA is initiating a national emphasis program (NEP) on recordkeeping to assess the accuracy of injury and illness data recorded by employers.

The recordkeeping NEP involves:

- Inspecting occupational injury and illness records prepared by businesses; and
- Appropriately enforcing regulatory requirements when employers are found to be under-recording injuries and illnesses.

OSHA postulates the most likely places where under-recorded injuries and illnesses may exist would be low rate establishments operating in historically high rate industries. NEP inspections will include a records review, employee interviews, and a limited safety and health inspection of the workplace.

Inspections under this NEP will be limited to establishments in the NAICS codes listed on BLS Table SNR02 (Appendix A in the link below), NAICS codes 311615 (Poultry Processing) and 115210 (Support Activities for Animal Production).

For additional information on this NEP see: http://www.osha.gov/OshDoc/Directive_pdf/CPL_02_09-08.pdf.

OSHA Issues Final Rule Updating PPE Standards (continued)

Sec. 1910.133 Eye and face protection.

(b) Criteria for protective eye and face protection.

(1) Protective eye and face protection devices must comply with any of the following consensus standards:

- (i) ANSI Z87.1-2003, "American National Standard Practice for Occupational and Educational Eye and Face Protection," which is incorporated by reference in Sec. 1910.6;
- (ii) ANSI Z87.1-1989 (R-1998), "American National Standard Practice for Occupational and Educational Eye and Face Protection," which is incorporated by reference in Sec. 1910.6; or
- (iii) ANSI Z87.1-1989, "American National Standard Practice for Occupational and Educational Eye and Face Protection," which is incorporated by reference in Sec. 1910.6.

(2) Protective eye and face protection devices that the employer demonstrates are at least as effective as protective eye and face protection devices that are constructed in accordance with one of the above consensus standards will be deemed to be in compliance with the requirements of this section.

Sec. 1910.136 Foot protection.

(b) Criteria for protective footwear.

(1) Protective footwear must comply with any of the following consensus standards:

- (i) ASTM F-2412-2005, "Standard Test Methods for Foot Protection," and ASTM F-2413-2005, "Standard Specification for Performance Requirements for Protective Footwear," which are incorporated by reference in Sec. 1910.6;
- (ii) ANSI Z41-1999, "American National Standard for Personal Protection--Protective Footwear," which is incorporated by reference in Sec. 1910.6; or
- (iii) ANSI Z41-1991, "American National Standard for Personal Protection--Protective Footwear," which is incorporated by reference in Sec. 1910.6.

(2) Protective footwear that the employer demonstrates is at least as effective as protective footwear that is constructed in accordance with one of the above consensus standards will be deemed to be in compliance with the requirements of this section.

Sec. 1910.252 General requirements.

(1) Filter lenses must meet the test for transmission of radiant energy prescribed by any of the consensus standards listed in 29 CFR 1910.133(b)(1).

Malter Associates, Inc.

MALTER ASSOCIATES can assist you with the development of your PPE, OSHA Recordkeeping and other safety and health programs.

Our OSHA Recordkeeping Web Based Training Class was developed with you and your recordkeeping needs in mind:

- Review recordkeeping requirements from OSHA's Standard for Recording and Reporting Occupational Injuries and Illness (29 CFR 1904).
- Malter Associates has simplified the process of OSHA recordkeeping by preparing these reports as Microsoft Excel® spreadsheets.

Our OSHA 300 spreadsheets will allow you to maintain your OSHA 300, 300A and Sharps Injury Log (for compliance with OSHA's Bloodborne Pathogens Program) in one Excel® Workbook (file).

In addition, our spreadsheet contains a Statistics Performance Report that will allow you to easily determine

your:

- OSHA Total Injury and Illness (OSHA Recordable) Rate;
- Days Away, Restricted or Transferred (DART/LDWII) Rate; and
- Day Count Rate.

We have helped many of our clients by conducting mock OSHA audits, providing training and education; and encouraging continual improvement in workplace safety and health through the development of proactive safety behaviors, performance metrics and monthly safety bulletins, Web conferences and other helpful reminders.

If you would like our assistance give us a call at 815-363-5512 or contact us via our website at:

<http://malterassociates.com/malter/contact.aspx>