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## OSHA Compliance Visit

Complying with government relations is becoming more difficult every year. This year is no exception as the Occupational Safety and Health Administration (OSHA) continues to increase fines and penalties for noted violations. This article will attempt to guide you through a "typical" OSHA inspection, as well as provide you with some useful information the next time your facility is visited by an inspector.

### Background

The Williams-Steiger Occupational Safety and Health Act of 1970 requires, in part, that every employer covered under the Act furnish to his/her employees employment and a place of employment that is free from recognized hazards that are causing, or are likely to cause, death or serious physical harm to his/her employees.

The Act authorizes the Department of Labor to conduct inspections and to issue citations and proposed penalties for alleged violations.

### Authority for Inspection

The language of the Act reads: "Compliance safety and health officers of the Department of Labor are authorized to enter without delay and at reasonable times any factory, plant, establishment, construction site or other area workplace or environment where work is performed by an employee of any employer; to inspect and investigate during regular working hours and at other reasonable times, within reasonable limits and in a reasonable manner, any such place of employment and all pertinent conditions, structures, machines, apparatus, devices, equipment and materials therein; to question privately any employer, owner, operator, agent or employee; and to review

OSHA "Top 10" Standards Cited for 1995	
Standard	Description
1910.147 (c) (1)	No "Lockout/Tagout" Program
1910.304 (f) (4)	Permanent Path to Ground
1910.303 (g) (2) (1)	Exposure to Live Electrical Parts
1910.1200 (e) (1)	No Written HAZCOM Program
1910.212 (a) (1)	General Machine Guarding
1910.215 (b) (9)	Tongue Guard on Abrasive Wheels
1910.1200 (h)	Employee HAZCOM Information & Training
1910.219 (d) (1)	Guarding of Pulleys
1904	Log 200 Not Provided/Maintained
1910.305 (b) (2)	Covers & Canopies on Electrical Boxes

records required by the Act and regulations or other records which are directly related to the purpose of the inspection."

### Inspection Guidelines

The following is a "typical" list of duties to be performed by an OSHA compliance officer during an inspection:

- 1. General Inspection Procedures—**Upon request, the officer will present his/her credentials. Although you may refuse entry, the officer can obtain a warrant from the court to conduct the investigation. A brief opening conference may take place at this time. If this conference is not offered, it should be requested.
- 2. Purpose of the Inspection—**Advance notice is only given in unusual situations. Inspections may be for imminent danger situations, fatality/catastrophe investigations, complaint investigations or follow-up inspections. Ensure that the inspection is limited to the area(s) of the purpose.
- 3. General Record Review—**The inspector will review the log of

lost time accidents (OSHA Form 200). If hazardous materials are used on-site, employee exposure and medical records may be reviewed.

- 4. Training Records Review—**Several OSHA standards have mandatory training requirements. Those include Hazard Communication Standard, HAZWOPER, Bloodborne Pathogens and Treatment, Storage & Disposal Facility (TSDF) 8-hr annual refresher.
- 5. Written Program Review—**Several OSHA standards require written programs. Those include Hazard Communication Standard, Lockout/Tagout, Confined Space Entry and Respirators.
- 6. Posting—**An OSHA safety poster, any citations and the log and summary of occupational illnesses and injuries must be posted in the plant.
- 7. Walkaround—**During the plant tour, the inspector will evaluate compliance with training requirements, communication of safety programs, enforcement of safety programs, hazardous conditions and work practices, and equipment and processes that pose hazards.

8. *Interviews*—The inspector may talk with employees regarding complaints and to ascertain the effectiveness of training programs. If a union is present at the facility, the union representative will be available for employee interviews.
9. *Trade Secrets*—An inspector may not disclose trade secrets.
10. *Closing Conference*—The inspector will advise you of apparent violations and discuss the citations and any related penalties. Abatement of any violations will also be discussed.
11. *Follow-up Inspection*—The inspector will return on an agreed-upon date to conduct the follow-up inspection of the site.

#### Checklist

The following items are usually inspected by the OSHA compliance officer before making the plant tour. It is always a good idea to have these items available and current.

1. Legal operating name of company
2. Total number of employees
3. Total square ft/acreage of facility
4. Unemployment insurance ID number
5. OSHA 200 logs (past 5 yrs)
6. Process descriptions
7. Hazard Communication Program
8. Lockout/Tagout Program
9. Safety Training Program
10. Respirator Training Program
11. Confined Space Entry Program
12. Crane/hoist/forklift/industrial truck inspection records
13. Fire extinguisher training records
14. Competent person appointment
15. Employee action plan in case of emergency

#### Avoid Problems: Be Prepared

All inspectors are different. The issuance of some citations may be subjective. Some inspectors may be more focused on proper guarding of moving parts within machinery, while others may be more concerned with industrial hygiene or employee exposures within the workplace.

You can avoid OSHA compliance problems. Be sure to review the inspection guidelines so that you will know what the OSHA inspector expects from you. Use your "check-list" to conduct a self-audit of your facility. Finally, make certain that any deficiencies are promptly corrected so that you will avoid any "willful" violations. **P&SF**

#### About the Columnist

*Todd Baldwin is the corporate environmental engineer for Universal Fasteners, Inc., P.O. Box 240, Lawrenceburg, KY 40342. He graduated from the University of Louisville with a BS in chemistry and an MS in organic chemistry. He serves on AESF's OSHA Committee, Pollution Prevention and Control Committee and RCRA/CERCLA Committee, and is an active member of the Kentucky Chapter of Hazardous Materials Managers (KCHMM) and the Kentucky Chamber of Commerce Environmental Forum Committee.*