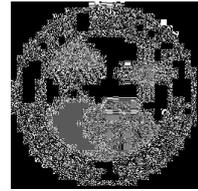




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RON CURRY
Secretary
CINDY PADILLA
Deputy Secretary

October 1, 2007

New Mexico Occupational Health and Safety Bureau (OHSB) Directive 08-04

- Subject:** Local Emphasis Program (LEP) for Health and Safety Hazards in the Oil and Gas Well Drilling and Servicing Industry (NAICS 211 and 213).
- A. Purpose:** This notice establishes an LEP for Health and Safety Hazards in the Oil and Gas Well Drilling and Servicing Industry (NAICS 211 and 213).
- B. Scope:** This notice applies to the State of New Mexico OHSB.
- C. References:** The following documents are referenced in or applicable this instruction.
1. New Mexico Field Operations Manual
 2. OSHA Instruction ADM 1-1.38, August 28, 2003, The IMIS Enforcement Data Processing Manual for use with the NCR, and subsequent changes.
 3. OSHA Instruction CPL 2-0.102.A, November 10, 1999, Procedures for Approval of Local Emphasis Programs (LEP).
 4. OSHA Instruction CPL 2-00-051, November 20, 2006, Exemptions and Limitations Under the Appropriations Act, with current Appendix A.
- D. Cancellation:** This notice does not cancel any notice.
- E. Expiration:** This notice expires on September 30, 2008.
- F. Action:** OHSB Compliance personnel will ensure that the procedures contained in this notice are followed in conducting the LEP for Health and Safety Hazards in the Oil and Gas Well Drilling and Servicing Industry (NAICS 211 and 213).
- G. Background:** The potential for serious accidents, catastrophic accidents, and worksite fatalities has been recognized for the Oil and Gas Well Drilling and Servicing Industry. Statistical data shows this industry accounted for a far greater percentage of workplace fatalities and serious accidents in New Mexico than would be expected for such a small workforce.
- H. Procedures:** In FY 2008, the OHSB will conduct approximately twenty (20) comprehensive random inspections from a list of all employers in NAICS 211 and 213.
1. The Oil and Gas list will be generated based upon observation of activity at mobile worksites. Due to the highly mobile nature of the oil and gas well drilling and servicing industry, and the fact that many of the companies performing this activity are based outside of New Mexico, it is not possible to keep an accurate or current universe listing of employers or of their equipment. Therefore, OHSB Compliance

Officers assigned to conduct inspections are to actively seek out worksites by visual means.

2. Any worksite that has received a comprehensive inspection within the previous sixty (60) days will not be subject to another comprehensive re-inspection.
3. Due to the highly mobile nature of the worksites and the potential for serious accidents and fatalities, inspectors will complete a comprehensive inspection on all sites and companies selected.
4. Upon arrival at the worksite and before initiating enforcement activities, the compliance officer will determine that Enforcement Exemptions and Limitations under the Appropriations Act do not prohibit the inspection. Certain employers are exempt from programmed safety inspections if they employ 10 or fewer employees currently and at all times during the last months.
5. OHSB reserves the right to re-inspect any worksite that has a fatality or catastrophe, or receives a complaint or referral, at any time during the period covered by this notice.

I. IMIS Recording: Information pertaining to the Health and Safety Hazards in the Oil and Gas Well Drilling and Servicing Industry shall be recorded in the IMIS following current instructions in the IMIS manual. The identifier code will be "OILGAS".

1. The identifier "OILGAS" will be recorded in item 25c on the OSHA-1 form for all LEP inspections.
2. The appropriate strategic plan code "OILGAS" will also be coded in block 25f of the OSHA-1, to link with the strategic plan.

J. Evaluation: An evaluation of the effectiveness of this local emphasis program will be conducted at the end of each fiscal year. An evaluation report will be written and submitted to the Bureau Chief within 30 days of the end of each fiscal year. Elements to be considered in the evaluation include:

1. Effectiveness of the LEP targeting system;
2. Number of establishments and/or operations visited under the program;
3. Number of establishments and/or operations that were in violation of OHSB standards and/or general duty requirements of the OHS Act;
4. Number of employees removed from risk;
5. Number of hazards abated;
6. Percentage change in the injury/illness rates of establishments receiving inspections, using case file and annual DATCO data.

By and Under the Authority of

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Chief, Occupational Health and Safety Bureau