NEW MEXICO ENVIRONMENT DEPARTMENT

P. O. Box 5469
Santa Fe, New Mexico 87502
Phone (505) 476-8700 or (877) 610-6742 Fax (505) 476-8734
www.nmenv.state.nm.us

SUSANA MARTINEZ
Governor
JOHN A. SANCHEZ
Lieutenant Governor

RYAN FLYNN
Cabinet Secretary
BUTCH TONGATE
Deputy Secretary

October 1, 2014

New Mexico Occupational Health and Safety Bureau (OHSB) Directive 15-01

Subject: Local Emphasis Program (LEP) for Health and Safety Hazards in the Manufacturing of Primary and Fabricated Metal Products (NAICS 331, 332, 333, 335, and 336).

A. Purpose: This notice establishes a LEP for Health and Safety Hazards in the Manufacturing of Primary and Fabricated Metal Products (NAICS 331, 332, 333, 335, and 336).

B. Scope: This notice applies to the State of New Mexico OHSB.

C. References: The following documents are referenced in or applicable to 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, February 23, 2005, Exemptions and Limitations Under the Appropriations Act, with current Appendix A.

D. Cancellation: This notice cancels the New Mexico Occupational Health and Safety Bureau (OHSB) Directive 14-01 dated October 1, 2013 through September 30, 2014.

E. Expiration: This notice expires on September 30, 2015, but may be renewed as necessary.

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 Manufacturing of Primary and Fabricated Metal Products (NAICS 331, 332, 333, 335, and 336).

G. Background: There are numerous primary metal and metal fabrication operations within the State's jurisdiction that have health and safety hazards identified in the strategic plan, most notably amputation hazards due to point of operations, in-going nip points, rotating parts, and inadequate energy isolation programs, as well as

excessive noise levels due to welding, cutting, and grinding activities. Welding operations expose employees to a variety of contaminants such as lead, cadmium, nickel, chromium, zinc, and iron metal fumes. Coating operations expose employees to a variety of airborne contaminants such as cadmium fumes, acid vapors, and spray paint vapors. Additionally, varied operations present confined space hazards, eye hazards, struck-by hazards, and amputation hazards. Consequently, the need for an effective safety and health program is paramount in metal fabrication operations.

H. Procedures: In FY 2015, the OHSB will conduct approximately fifteen (15) random comprehensive inspections from a list of all employers in NAICS 331, 332, 333, 335, and 336.

1. The primary metal and metal fabrication list will consist of all the establishments in the FY 2014 planning guide. Additional establishments may be identified through visual observations, the New Mexico State Business Directory (Info USA), or Qwestdex online phone directory.
2. Any establishment that has received a comprehensive inspection since October 1, 2012, will be deleted from the FY 2015 programmed inspection cycle.
3. The list will be consecutively numbered, and a random numbers table applied. The inspection cycle for FY 2015 will consist of the first fifteen (15) randomly selected establishments. Additional randomly selected establishments may be added to the list if an establishment is out of business or cannot otherwise be inspected. Comprehensive inspections will be conducted on all establishments 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 previous 12 months.
5. OHSB reserves the right to re-inspect any establishment when notified of a fatality, catastrophe, 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 Manufacturing of Primary and Fabricated Metal Products LEP shall be recorded in the IMIS following current instructions in the IMIS manual. The identifier code will be "FABMETSH".

1. The identifier "FABMETSH" will be recorded in item 25c on the OSHA-1 form for all LEP inspections.
2. The appropriate strategic plan code "FABMETSH" 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 90 days of the end of each fiscal year. The

evaluation report may be included as part of the New Mexico State OSHA Annual Report (SOAR). 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 OSH Act;
4. Number of employees removed from risk; and
5. Number of hazards abated.

By and Under the Authority of

Robert Genoway
Chief, Occupational Health and Safety Bureau