



# ASSE News

## Colorado Chapter

### November 2009

## Meeting Notices:

### November Chapter Meeting November 10, 2009

- Board Meeting 10:30-11:30am
- Lunch & Learn 11:30am-1:30pm

**Speaker:** Malcolm L. Legault,  
Ph.D., CSP, STS

**Subject:** I-35W Bridge  
Rebuild Project: From Tragedy  
to Rebuilding a Community

**Garcia's Mexican Restaurant**  
5050 S. Syracuse St.  
Denver, Colorado.

11:00 a.m. Meeting Registration  
11:30 a.m. Lunch  
12:00 p.m. Guest Presentation

RSVP to: [hmerchant@ehsdocuments.com](mailto:hmerchant@ehsdocuments.com)

## I-35W Bridge Rebuild Project: From Tragedy to Rebuilding a Community

The presentation covers the project from the collapse of the original bridge through completion of the replacement bridge. The project had a compressed schedule for completion as the loss of the original bridge cost the Minneapolis/St. Paul metro area \$200,000 per day this crossing did not exist. What would have been a 3 to 3.5 year design-build project was completed in 11 months from the time the final demolition of the original bridge was completed. This meant that the work involved 24/7 schedules regardless of most holidays, weather, and other inhibitors of construction. The effects of management is addressed in this presentation with regard to safety culture.

**Malcolm L Legault**  
Ph.D., CSP, STS Manager, Health Safety

Malcom is the Intermountain Division Safety Manger of Flatiron Construction Corp. His 20+ years of experience also includes serving as a Assistant Professor of Safety Management for Indiana State Univerisy.

Malcom provided site safety at the John James Audubon Bridge Project in St. Francisville, LA and on the I-35W St. Anthony Falls Bridge Reconstruction Project in Minneapolis, MN.

## 2009 Executive Board

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## Upcoming Education & Professional Development:

# SEMINARFEST

**February 14-20, 2010**  
**Flamingo Las Vegas Hotel**

[SeminarFest](#) is an excellent opportunity to earn up to 5.0 CEUs/COCs in one week. With over 50 seminars ranging from one to three days in length, [SeminarFest](#) offers essential technical, management, and skill development topics for the Safety, Health, and Environmental professional. Whether you join us for one day or the full week, this event will satisfy your continuing education needs in safety and health. [Click here](#) for more information.

## Upcoming Webinars

[Sustainability: An Emerging Force in Business and its impact upon the Safety Profession](#)

Thursday, November 12, 2009 - 11:00am – 12:30pm CST

[Updates to the ANSI/ASSE Z359 Fall Protection Code](#)

Wednesday – November 18, 2009 - 11:00 am – 12:30pm CST

[Focus on the Leading Indicators to Transform your Safety Culture](#)

Wednesday, December 2, 2009 - 11:00am – 12:30pm CST

[Complacency - The Silent Killer](#)

January 13, 2010 - 11:00 - 12:30pm CST

[Implementing the New NFPA 70E Electrical Safety Requirements](#)

January 20, 2010 - 11:00am - 12:30pm CST

[A Critique of the Federal Lockout/Tagout Compliance Directive](#)

February 3, 2010 - 11:00am - 12:30pm CST

## Job Postings:

Check out [www.coloradoasse.org/jobs.php](http://www.coloradoasse.org/jobs.php) for details on local job listings or visit [www.nexsteps.org](http://www.nexsteps.org). With just a few clicks of the mouse, job seekers can easily post their resume on Nexsteps for employers to view, and receive automated notifications when jobs are available that match your interests. There is no cost to post your resume or search available positions. Employers can post listings for available positions, search resumes online and setup a resume agent to alert you when new resumes are posted that match your criteria. Job posting prices vary.



## OSHA Issues Record-Breaking Fines to BP Totaling Over \$87 Million

**WASHINGTON** - The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) today announced it is issuing \$87,430,000 in proposed penalties to BP Products North America Inc. for the company's failure to correct potential hazards faced by employees. The fine is the largest in OSHA's history. The prior largest total penalty, \$21 million, was issued in 2005, also against BP.

Safety violations at BP's Texas City, Texas, refinery resulted in a massive explosion — with 15 deaths and 170 people injured — in March of 2005. BP entered into a settlement agreement with OSHA in September of that year, under which the company agreed to corrective actions to eliminate potential hazards similar to those that caused the 2005 tragedy. Today's announcement comes at the conclusion of a six-month inspection by OSHA, designed to evaluate the extent to which BP has complied with its obligations under the 2005 agreement and OSHA standards.

"When BP signed the OSHA settlement from the March 2005 explosion, it agreed to take comprehensive action to protect employees. Instead of living up to that commitment, BP has allowed hundreds of potential hazards to continue unabated," said Secretary of Labor Hilda L. Solis. "Fifteen people lost their lives as a result of the 2005 tragedy, and 170 others were injured. An \$87 million fine won't restore those lives, but we can't let this happen again. Workplace safety is more than a slogan. It's the law. The U.S. Department of Labor will not tolerate the preventable exposure of workers to hazardous conditions."

For noncompliance with the terms of the settlement agreement, the BP Texas City Refinery has been issued 270 "notifications of failure to abate" with fines totaling \$56.7 million. Each notification represents a penalty of \$7,000 times 30 days, the period that the conditions have remained unabated. OSHA also identified 439 new willful violations for failures to follow industry-accepted controls on the pressure relief safety systems and other process safety management violations with penalties totaling \$30.7 million.

"BP was given four years to correct the safety issues identified pursuant to the settlement agreement, yet OSHA has found hundreds of violations of the agreement and hundreds of new violations. BP still has a great deal of work to do to assure the safety and health of the employees who work at this refinery," said acting Assistant Secretary of Labor for OSHA Jordan Barab.



# Final Rule

## OSHA Updates PPE Standards to Current National Consensus Standards

### September 9, 2009

OSHA recently issued a final rule revising the personal protective equipment (PPE) sections of its general industry standard regarding requirements for:

- eye and face-protective devices
- head protection
- foot protection

OSHA updated the references in its regulations to recognize more recent editions of the applicable national consensus standards, and deleted editions of the national consensus standards that PPE must meet if purchased before a specified date. In addition, OSHA amended its provision that requires safety shoes to comply with a specific American National Standards Institute (ANSI) standard, and a provision that requires filter lenses and plates in eye protective equipment to meet a test for transmission of radiant energy specified by another ANSI standard.

Under the final rule, employers will be able to continue to use the same equipment they have been using to meet their compliance obligation under the existing standards' design-criteria requirements. The final rule provides employers with additional options for meeting the design-criteria requirement--options most employers already are using. Therefore, this final rule does not alter the substantive protection that must be provided to employees.

The revised sections of these standards now read as follow:

#### **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.

#### **1910.135 Head protection**

b) Criteria for head protection. (1) Head protection must comply with any of the following consensus standards:

- i) ANSI Z89.1-2003, "American National Standard for Industrial Head Protection," which is incorporated by reference in Sec. 1910.6;
- ii) ANSI Z89.1-1997, "American National Standard for Industrial Head Protection," which is incorporated by reference in Sec. 1910.6; or
- iii) ANSI Z89.1-1986, "American National Standard for Personnel Protection--Protective Headwear for Industrial Workers--Requirements," which is incorporated by reference in Sec. 1910.6.

(2) Head protection devices that the employer demonstrates are at least as effective as head 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.

**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.

The complete September 9, 2009 Federal Register can be viewed at:

<http://edocket.access.gpo.gov/2009/E9-21360.htm>



# Are You Prepared for an Influenza Pandemic?

Companies and communities worldwide should have a pandemic plan in place now in an effort to prevent any occurrence of flu and to be prepared should employees, individuals and families contract the flu. To assist in this effort, ASSE offers the following suggestions:

## Pandemic Planning

A workplace should keep informed, develop a plan and implement public health programs are some of the tips offered to businesses and members in an ASSE article titled 'Avian Flu: Infection Control Guidelines'. While there is no one-size-fits-all solution, it is suggested that communities, workplaces and individuals should:

- develop and implement preparedness plans as one would for other public health emergencies;
- participate and promote state and community public health efforts;
- implement prevention and control actions recommended by public health officials and providers who can supply information about the signs and symptoms of a specific disease outbreak and to communicate this information with employees;
- participate in influenza vaccination programs annually;
- participate in annual health promotion programs to prevent airborne, blood borne, waterborne, food borne and contact types of diseases and infections if you are a healthcare worker, school teacher, work in protecting public safety, prison population and an emergency responder;
- adopt business and school practices that encourage sick employees/students to stay home;
- anticipate how to function with a significant portion of the workforce/school population absent due to illness or caring for ill family members;
- practice good health habits, such as washing hands regularly with soap and water;
- stay informed about pandemic influenza and be prepared to respond;
- use national and local pandemic hotlines that will be established in the event of a global influenza outbreak; and consult the White House web site for national and international information

