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Bureau of Ocean Energy Management Manual

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Chapter 9: Inspections and Abatement

Office of Primary Responsibility: Bureau of Safety and Environmental Enforcement, Office of Administration, Management Services Division

BOEMM 485.9

9.1 **Purpose**. This chapter provides information to all levels of management on the inspections and abatement process and the responsibility for creating and maintaining a safe work environment for employees via identification and minimization of hazards, risks, and unsafe work practices.

9.2 **Scope**. This chapter applies to all Bureau of Ocean Energy Management (BOEM) managers and supervisors.

9.3 **Objective**. This chapter specifies the minimum Safety and Occupational Health Program requirements for conducting formal safety and occupational health inspections of BOEM establishments and timely abatement of identified hazards.

9.4 **Authority**.

A. 485 Departmental Manual 6, “Inspections and Abatement.”

B. 29 CFR 1960, Subpart D, “Inspection and Abatement.”

C. 29 CFR 1960, Subpart E, “General Services Administration and Other Federal Agencies.”

D. 41 CFR 101, “Federal Property Management Regulations.”

E. 29 CFR 1910, “Occupational Safety and Health Standards.”

F. 29 CFR 1926, “Safety and Health Regulations for Construction Industry.”

9.5 **Policy**. The Bureau of Safety and Environmental Enforcement (BSEE) Safety and Occupational Health office, on behalf of BOEM, will conduct and document formal facility and workplace inspections at least annually, and no later than September 30 of each fiscal year. More frequent inspections will be conducted when there is an increased risk of accident, injury, or

illness due to the nature of the workplace. Risk Assessment Codes (RAC) will be assigned to facility findings and deficiencies for management use in prioritizing corrective actions (see Appendix 1, Risk Assessment System (RAS)). The RAC assigned to each hazard is an expression of risk, combining the severity and the probability of occurrence.

A. Annual Inspections.

(1) Formal inspections will be conducted and documented by persons who are trained in hazard recognition and safety and health inspection procedures. Workplace/facility managers and labor organization representatives (where applicable) are encouraged to participate in the inspection process. Persons conducting safety and health inspections will:

(a) Hold an opening conference with the management or management representative, as necessary.

(b) Have the necessary equipment to conduct the inspection. Necessary equipment includes, but is not limited to, flashlight, camera, tape measure, and inspection checklist.

(c) Examine appropriate accident records and previous inspection reports.

(d) Take environmental samples, where appropriate.

(e) Take or obtain photographs, where appropriate.

(f) Avoid unreasonable disruption of the operation.

(g) Consult with employees on matters of safety and occupational health.

(h) Inform management and employees of imminent danger conditions.

(i) Hold a closing conference with the appropriate level of management and labor union employee representative to disclose the findings of the inspection and recommend abatement measures and actions to prevent recurrence. The management and labor organization representatives (where applicable) will be afforded an opportunity to bring other information to the attention of the inspector regarding conditions in the workplace.

(2) Written reports of workplace inspections will be provided to the management official in charge of the operation within a reasonable time, but not later than 20 working days after the inspection. The report will cite hazards, safety management deficiencies, RACs, and recommended corrective actions. Inspection reports shall be maintained for a period of 5 years.

(3) If an imminent danger condition (RAC-1) or a high threat to life, health, or property (RAC-2) condition is found, the management official in charge will initiate corrective/protective actions immediately and, if necessary, stop the operation and/or evacuate the area (except for those needed to abate the condition).

(4) Where RAC-1 or RAC-2 conditions are identified, a written Notice will be conspicuously posted at or near each place a hazardous working condition exists. The Notice will be posted as soon as possible, and within 15 calendar days of completing a formal inspection (30 calendar days for items dealing with occupational health). It will remain posted until the condition is abated or for 3 working days, whichever is longer. If the Notice cannot be posted at or near the hazard, it will be posted where it is readily observable by all affected employees. The establishment manager will ensure all employees are briefed on the hazard and the steps underway to abate the condition. A copy of the Notice will be filed and maintained for a period of 5 years after abatement and will be made available to the Secretary upon request. The Notice will contain the following minimum information and be provided to the appropriate levels of management and employee representative participating in the inspection:

(a) Identification of the location of the hazard.

(b) Description of the nature and extent of the hazard.

(c) The RAC.

(d) Description of the mitigation control measures.

(e) Interim RAC for interim control measures.

(f) Reference to applicable safety and health standards.

(g) Estimated date for final abatement of the hazard as described in Appendix 1, RAS, Initial Abatement Timeframe chart.

(5) Deficiencies discovered during inspections will be tracked until corrected using a hazard tracking system or similar process. See Appendix 2 for a sample hazard-tracking log.

(6) If abatement of a hazardous condition is not within the authority and resources of the organization, management will:

(a) Request assistance from the next higher management level in the organization.

(b) Coordinate, when necessary, with the Federal lessor agency General Services Administration (GSA) to secure abatement as specified in 29 CFR 1960, Subpart E, and 41 CFR 101.

B. Management and Supervisory Safety Walk-Around and Day-to-Day Inspections. Safety walk-around is a self-assessment tool used by managers and supervisors to monitor conditions in the workplace to prevent injuries, occupational illnesses, and property damaged accidents. It is also used to assess the overall condition of the safety program, engage employees in conversation about safety, identify programmatic issues, and recognize safe practices. Day-to-day inspection programs will include the following elements:

(1) Communication between line managers and workers. Worker observations, concerns, and suggestions should be solicited.

(2) Immediate correction or work stoppage of unsafe work practices or conditions with the potential to cause serious injury.

C. Unannounced Inspections. A reasonable number of unannounced follow-up inspections of selected facility/worksites will be conducted to determine overall program effectiveness and to ensure the proper identification and abatement of hazardous conditions.

D. Preoccupancy Inspections. All newly constructed or renovated space will be inspected by occupational health and safety professionals or other *qualified* person(s) for unsafe or unhealthful conditions and compliance with all applicable standards, codes, and requirements. Based on the inspection findings, the inspector will recommend occupancy of the space or identify corrective actions needed to bring the space into a safe and healthful condition before occupancy. Issues not resolved locally should be directed to the appropriate regional safety and health staff, regional office, or the GSA (if applicable).

9.6 **Responsibilities**.

A. BOEM Director. Ensures that BOEM maintains an effective and comprehensive safety and health program.

B. BOEM Designated Agency Safety and Health Official.

(1) Ensures safety and health inspections are performed at all locations annually in accordance with this document.

(2) Annually reviews abatement plans and reports for unsafe or unhealthful conditions.

(3) Provides personnel and financial resources, as needed, to address abatement of findings and facilitate successful completion of the inspection process.

C. BSEE Safety and Occupational Health Manager (SOHM).

(1) Provides BOEM safety and occupational health inspection oversight to ensure that an effective bureau process is in place for the identification, evaluation, and control of safety and occupational health hazards, as applicable.

(2) Monitors inspections to ensure all locations are inspected by September 30 of each fiscal year and reviews annual inspection reports and abatement plans for unsafe/unhealthful conditions.

(3) Develops and incorporates standardized inspection checklists and field tools for use in meeting inspection requirements.

(4) Provides interpretation of the safety and occupational health inspection program requirements and serve as a consultant to resolve bureau-wide questions or issues.

D. Managers and Supervisors.

(1) Conduct periodic walk-through inspections of work area.

(2) Ensure safety and occupational health staffs are knowledgeable of the inspection process and have the ability to recognize safety and health hazards.

(3) Take action to correct identified safety and occupational health hazards as quickly as possible and within the timeframes outlined in Appendix 1, RAS, Initial Abatement Timeframe chart.

(4) Ensure that abatement plans are prepared for those deficiencies which cannot be abated within 30 calendar days. A copy of the plan will be provided, upon request, to interested parties. The abatement plan will include:

(a) Explanation for the delay in abatement.

(b) Proposed abatement action and timetable for abatement.

(c) Summary of interim steps taken to protect personnel. Interim control measures do not decrease the RAC assigned to the original hazard until the inspector has had the opportunity to reevaluate the hazard with the interim controls in place and assign a new interim RAC that will be annotated on the posted Notice of Hazard.

(5) Prepare a new plan, if the initial abatement plan changes, and make notification to the inspector, site safety office, local safety committee, and to the employee representative.

(6) Review and update the abatement plan every 90 days until all abatement actions are completed.

E. BSEE Regional SOHMs/Collateral Duty Safety Officers (CDSOs).

(1) Coordinate the establishment of a workplace inspection program with site managers and supervisors to effectively identify, document, classify according to the Department

of the Interior RAS, and track safety and occupational health deficiencies until corrective action is taken either to eliminate or reduce the hazard to an acceptable level.

(2) Provide guidance and assistance to managers and supervisors for compliance with safety and occupational health inspection program requirements.

(3) Coordinate the documentation of local field-level facility inspections and associated corrective actions and follow up on Hazard Tracking Log (see Appendix 2) to assure that corrective actions are documented and/or status reports updated every 90 days.

(4) Provide guidance to the Program Managers on the status of facility-related safety deficiencies for the certification of the annual Assurance Statement.

F. Occupational Safety and Health Administration (OSHA) Inspections. OSHA officials have the right to conduct inspections at any BOEM site or operation. They also have the right to question any employee, supervisor, or manager associated with the site (29 CFR 1960.31). OSHA cannot issue fines against Federal agencies, but they can (and do) issue citations. Responses and corrections must be made to all citations.

(1) If OSHA arrives to conduct an inspection at a BOEM site, BOEM staff must:

(a) Cooperate with the OSHA inspector in a cordial manner.

(b) Notify the BSEE Regional SOHM/CDSO or someone with knowledge of the site/operation (preferably a manager or supervisor) to accompany the OSHA inspector.

(c) Notify the BSEE SOHM as soon as practicable that an OSHA inspector is onsite for an inspection.

Appendix 1

Risk Assessment System

Risk Assessment System is an essential element of effective risk management. The assignment of risk levels provides a relatively simple and consistent method of expressing the risk associated with worker exposures to identified hazards.

Methodology

The level of risk associated with a workplace hazard is expressed in terms of an assigned risk level of high, medium, or low, based on the Risk Assessment Code (RAC) calculated for the hazard. The RAC is assessed through the determination of the severity of the injury or illness that could result from the hazard and probability that such an injury or illness could occur.

Severity Code

The severity code is a classification of the severity of the most serious type of injury or illness that could reasonably be expected as a result of exposure to a specified workplace hazard.

Severity Code Criteria

Determination of the severity code is the first step in assessing the risk associated with a workplace hazard. The code is assigned in accordance with the following criteria:

HAZARD SEVERITY	SEVERITY CODE
Catastrophic – Imminent or immediate danger of death or permanent disability, chronic or irreversible illness, major property or resource damage.	I
Critical – Permanent partial disability, temporary total disability in excess of 3 months, significant property or resource damage.	II
Significant – Hospitalized minor injury, reversible illness, period of disability 3 months or less, loss or restricted workday accident, compensable injury or illness, minor property or resource damage.	III
Minor – First aid or minor medical treatment. Presents minimal threat to human safety and health, property or resources, but is still a violation of a standard.	IV

Severity Codes for Health Hazards

The hazard severity code for health hazards is assigned based on the severity of the primary health effect that could result from an employee's exposure to a chemical or physical agent above a prescribed exposure limit. The primary health effect provides the basis for the prescribed exposure limit (e.g., cancer, liver damage, sensory irritation). Sources of this information include the American Conference of Governmental Industrial Hygienists Publication, *Documentation of the Threshold Limit Values and Biological Exposure Indices*, OSHA standards, and National Council on Radiation Protection and Measurement reports. For chemical and physical agents for which no prescribed exposure limit exists, the assigned probability code is based on the primary health effect (as documented in the material safety data sheets), toxicology references, and other appropriate sources.

Probability Code

The probability code is an expression of the likelihood that a hazard will result in an injury or illness based on an assessment of applicable safety or health factors.

Relevant Factors

In the determination of probability codes, all relevant factors that may influence the likelihood that an injury or illness will occur should be identified, evaluated, and considered. Potential considerations in the assignment of probability codes include:

Safety Factors

The following factors should be considered when evaluating the probability that a safety hazard will result in an injury or illness:

- Number of employees potentially exposed both concurrently and sequentially.
- Frequency of exposure, including the full range of possible frequencies, from one-time, short-duration exposures to continuous daily exposure.
- Employee proximity to the hazard (e.g., from a location at the fringe of the danger zone up to the point of danger).
- Working conditions that may distract the employee or cause stress (e.g., complexity of the operation, proximity to other ongoing activities or workplace hazards, extended work hours and fatigue, workplace lighting, or noise levels, etc.) and thereby increase the likelihood of an accident.

Health Factors

The probability code for health hazards is a statement of the probability that an employee will be exposed to a chemical or physical agent above a prescribed exposure limit. The probability code is determined as follows:

- Where established through monitoring (e.g., breathing zone monitoring, dosimetry, biological monitoring, noise measurements, wet bulb globe temperature measurements, etc.) that an exposure above the prescribed exposure limit exists, the probability code is "A."
- Where no overexposures have been documented, the probability code is assigned based on the likelihood that an overexposure will occur. Factors to consider include employee proximity (frequency and duration) to areas with potentially hazardous agent exposure; documented exposures above established action levels; chemical and physical characteristics of the hazardous agent; nature of the operation (e.g., storage, materials transfer); reliability or redundancy of controls; and number of employees potentially exposed to the hazardous agent.

Hazard Probability

The probability code is assigned in accordance with the following criteria:

CRITERIA		**PROBABILITY CODE**
Frequent	Likely to occur immediately	A
Likely	Probably will occur in time	B
Occasional	Possible to occur in time	C
Rarely	Unlikely to occur	D

Risk Assessment Code and Risk Level

The RAC assigned to each hazard is an expression of risk, which combines the severity code and the probability code. Using the matrix below, the RAC for a given hazard is assigned by (1) determining the severity code of the hazard (I, II, III, or IV) and entering the matrix along the corresponding row; (2) determining the probability code of the hazard (A, B, C, or D); and (3) moving across the row until arriving at the corresponding column. The Arabic number at the intersection of the appropriate row and column is the RAC for that hazard. The RAC relates directly to a risk level that can be used as a tool to determine priorities among, and required oversight for, hazard abatement activities.

RISK ASSESSMENT CODE (RAC) MATRIX

Severity Code	**Probability Code**			
	A	B	C	D
I	1	1	2	3
II	1	2	3	4
III	2	3	4	5
IV	3	4	5	5

Risk Levels

Hazard RAC	Risk Level
1 & 2	High
3	Medium
4 & 5	Low

Initial Abatement Timeframe	
RAC Code	**Abatement Timeframe**
1 (Critical)	As soon as possible within that shift
2 (Serious)	As soon as possible, but no later than 15 calendar days
3 (Moderate)	Within 12 months
4 (Minor)	Within one budget cycle (no longer than 2 years)
5 (Negligible)	Incorporate abatement into the 5-year plan

Risk Assessment Codes and Risk Levels for Similar Hazards

When similar hazards exist (e.g., no guarding on similar types of power presses in the same workplace with comparable exposures), the RAC and risk level determined for one of the hazards may be assigned to the other similar hazards.

Appendix 2

Sample Hazard Tracking Log

Organization: _____ Site: _____

Date Submitted: _____ Inspector: _____

Hazard Description:	
Date Identified:	
Corrective Action Planned:	
Follow-up Date(s):	3.
1.	4.
2	5.
Final Abatement Action:	
Supervisor Abatement Certification/Date:	Safety/CDSO Review/Date:

Hazard Description:	
Date Identified:	
Corrective Action Planned:	
Follow-up Date(s):	3.
1.	4.
2	5.
Final Abatement Action:	
Supervisor Abatement Certification/Date:	Safety/CDSO Review/Date: