



Safety & Health SPOTLIGHT

Welcome to the new **Safety & Health Spotlight** from STI/SPFA!

A couple of months ago, we sent you a survey about safety and health communications. Thank you to everyone who completed the survey. Here are some of the results:

- 96% want STI/SPFA to send them safety and health info by email. **Safety & Health Spotlight will arrive in your inbox quarterly.**
- 80% say safety and health is important as or more important than other aspects of their job. **Safety & Health Spotlight brings you info and updates vital to steel fabrication operations.**
- 67% feel very or somewhat well-informed about safety and health issues. **In this one convenient newsletter, we'll give you the latest S&H news, regulations and suggestions to keep you up to date.**
- 72% feel that other job responsibilities keep them from reading and absorbing the safety and health info they receive. **See "In This Issue" to quickly review article titles and click only those of interest to you.**

We hope you find *Safety & Health Spotlight* valuable. Comments and suggestions are always welcome!

PS: STI/SPFA will continue to send email alerts when time-sensitive information requires immediate action.

JULY 2011

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S&H Committee welcomes you to Fall Conference

Have you considered the STI/SPFA Safety & Health Committee as an added-value resource about issues that concern your operations? S&H meets at both STI/SPFA's Fall Conference and Annual Meeting, and all attendees with an interest in safety and health are welcome.

The S&H Committee's next meeting is Tuesday, September 20, 1-5 pm, at the STI/SPFA Fall Conference in Houston. Chairman Tim Racicot (Nooter/CIC Group), Vice Chairman Bob Clouse (Phoenix Fabricators & Erectors), and STI/SPFA S&H consultant Jim Rhudy will lead discussions about:

- Drug testing
- Hearing preservation
- Development of "Near Miss? Good Catch!" presentation
- Position letter about Confined Space as it relates to tank construction
- Development of web-based "Tank Builder's Scaffold Guidelines" training



2011 Fall Conference
Sept 20-22
Hilton Post Oak
Houston TX

Not registered for the Fall Conference? See the agenda at the link--the registration fee for the entire Fall Conference is a real bargain, but you can register for just the Safety & Health Committee meeting at a reduced fee. [Click here to register today!](#)

Consultant's Corner



Jim Rhudy* on "confined space"

A Member called me to complain that it seemed senseless to require that welding the closing seam on a tank is a "permit-required confined space" and thus requires an attendant stationed outside the manhole. The only possible hazard was from welding fumes, which were being dispersed by powered ventilation. His rationale was that even though, by definition, it was a confined space, the space was not designed for human occupancy, was large enough for bodily entry, and entry was restricted (manhole): it was not hazardous.

I'd discussed this issue during the time I represented STI/SPFA on an American National Standards Institute (ANSI) committee. Those discussions were ultimately successful in establishing the confined space standard as a "performance standard," meaning that there must be hazardous exposure for the permit-required confined space certificate requirement to kick in.

The Member who had called me was referred to our position paper on the website, which essentially says that as long as there has been an examination of a previous similar space and no hazard was found (i.e. atmospheric monitoring has been conducted for oxygen deficiency, flammable atmosphere, and fume exposure) and proper records maintained, an attendant and monitoring were not required. The space is then regarded as "a non-permit confined space."

Note, however, that if the welding process is changed from a previous examination, e.g. from stick welding to inert gas shield welding, another examination must take place. Powered or natural ventilation is required, as well as an examination of equipment taken into the space.

Your questions and comments are welcome.

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**Jim Rhudy is a well-known and respected safety and health professional in the steel tank industry. He retired after 37 years in health, safety and environmental management with a large engineering, procurement, fabrication and construction company. During his career, Jim also gave 32 years of service to the STI/SPFA Safety & Health Committee. Shortly after he retired, STI/SPFA requested his services as a consultant to Active Members. As always, Jim was quick to help: "I gladly accepted the offer and the opportunity to continue working with the folks I have known for many years," he said.*

New NESHAP rules effective July 25, 2011

As reported in the June issue of *Tank Talk*, new EPA rules for the National Emission Standard for Hazardous Air Pollutants (NESHAP) are effective July 25, 2011. Of concern to steel fabricators are the Metal Fabrication Hazardous Air Pollutants (MFHAP) rules relating to air pollution from welding fumes emitted by a shop (does not include field operations).



The rule is determined by SIC codes in the 32000 series. The metals referred to are any compounds of cadmium, chromium, lead, manganese, or nickel. Check your MSDSs and [see the flow chart on the EPA website](#) for more information.

OSHA NOTES

Citation policy changes

OSHA has increased the time period to consider an employer's past OSHA violations in determining "repeat violations" and penalty increase/reduction. Formerly three years, the considered time period is now five years.



- "Good faith" reduction applies only if a Safety & Health program is in place.
- Gravity-based penalty will be \$3000-\$7000.
- No reduction in penalty if employer has more than 251 employees.
- High-gravity serious violation no longer grouped--can be cited individually, resulting in higher penalty costs.

Other OSHA actions

- Withdraws noise reinterpretation effort (Jan. 19, 2011). See "*Thanks to your comments...*" in this issue for details.
- Withdraws "musculoskeletal disorder" column on OSHA log (Jan. 25, 2011).
- Issues cranes and derricks guidance for small businesses (March 8, 2011). Essentially, employer pays for training, testing, assembling and disassembling, certification, etc. Guidance does clarify that operators of leased cranes are still responsible for compliance, even if the owner says that the standards have been met.
- Issues guidelines on providing and paying for PPE for General Industry workers. The employer pays for PPE to comply with National Consensus Standards. Excludes safety-toed footwear and prescription safety glasses, considered personal items worn off the jobsite.

OSHA federal budget outlook

The agency is currently operating on its 2010 budget (\$558.6M). President Obama is asking for a 2011 budget of \$583.1M, while the Senate wants no increase over 2010 and the House seeks to reduce OSHA's budget to the 2004 level of \$460M. Consequently, OSHA alleges that it must reduce enforcement, programs, and website activity.

Thanks to your comments, OSHA shelved reinterpretation of Noise Standards

Last October, OSHA published a policy interpretation of noise standards that would have had serious effects on your business. Under this re-interpretation, employers would have been required to install engineering or administrative controls to reduce noise levels to less than 90 dBA, unless the installation of such controls would threaten the employer's ability to remain in business. This was required regardless of whether the use of personal protective equipment, such as ear plugs, was shown to adequately protect against hearing loss.



OSHA has since withdrawn this onerous policy interpretation for reconsideration. A coalition including STI/SPFA, the American Petroleum Institute, the National Petrochemical Refiners Association, and the American Chemistry Council submitted comments to ensure that OSHA understands the problems businesses could endure under the Noise Standards Re-Interpretation.

In order to provide accurate and persuasive comments, the coalition's retained counsel requested that members of each of these organizations respond to a survey. This survey was sent to all STI/SPFA safety contacts and several of you responded. To read the letter submitted by counsel to OSHA and an analysis of the proposed noise re-interpretation, [click here](#).

Safety & Health resources

Find a broad array of information and resources for your safety program on STI/SPFA's [Safety & Health Committee website pages](#). If you already have a username and password, log in and click "Members" on the homepage. If you don't have Member access, [contact our office](#). The website is a valuable resource. Check out these useful links:

- [WebNet Safety Training](#) : Train employees inexpensively, at your plant, for a full year via the internet
- [Training Resources](#) : Materials for use by Member companies for safety training sessions--more than 100 presentations and posters
- [Equipment Failures](#) : Descriptions of equipment recalls and failures, as well as solutions
- [OSHA Issues](#) : Updates to OSHA programs of current interest
- [Personnel Incidents](#) : Discussion of personnel incidents and lessons learned
- [Tank Use Mishaps](#) : STI/SPFA monthly online newsletter with stories of mishaps involving tanks and petroleum
- [Safe Tank Alliance](#) : OSHA Alliance Program with STI/SPFA, NFPA and API
- [Safety Awards](#) : Information about STI/SPFA's Safety Award of Excellence and the Safety Award of Achievement



Shop-fab tank QC Meeting

STI/SPFA held its biennial Quality Control meeting in May near Seattle. Attendance is mandatory for licensed manufacturers of STI shop-fabricated tanks.

The Safety & Health Committee produced a stellar program for the first day. "The Hazards of Pressure Testing" was developed by Bill Herdman of Kennedy Tank, Jim Rhudy, consultant, and Dana Schmidt and Larry O'Shea, STI/SPFA staff members. Also on day one, Jim Rhudy, Robert Clouse of Phoenix Tank, Rollie Irwin of BMT, and Dana Schmidt teamed up to bring Overton Safety's mobile crane safety expertise to attendees.

The second day of the QC meeting, attendees toured BMT-Northwest's plant nearby. BMT-Northwest has transformed a building once meant to house twin steam turbine generators for a nuclear power plant. The plant was never completed and BMT-Northwest has converted the building into one of the largest steel fabrication facilities in the country.



Thank you for your interest in *Safety & Health Spotlight*, and for your support as a Member of STI/SPFA. Send comments and suggestions about this newsletter to [Noel Zak, Editor](#).

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