



Cal – OSHA Update for Miners and Mine Managers

Presentation

This presentation does not necessarily reflect the views or policies of Cal-OSHA, nor does the mention of trade names, commercial products, or organizations imply endorsement by the State of California.



§3203 Program Citations

Training and retraining programs.

Periodic hazard inspections.

New procedures and new equipment training.

New hazard (not previously recognized).

New job assignment training.

Change of conditions evaluation.

Eel River Sawmills, Inc.

Section 3314(f) states:

(f) An energy control procedure shall be developed and utilized by the employer when employees are engaged in the cleaning, repairing, servicing or adjusting of prime movers, machinery and equipment. The procedure *shall clearly and specifically outline the scope, purpose, authorization, rules, and techniques to be utilized for the control of hazardous energy, and the means to enforce compliance, including but not limited to, the following:*

Eel River Sawmills, Inc.

- (1) A statement of the intended use of the procedure;
- (2) The procedural steps for shutting down, isolating, blocking and securing machines or equipment to control hazardous energy;
- (3) The procedural steps for the placement, removal and transfer of lockout devices or tagout devices and the responsibility for them; and,
- (4) The requirements for testing a machine or equipment, to determine and verify the effectiveness of lockout devices, tagout devices and other energy control devices.

Robert A. Bothman, Inc.

The employee had his Class A license for 25 years, and he has had a perfect driving record for the entire 25 years since. His original commercial driving training had included the importance of using of the parking brake.

The employee's original training does not help the employer. The training was 25 years ago, and the court cannot determine what vehicles and systems the employee trained on, as compared to the truck involved in the accident, nor can the court determine the efficacy of any such training.

While the employer argues that it is a matter of common sense or simply proper operation, the brake was not set in this instance.

Cal-OSHA Web Sites

Google Search

“Cal-OSHA” or “Cal-OSHA Mining & Tunneling”

“Mine Safety Training Unit – State of California”

Regulation Search

<http://www.dir.ca.gov/samples/search/query.htm>

State Plan States



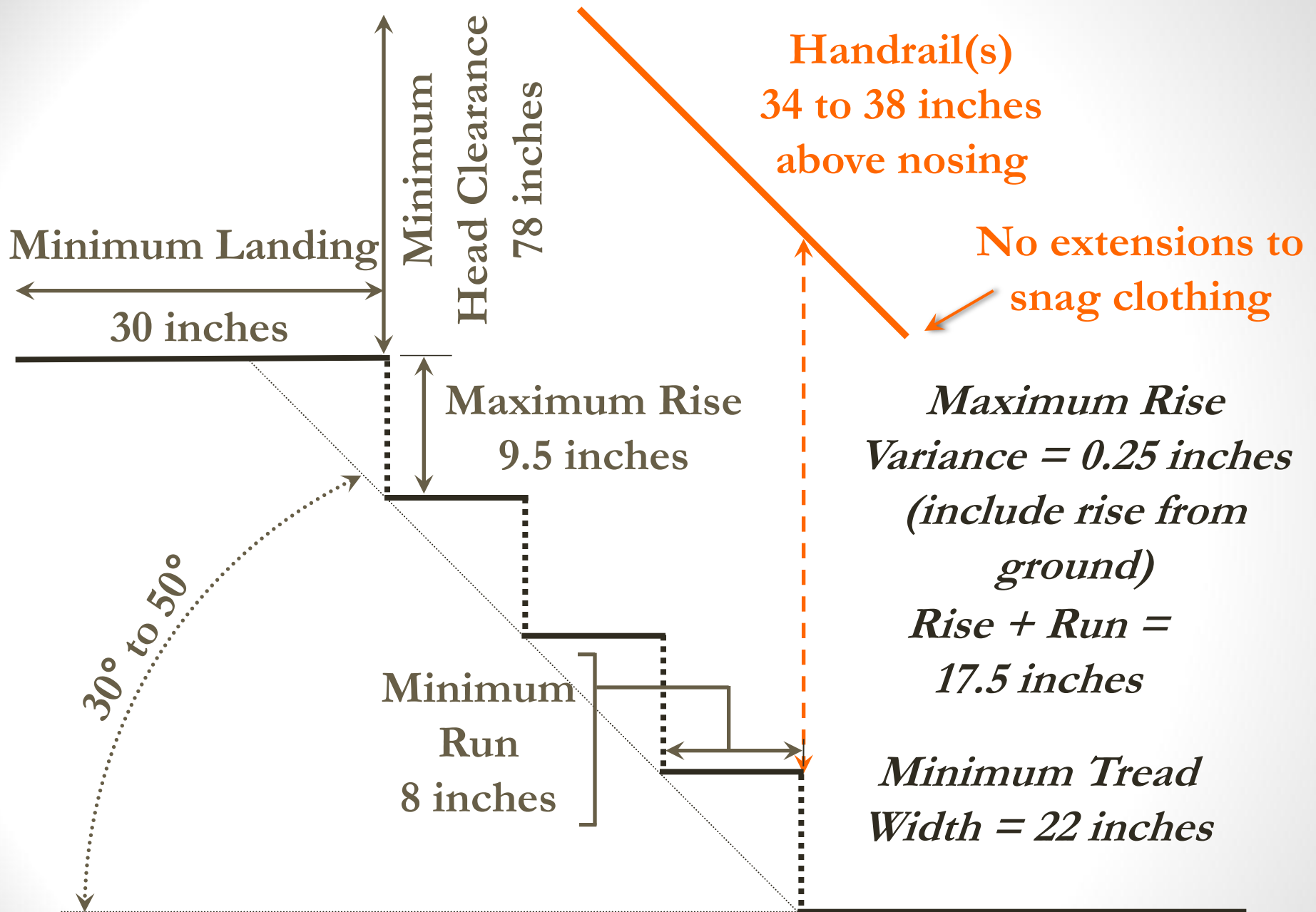
Section 18 of the Occupational Safety and Health Act of 1970 (the Act) encourages States to develop and operate their own job safety and health programs. Federal OSHA approves and monitors State plans.

The Tom Carrell Memorial Tunnel and Mine Safety Act of 1972

17 FATALITIES

There shall be within the division a separate unit of safety engineers trained to inspect all tunnel construction and mine operations.

Sufficient manpower shall be maintained to provide for four annual inspections of underground mines, one inspection of surface mines or quarries annually, and six inspections of tunnels under construction annually.



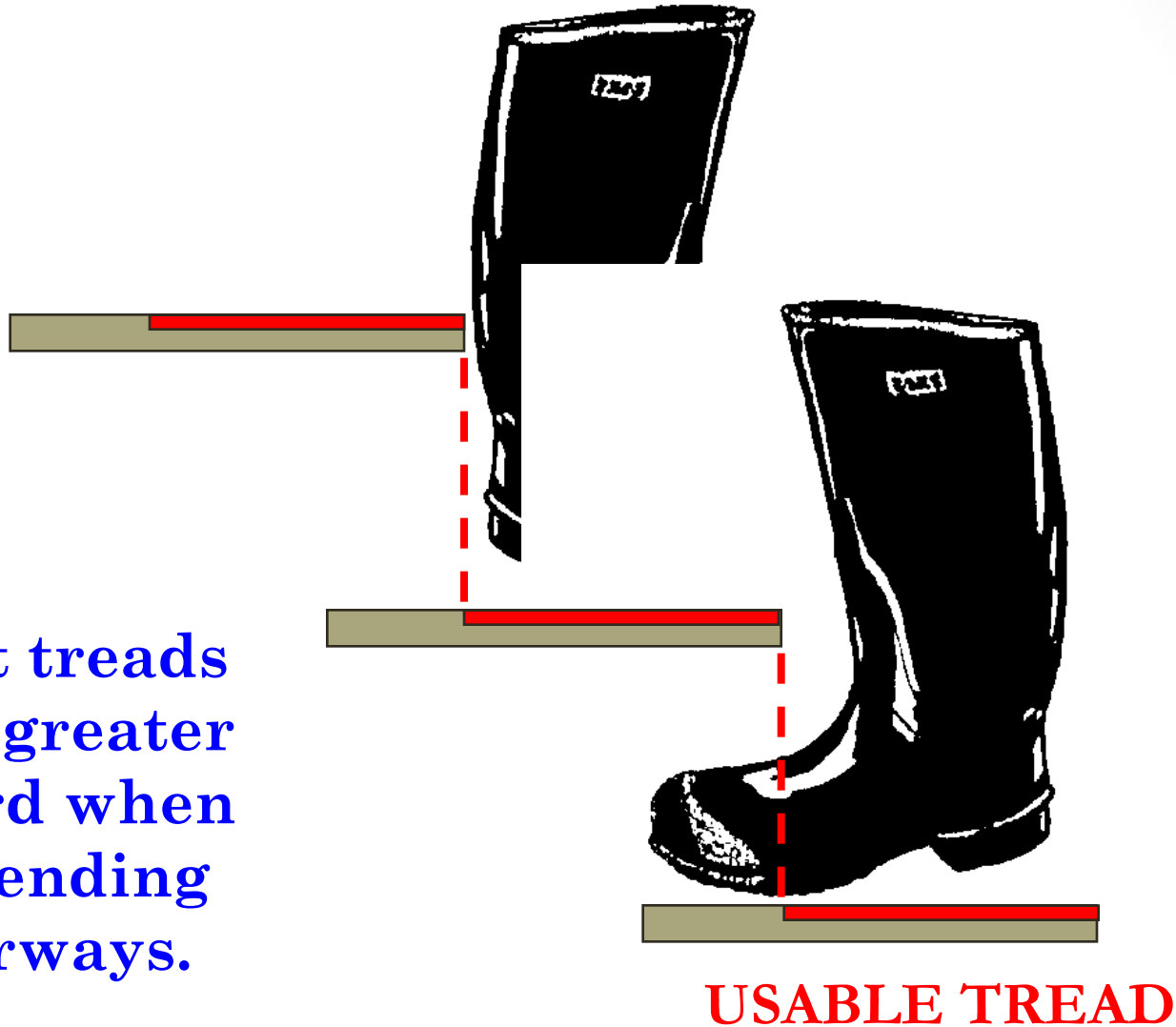
FIXED INDUSTRIAL STAIRS



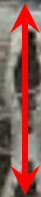
Bottom Rise equals ????

Stair Construction Terms

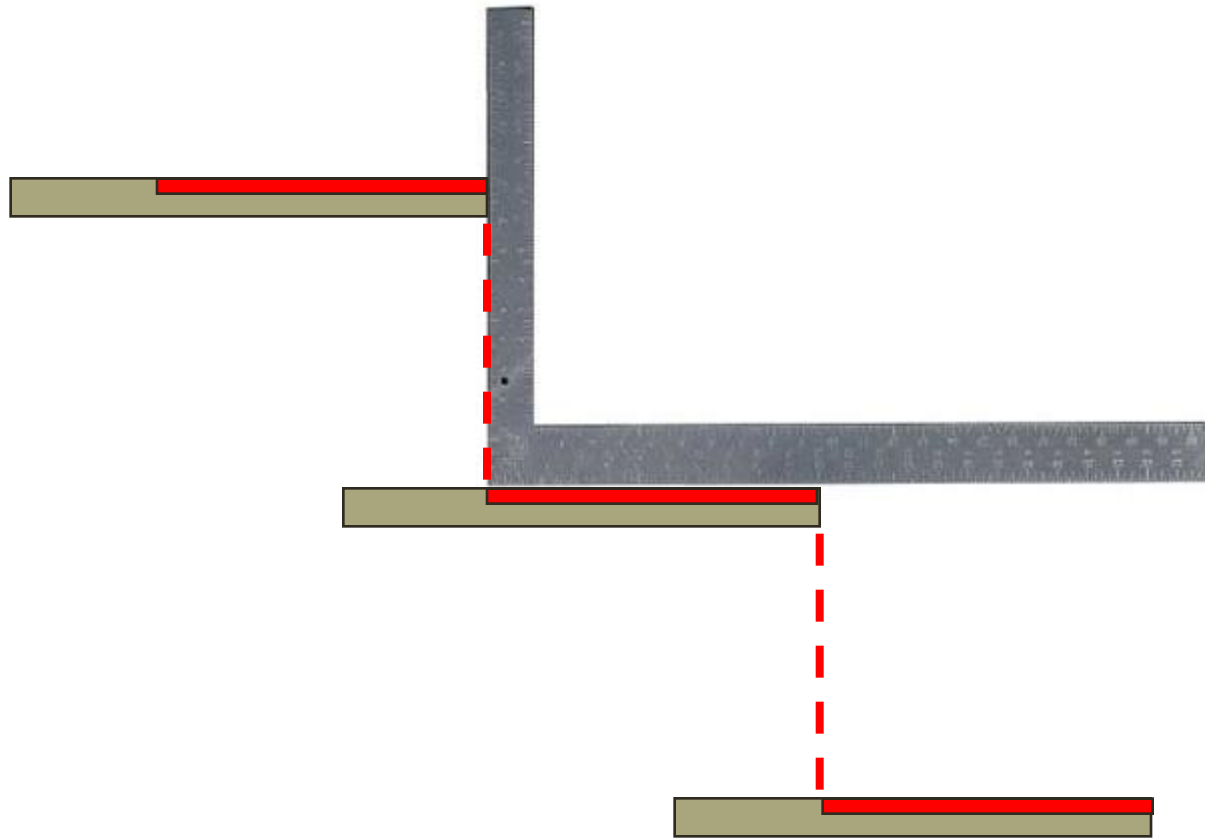
Short treads
are a greater
hazard when
descending
stairways.



3" Usable Tread



Stair Tread Measurement



USABLE TREAD

Fall Protection

§3210.

Guardrails at Elevated Locations.

(c) Where the **guardrail requirements** of subsections (a) and (b) are impracticable due to machinery requirements or work processes, an alternate means of protecting employees from falling, such as personal fall protection systems, shall be used.

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Fall Protection

(a) Approved personal fall arrest, personal fall restraint or positioning systems shall be worn by those employees whose work exposes them to falling in excess of 7 - 1/2 feet from the perimeter of a structure, unprotected sides and edges, leading edges, through shaftways and openings, sloped roof surfaces steeper than 7:12, or other sloped surfaces steeper than 40 degrees not otherwise adequately protected under the provisions of these Orders.

Fall Protection

(14) The employer shall provide for prompt rescue of employees in the event of a fall or shall assure that employees are able to rescue themselves.

(15) Personal fall arrest systems shall be inspected prior to each use for wear, damage, and other deterioration, and defective components shall be removed from service.

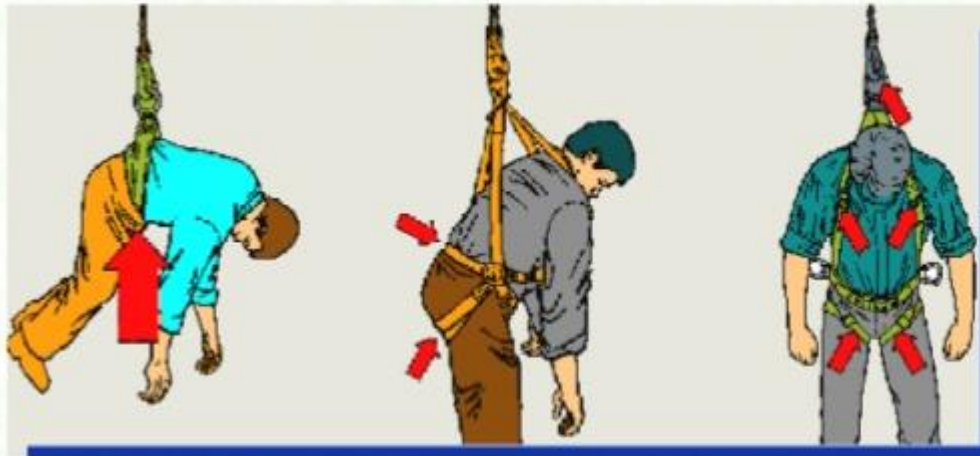
(19) Each personal fall arrest system shall be inspected not less than twice annually by a competent person in accordance with the manufacturer's recommendations. The date of each inspection shall be documented.

Fall Protection (MSHA)

MSHA - §56.15005 Safety belts and lines.

Safety belts and lines shall be worn when persons work where there is danger of falling; a second person shall tend the lifeline when bins, tanks, or other dangerous areas are entered.

Why Waist Belts Are Not Safe



If you fall, the high force of the fall is concentrated at your waist rather than the 6 points of a full body harness.

Enforcement Actions

Information Memorandum

Notice (referable)

General citation

Serious citation (realistic possibility)

Accident related

Willful

Repeat (Statewide ~ 5 years)

Failure to Abate ~ 6 figure fines possible

New Cal-OSHA Regulations

(in the works)

§ 5204. Occupational Exposures to Respirable Crystalline Silica. Was 0.0005 grams per cubic meter, will be 0.00005 grams per cubic meter.

9-15-16 plus 4/15/17

§ 3220. Revisions to Emergency Action Plans

- **Detail the duties of involved employees.**

Detail the steps involved in an evacuation.

Repeat Violation

“Repeat Violation” (8 CCR § 334(d))

For violations occurring after **January 1, 2017:**

(d) Repeat Violation - is a violation where the employer has abated or indicated abatement of an earlier violation occurring **within the state** for which a citation was issued, and upon later inspection, the Division finds a violation of a **substantially similar** regulatory requirement and issues a citation within a period of **five years** immediately following the latest of: (1) the date of the final order affirming the existence of the previous violation cited in the underlying citation; or (2) the date on which the underlying citation became final by operation of law. For violations other than those classified as repeat regulatory, the subsequent violation must involve essentially similar conditions or hazards.

~~Consultation~~

Mining and Tunneling Unit

A mine-specific consultation (called a Technical Assist) is available for new or upgraded plants upon written request.

No citations are issued; hazards are pointed out.

Technical Assists are done on an as-time-permits basis.

Thank you



Emergency

Let's not meet again . . . **by accident!**