

VOSH PROGRAM DIRECTIVE: 14-430C [CORRECTION]

ISSUED: 01 November 2013**SUBJECT** Local Emphasis Program - Wastewater and Water Treatment Facilities**Purpose** This Directive continues the local emphasis program (LEP) which was established in 1996 to monitor existing workplace safety and health hazards efforts in Wastewater and Water Treatment facilities.

This revision expands the coverage of this local emphasis program to include both public and private sector wastewater and water treatment facilities.

This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.

Scope This Directive applies to VOSH state-wide.**Reference** Not Applicable.**Cancellation** VOSH Program Directive 14-430B (April 1, 2003) [CORRECTION]**Effective Date** 01 November 2013**Action** The Director of VOSH Safety and all Regional Directors and Compliance Managers shall ensure that procedures established in this Directive are adhered to for conducting inspections at water treatment and waste water treatment facilities.

William P. Burge
Acting Commissioner

Distribution: Commissioner of Labor and Industry
Assistance Commissioner
VOSH Directors and Managers
Legal Support and IMIS Staffs

Cooperative Programs Manager
VOSH Compliance and Cooperative Programs Staffs
OSHA Region III and Norfolk Area Offices

I. Background.

The Virginia Occupational Safety and Health (VOSH) Program has established this Directive specifically for waste water and water treatment operations based on recognized industry hazards. Wastewater and water treatment facilities are workplaces which offer a potential for a variety of serious hazards. Commonly recognized industry hazards, such as: confined spaces, process safety, lockout/tagout, exposure to toxic chemicals, noise, improper selection of respiratory protection and personal protective equipment, as well as slip and fall hazards can exist in these workplaces.

Wastewater treatment facilities under the purview of this LEP cover the following NAICS code: 221320. This industry comprises establishments primarily engaged in the collection, treatment, and disposal of wastewater through a sewer system.

Water treatment facilities under the purview of the LEP cover the following NAICS code: 221310. This industry comprises establishments primarily engaged in operating water treatment plants and/or operating water supply systems. The water supply system may include pumping stations, aqueducts, and/or distribution mains. The water is primarily used for drinking or domestic use to the public.

Establishments with fewer than 10 workers shall be included in this LEP.

II. Procedures.

The Director of Health Compliance will develop regional inspection lists made up of establishments identified as wastewater and/or water treatment facilities, as defined above.

- A. Sources. Lists of wastewater treatment facilities shall be obtained through the Virginia Department of Environmental Quality Wastewater Treatment Division. Lists of water treatment facilities shall be obtained through the Virginia Department of Health, Office of Drinking Water.
- B. Deletions. Prior to using the wastewater treatment and water treatment lists for scheduling purposes, deletions to each annual list will be made based on local knowledge by region or field office, as necessary or appropriate. When it becomes evident that a facility is not conducting wastewater or water treatment operations, the facility shall be deleted from the list.
- C. Additions. Any information from local sources which reliably indicates that an establishment should be added to the list shall be forward to the Director of Occupational Health for inclusion in the next year's list.

III. Inspection Scheduling.

- A. Each region shall receive two (2) lists, as follows:
 - 1. Wastewater Treatment Plants – To be inspected
 - 2. Water Treatment Plants – To be inspected

- B. Regional and Field Office shall conduct at least two (2) LEP inspections from the two (2) establishment lists in each Fiscal Year.
- C. When an inspection is not conducted because the employer has refused entry, a warrant shall be sought in accordance with the current procedures for handling such refusals.
- D. Inspections conducted under the LEP normally shall be comprehensive.

IV. Database Entry Coding. The majority of inspections conducted under this LEP will be “Health” inspections and in such cases should be coded as such.

- A. **Planned/Targeted Inspections.** LEP inspections of firms that are planned or targeted as a result of this EP, inspection type will be coded as “**Programmed Planned**” and then classification coded as an LEP specifically indicating “WASTE20”.
- B. **Referral Inspections.** Inspections that are conducted as a referral and inspected during the current inspection cycle under this LEP will be coded as “**Programmed Related**” and then classification coded as an LEP specifically “WASTE20”. Where “Program Related” inspections are conducted, they will be so indicated on the VOSH-1.
- C. **Complaint Inspections.** Inspections under this LEP that are conducted as a result of a complaint or fatality/catastrophe will be coded as “**Unprogrammed Related**” and then classification coded as an LEP specifically indicating “WASTE20”.

The new “WASTE20” code applies to the following enforcement forms: VOSH-1, OSHA-7, OSHA-36, OSHA-90 and OSHA-55.

Whenever a consultation visit is made in response to this LEP, the Consultation Request form and Visit form are to be completed with the LEP code “WASTE20” on Form-20 and Form-30.

V. Follow-Up/Questions.

Programmatic difficulties and problems experienced with the implementation of this LEP shall be forwarded to the Occupational Health Compliance Director. Based on input by the regions, as well as the overall evaluation by the Director, amendments to this LEP shall be made as necessary in order to continue promoting workplace health and safety.