



## OSHA Cites Illinois Company After Investigation

The U.S. Department of Labor's Occupational Safety and Health Administration (OSHA) has proposed \$158,250 in fines against Access Ag Inc., a Mazon, Illinois, based grain handling company, for three alleged willful and four alleged serious violations of federal workplace safety standards found during a September 2007 investigation after an employee was asphyxiated in a grain bin.

The willful violations include failing to lockout equipment prior to bin entry to prevent accidental energy start-up; allowing employees to walk on the grain to make it flow; and failing to require employees to wear body harnesses with lifelines during bin entry.

The serious violations include deficient ladders; failing to provide rescue equipment for employees entering a grain bin; training deficiencies; failing to implement an emergency action plan; and failing to maintain communication between observers and persons entering the grain bin.

OSHA defines a willful violation as one committed with plain indifference to or intentional disregard for employee safety and health. A serious violation is one in which there is a substantial probability that death or serious physical harm could result from a hazardous condition about which the employer knew or should have known.

"Grain handling standards were put into regulations approximately two decades ago, and OSHA continues to see a tragic disregard for safe work practices, resulting in employees being placed in harm's way," said Kathy O'Connell, the agency's area director in North Aurora, Illinois. "Failure to adhere to those standards will not be tolerated."

Access Ag Inc. operates as a corporation in four Illinois locations: Mazon, Ransom, Dwight and Odell. The grain co-op includes some 2,000 landowners and farmers.

The company has 15 business days from receipt

of the citations to comply, request an informal conference with OSHA's area director, or contest the citations and penalties before the independent Occupational Safety and Health Review Commission.

## 2007 IOMSA Convention Speaker Part of Dust Explosion Regulation Debate

"The disastrous accident at Imperial Sugar is but the latest in a long series of tragic dust explosions at U.S. industrial facilities stretching back over decades," testified William Wright, board member and interim executive of the Chemical Safety Board (CSB), at a March 12 hearing in front of the House Education and Labor Committee.



William Wright

"Combustible dust can pose a serious fire and explosion hazard at thousands of U.S. industrial facilities. Dust explosions kill and injure American workers, destroy jobs and productive enterprises, and shatter communities," Wright continued. Wright was one of the speakers at the 2007 IOMSA Summer Convention in Hilton Head, South Carolina.

The Combustible Dust Explosion and Fire Prevention Act, introduced by Representatives George Miller of California and John Barrow of Georgia, would force the U.S. Occupational Safety and Health Administration (OSHA) to issue rules regulating combustible industrial dusts that can build up to hazardous levels and explode.

This legislation would be separate from OSHA's rules pertaining to grain handling facilities. In the 1970s and 1980s, the U.S. experienced a series of grain dust explosions that caused a number of deaths. OSHA responded in 1987 by issuing a comprehensive grain dust standard. This standard requires preventive maintenance, worker training, safe operating procedures, emergency planning, and formal dust cleaning programs.

According to OSHA's own review in 2003, this standard has cut deaths and injuries from grain dust explosions and fires



by 60%. And as noted in a CSB study, the grain industry itself now credits the standard with helping to make the design of grain handling facilities safer.

“The loss of lives in workplace incidents is always a tragedy,” said Miller, chairman of the committee. “But what’s particularly troubling about the Imperial Sugar explosion is that, not only was it preventable, but OSHA had been specifically warned about dust hazards and provided with guidance on how to address them.” The Port Wentworth, Georgia, Imperial Sugar tragedy killed 12 workers and critically injured 11 others.

The U.S. CSB, which has launched a major investigation of the Imperial Sugar explosion, has preliminarily concluded that the explosion was caused by combustible sugar dust. In 2006, following a series of fatal combustible dust explosions, the CSB conducted a major study of combustible dust hazards. It identified 281 combustible dust incidents between 1980 and 2005 (not including primary grain handling or underground coal dust explosions) that killed 119 workers, injured 718 others, and extensively damaged industrial facilities.

The CSB study found no comprehensive OSHA standard that effectively controls the risk of industrial dust explosions. The Board recommended that OSHA issue rules to address the risks of dust explosions, but over a year later, OSHA has offered no indication that it is planning to issue rules on combustible dust.

The National Fire Protection Association (NFPA), a non-profit, nongovernmental organization, has established voluntary consensus guidelines to control combustible dust hazards and prevent dust explosions.

“NFPA codes and standards adequately address how to mitigate or eliminate the hazards of combustible dust,” testified Amy Beasley Spencer, a senior chemical engineer at the NFPA. “We believe the best method to accomplish this safety goal is for OSHA to develop a mandatory standard to address and mitigate dust hazards.”

During the hearing, OSHA’s Edwin G. Foulke Jr., assistant secretary of occupational safety and health, also discussed OSHA’s efforts to protect workers from combustible dust hazards: “OSHA is intensifying its ongoing enforcement, education and outreach programs to ensure that employers and workers are doing everything they are supposed to be doing to protect against combustible dust.” Foulke also announced several initiatives that OSHA has undertaken to improve its enforcement and outreach.

## Groups Form Alliance To Prevent Workplace Hearing Loss

Three national organizations have signed an agreement to expand outreach and resources to help prevent work-related hearing loss. The organizations—the National Institute for Occupational Safety and Health (NIOSH), the Occupational Safety and Health Administration (OSHA), and the National Hearing Conservation Association (NHCA)—will work together to:

- provide expertise in developing information for recognizing and preventing occupational hearing loss, and in developing ways to communicate such information to employers and employees
- speak, exhibit, or appear at partner-sponsored conferences, local meetings, and national conferences
- share information among OSHA and NIOSH personnel and industry safety-and-health professionals regarding NHCA-recommended best practices or effective approaches
- publicize results through materials prepared by the partners, training programs, workshops, seminars, lectures, or other appropriate forums
- work with others on specific issues and projects addressed and developed through the alliance
- convene or participate in forums, roundtable discussions, or stakeholder meetings on workplace hearing-loss prevention to help forge solutions or provide input on worker-safety and health issues.

A team of representatives from all three organizations will meet to develop an action plan, determine working procedures, and identify the roles and responsibilities of the participants. The team will meet at least three times per year to track and share information on activities and results.

The agreement supports NIOSH’s strategic research program for preventing work-related hearing loss. About 30 million workers are exposed to hazardous noise on the job, and another 9 million are at risk for hearing loss from other agents, such as solvents and metals.

Although comprehensive data on the economic impact of hearing loss are not available, localized data suggest job-related hearing loss places an enormous burden on workers, their families, businesses, and the general economy. For example, in Washington, workers’ compensation disability settlements for hearing-related conditions cost \$4.8 million in 1991, not including medical costs. In the national workforce, occupational hearing loss costs an estimated \$242.4 million per year in disability alone.

NIOSH offers a range of resources to help prevent work-related hearing loss. These include recommendations for controlling levels of workplace noise that create the risk of hearing loss, designing hearing-loss prevention programs, and selecting and properly using appropriate hearing-protection devices where dangerous levels of noise have not yet been reduced or eliminated.

NIOSH offers information on its research and recommendations on hearing-loss prevention on its website, [www.cdc.gov/niosh](http://www.cdc.gov/niosh).



## GEAPS, NGFA Seminar To Feature “Latest, Greatest, And Best” Information

Registration will open soon for the annual Operations, Management and Technology Seminar, and the Grain Elevator and Processing Society (GEAPS) and the National Grain & Feed Association (NGFA) are hard at work putting the finishing touches on the two days of educational sessions. This year’s seminar, “Safety, Health, Environmental Quality and Facility Security,” will be held July 29-30 in St. Louis, Missouri.

The program, designed for professionals in grain-handling, processing, milling, and feed industries, will feature educational presentations on topics such as OSHA priority issues; safety standards for grain handling facilities; employee training; environmental quality and responsibility; electrical safety; transportation safety; and facility security.

Educational programs will be offered from 7:40 a.m. to 5 p.m. on Tuesday, July 29, and from 7:35 a.m. to 12:35 p.m. on Wednesday, July 30, and advance descriptions of the sessions have earned rave reviews from GEAPS and NGFA leaders alike.

“This year’s OM&T will feature the latest, greatest, and best available information on these subjects presented by knowledgeable industry members with hands-on experience,” said GEAPS International President Mark Daniels. “Participants will not only receive a regulatory update on current standards, but practical ways to comply with them.”

In alternate years, the OMT seminar deals with grain-quality management issues. GEAPS and NGFA leaders find this year’s focus on safety and environmental issues particularly timely.

“Our industry has experienced a major reduction in fire and explosion incidents over the past 30 years, largely attributable to facility managers’ commitment to provide ongoing education and training for employees on these hazards,” said NGFA President Kendall Keith. “Yet, the recent uptick in fatalities resulting from bin-entry incidents points out the constant need for refresher training on proper safety procedures.”

“This seminar provides one of the best opportunities anywhere to make that happen,” added Keith.

Registration discounts will be available to GEAPS members and those employed by companies that are members of the NGFA. Early registration discounts will also apply. Registration fees will include lunch, reception and dinner on Tuesday, July 29; breakfast on Wednesday, July 30; refreshment breaks on both days; and complete workbook proceedings.

The seminar will be held at the Marriott St. Louis Airport Hotel. Check the GEAPS website ([www.geaps.com](http://www.geaps.com)) for detailed information on individual seminar sessions, hotel reservations, and a registration form.

## Plant Maintenance Service Corp. Awarded for Workplace Safety

After 41 years, Plant Maintenance Service Corp. (PMSC) has placed itself as a leader in many aspects of the fabrication and construction industry. With a solid commitment to producing high-quality products and customer service, they have added another accomplishment—a leader in workplace safety.

Established in 1967, PMSC has strived to achieve the standards set forth by founders Robert Baker, Harold Perry, and Enoch (Bubba) Radford. These three men came together

to combine their years of experience to start a full-service company that specializes in the design, fabrication, and field servicing of products for the chemical, agricultural, pharmaceutical, pulp, and paper industries.

Since its inception, PMSC has received countless safety awards, including Wausau Insurance Companies Loss Prevention Gold Safety Awards four of the last five years. This award places the company 85% better than the national average in the fabrication industry. Additionally, PMSC is the only company to receive this award four times, with only six other companies earning this award.

PMSC employs about 175 people in two fabrication facilities in the greater Memphis area. ■



Plant Maintenance Service Corp. recently received Wausau Insurance's Gold Safety Award for their safety performance in 2007. From left, Larry Sefton, Wausau loss prevention technical consultant; Harold Perry, PMSC co-owner; Constance Bayne, Wausau vice president of loss prevention; Stan Rodgers, PMSC safety manager; Robert Baker, PMSC co-owner; and Bubba Radford, PMSC co-owner, were on hand for the presentation.

