



OSHA REGIONAL NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: 13- 12 (CPL 04-05) EFFECTIVE DATE: April 16, 2013

SUBJECT: Local Emphasis Program for Automotive Services

REGIONAL IDENTIFIER: Region VIII

ABSTRACT

Purpose: This Notice describes policies and procedures for implementing a Local Emphasis Program (LEP) for the purpose of conducting inspections of Automotive Services operating within the Automotive Industry. The employers to be included in this LEP are classified within NAICS where automotive services are known to be in service. The goal of this LEP is to reduce the incidence of serious health and physical injury or death from hazards associated with automotive services.

Scope: This Notice applies to the establishments within the Englewood Area Office jurisdiction in the general industry NAICS codes listed in this directive.

References: OSHA Instruction CPL 04-00-001, Procedures for Approval of Local Emphasis Program (LEPs), November 10, 1999.

OSHA Instruction CPL 02-00-150, Field Operations Manual (FOM), April 2, 2011, or the most recent version at time of inspection opening conference.

Cancellations: None

State Impact: None

Action Offices: Englewood Area Office

Originating Office: Englewood Area Office

Contact: Assistant Regional Administrator for Federal-State Operations
1244 Speer Boulevard, Suite 551
Denver, CO 80204
(720) 264-6566

By and Under the Authority of:

Gregory J. Baxter, Regional Administrator, VIII

Executive Summary

This Notice describes policies and procedures for implementing a Local Emphasis Program (LEP) to identify and reduce or eliminate the workplace incidence of health and physical hazards from automotive services which are causing or likely to cause serious health and physical injury or death.

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- I. **Purpose:** This Notice describes policies and procedures for implementing a Local Emphasis Program (LEP) for the purpose of conducting programmed inspections of Automotive Service Facilities. The employers to be targeted are in

the automotive industry and are classified within NAICS codes listed below. The goal of this LEP is to identify and reduce or eliminate the workplace incidence of health and physical hazards associated with automotive services which are causing or likely to cause serious health or physical injury or death.

- II. Scope:** This Notice applies to Automotive Service Facilities operating in the Automotive Industry within the Englewood Area Office’s jurisdiction of Region VIII under the following NAICS codes:

NAICS	Description
441110	New Car Dealerships
811111	General Automotive Repair
811112	Automotive Exhaust Repair
811113	Automotive Transmission Repair
811118	Other Automotive Mechanical and Electrical Repair and Maintenance
811121	Automotive Body, Paint, and Interior Repair and Maintenance
811191	Automotive Oil Change and Lubrication Shops
811198	All Other Automotive Repair and Maintenance
441320	Tire Dealers

III. References:

- A.** OSHA Instruction CPL 02-00-150, Field Operations Manual (FOM), April 2, 2011, or the most recent version at date of inspection opening conference.
- B.** OSHA Instruction CPL 04-00-001, Procedures for Approval of Local Emphasis Program (LEPs), November 10, 1999.
- C.** OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, January 4, 1995.
- D.** OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act, May 28, 1998; Appendix A, February 21, 2013, or the most recent version at date of inspection opening conference.
- E.** OSHA Instruction CPL 02-00-140 Complaint Policies and Procedures, June 23, 2006.
- F.** IMIS Data Base, Search Results, OSHA Intranet, Search Date: January 22, 2013.
- G.** Department of Labor Automotive Repair and Refinishing Hazard report.
- H.** ANSI/Automotive Lift Institute (ALI) ALIS-2009 Standard for Automotive Lifts – Safety Requirements for Installation and Servicing (Effective April 20,

2010).

- I. www.AutoLift.org for recent information and interpretations to above ALI Standards.
- J. OSHA Instruction CSP 03-02-002, OSHA Strategic Partnership Program for Worker Safety and Health, December 9, 2004.
- K. September 14, 2006, OSHA Memorandum, Subject: Coding Instruction Update for the FY2006-FY2011 Strategic Plan.
- L. ReferenceUSA.com

IV. **Expiration:** This LEP expires on September 30, 2013.

V. **Action Office:** Englewood Area Office

VI. **Background:**

Automotive service and repair work in the automotive industry exposes employees to variety of physical and chemical hazards. The physical hazards include crushing injuries due to improper use and maintenance of automotive lifts, exposure to noise, a variety of machine guarding hazards as well as uncovered service pits. The chemical hazards include exposure to carbon monoxide, paints, coatings, as well as other hazardous chemicals used in brake cleaners. Controlling the hazards begins with an effective safety and health program that includes regular audits and includes appropriate maintenance of equipment, including the lifts, as well as a robust Hazard Communication Program so that employees are trained to recognize and avoid exposure to dangerous chemicals.

According to the Department of Labor, from September 2011 thru October 2011 a total of 510 inspections under the NAICS codes listed above were conducted resulting in 286 citations.

During FY 2010, the Englewood Area Office received five complaints related to hazards associated with automotive services. All of these complaints resulted in valid hazards identified where employees were exposed to serious hazards.

Since 2007, most of OSHA's inspection activity for automotive services has been the result of unprogrammed activity initiated by complaints, referrals and accidents. By targeting inspection activity to employers in the automotive industry, OSHA hopes to reduce the injury and fatality rates of employers who are engaged in automotive services.

VII. **Inspection Scheduling:**

A. **Selection of Sites:**

1. A search of the Reference USA directory will be used to identify all worksites in the Englewood Area Office's jurisdiction for the 2012 NAICS codes listed in the table above. Searches will be only conducted for establishments with 20 or more employees.
2. The resulting consolidated establishment list will be alphabetized and the random number generation table found in Appendix A of CPL 02-00-025, January 4, 1995, will be applied to create a cycle of establishments to be inspected.
3. Establishments within a cycle may be inspected in any order so that area office resources are efficiently used. Once a cycle is begun, all establishments in the cycle are to be inspected before a new cycle is started, except that carryovers will be allowed as provided for in OSHA Instruction CPL 02-00-025.
4. Reports of imminent danger, fatality/catastrophe, complaints and referrals shall be scheduled as unprogrammed inspections and shall be inspected in accordance with the applicable provisions of the FOM. This does not, however, limit the Area Office's authority to conduct an inspection pursuant to this LEP. If an unprogrammed inspection is to be conducted at a facility that is also included in the current inspection cycle under this LEP, the Area Office may conduct the inspections concurrently.

B. Deletions:

Based on local knowledge, the area office will delete facilities known to be out of business, establishments out of the area office's jurisdiction, and/or establishments that have received a comprehensive safety inspection, or a limited scope safety inspection that addressed automotive service hazards, within the previous 36 months of the creation of the current inspection cycle, if no citation (or other written notice of a hazard) related to automotive service hazards was issued as a result of the inspection. If such a citation or written notice of a hazard was issued, the area office shall have the discretion to delete such establishment if it knows that the hazard or condition was satisfactorily abated. The area office shall state in writing the basis for any such deletions from the master list.

VIII. Inspection Procedures:

- A. Inspection procedures outlined in the FOM, OSHA Instruction CPL 02-00-150, will be followed for automotive services LEP inspections. Inspections will be comprehensive in nature and address both safety and health hazards.
- B. Companies with ten or fewer total employees will not be inspected. The most updated list will be used at the time of the opening conference to determine eligibility for inspection.

IX. Outreach:

Outreach materials may be mailed directly or made available on request to employers, professional associations and local unions, at the discretion of the Area Director.

X. Partnerships:

Partnerships may be developed with the covered employers in accordance with OSHA Instruction CSP 03-02-002, OSHA Strategic Partnership Program for Worker Safety and Health, December 9, 2004.

XI. OSHA Information System (OIS) Coding:

The following will address only the changes or additions to OIS coding procedures for inspections conducted under this LEP:

- A.** On the OIS Inspection Form, inspections which are targeted pursuant to the selection criteria in Sections VII.A.1 through 3 of this LEP shall be coded as "AUTOSERV" in the *Local Emphasis Program* block and as "Programmed Planned" in the *Initiating Type* block. Inspections under this LEP will be typically coded as "Safety" inspections in the "Inspection Category" block unless the inspection is predominately health related in nature. In this case the inspection should be coded as "Health."
- B.** On the OIS Inspection Form, inspections involving automotive service safety issues which are initiated as a result of a complaint, referral, or fatality/catastrophe (i.e., Section VII.A.4.) shall be coded as "AUTOSERV" in the *Local Emphasis Program* block and as the appropriate "unprogrammed" activity in the *Initiating Type* block regardless of whether they are listed on a cycle list.
- C.** Refer to the September 14, 2006, OSHA memorandum, Subject: Coding Instruction Update for the FY2006-FY2011 Strategic Plan, for OSHA-1 block "25f Strategic Plan" codes which may be applicable to these LEP inspections.

XII. Program Evaluation:

The Englewood Area Office will prepare a written evaluation of this LEP in the format specified by OSHA Instruction CPL 04-00-001, Procedures for Approval of Local Emphasis Programs (LEPs), Appendix A and the Directorate of Enforcement Programs' memorandum dated October 18, 2002, for Annual Evaluations of Local Emphasis Programs. Evaluations will be submitted to the Regional Office no later than October 31, 2013. The Regional Office will submit one evaluation of this program to the National Office. The evaluation will include a recommendation for the continuance or elimination of the LEP.

DISTRIBUTION: Directorate of Enforcement Programs
Regional Office of the Solicitor