

## “The Washington Buzz”



**AIHA/AHMP  
PDS**

**Rockville, MD**

**February 23, 2015**



## The View From Washington

- **What’s Happening? The Good, The Bad & The Ugly**
  - Congress
  - Agencies
- **The Real Leader in OH&S**
  - The States?
- **What’s on the Horizon?**
  - 2014 Election Impact and 2016 Election



## The Budget



- FY 16 Proposed \$592 m (\$553 m)

Notable –

+ \$17,608,000 Federal Enforcement

+ \$ 5,128,000 Whistleblower

+ \$ 3,487,000 State Programs

\$ 0 State Consultation

- FY15 Riders: Emphasis Programs  
Silica Science



## The Budget



- FY 16 Proposed \$283.5 m (\$335 m)

Notable –

ERC & AFF Funding CUT

All Other Programs FLAT



## The Budget

- **Other Programs of Interest –**
  - **Review Commission +14%**
  - **CSB +12%**
  - **MSHA \$395 m +5%**
  - **EPA \$8.6 b + \$492M**

## A Quick Look Back

- **OSHA Reform**
- **Recordkeeping – Site Specific**
- **VPP Codification**
- **Safe Patient Handling**
- **Combustible Dust**
- **Logging Operations**



**All Likely Re-Introduced –  
Passage in 2015 – No Way!**

## Early Congressional Action

- **Regulatory Reform –**
  - Less Burdensome Alt.
  - Base on Cost
  - Review Existing
- **Site Specific Recording**
- **Congressional Rules**
  - Estimate Number of Regs



## Congressional Options

- **Oversight Hearings**
  - Expect Plenty
- **Budget Riders**
  - Stop Specific Issues
- **Work to Stop Guidelines**



## OSHA Activity

### ▪Reporting – Severe Illness & Injuries

#### ▪FINAL - Effective Jan 1, 2015

▪Old – Report Fatalities & Hospitalization of 3+ within 8 hrs.

▪New – Fatalities within 8 hrs, but all eye loss, hospitalization, amputations within 24 hrs.

Electronic Reporting Now Allowed

Plus – Updated List of Exempt Industries

**ONLY FINAL IN 2014**



## OSHA – Ongoing Issues

### The Biggie –

### Crystalline Silica –

#### #1 Priority of OSHA



▪Scientific Rationale Questioned

▪Is There Really A Need?

### OSHA and White House –

“This WILL Happen”

Analyze Comments – 06/15

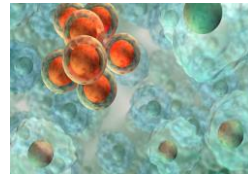
Final By 04/16



## OSHA – Ongoing Issues

### Infectious Diseases Rule

- **Small Business Review Started October 22**
  - 60 Days to File Report (December)
  - Then the Public Process (10 yrs for silica)
  - Could Cover Any Employer
  - Requires OH Professional?
- **Need Now More Than Ever?**
  - CDC Problems
  - Illegal Immigrant Concerns
  - Ebola



## OSHA – Ongoing Issues

### Beryllium

- Labor / Industry Agreement
- Focus on General Industry
- Reduce PEL –
  - 2.0 micrograms per cubic meter to 0.2
- Sent to White House for Review

Some Think –  
 PEL Should Be Lower  
 Should Include Construction

**NPRM - 01/15 Oops!**

## OSHA – Ongoing Issues

### Permissible Exposure Limits (PELs)

- OSHA Publishes Annotated Tables
  - PELs – RELs – TLVs – CA/OSHA PELs
- FACOSH
- RFI in October '14
  - Options?
  - Control Banding?
  - General Duty Clause?
  - Can They Be Updated?
  - Tough Nut to Crack
  - Likely Years Away



Comments Due – 04/15

## OSHA – Ongoing Issues

### Recordkeeping Tracking of Injury & Illness

- Electronic Reporting of Data
  - 250+ - Quarterly
  - 20+ - Annually
- Employers Can Compare
- No Requirement Collect New Data
- Various Concerns

 A screenshot of a data table with multiple columns and rows, likely representing injury and illness statistics. The table has a header row and several data rows with numerical values. The text is small and difficult to read, but it appears to be a summary of reported incidents.

Privacy – Underreporting – Fault  
 Final – 08/15      Congress?

## OSHA – Regulatory Agenda

### Pre-Rule

- **Bloodborne Pathogens (End Review 5/15)**
- **Infectious Diseases (SBREFA 12/14)**
- **PELs Update (RFI 4/15)**
- **Process Safety Management (RFI 6/15)**
- **Emergency Response & Preparedness (NACOSH 4/15)**

## OSHA – Regulatory Agenda

### Proposed Rule

- **Crystalline Silica (Analyze 6/15)**
- **Beryllium (NPRM 1/15)**
- **Standards Improvement (NPRM 12/15)**
- **Make & Maintain Accurate Records (NPRM 11/14)**



## OSHA – Regulatory Agenda

### Final Rule

- **Confined Spaces in Construction  
(Final 3/15)**
- **Electronic Recordkeeping/Reporting  
(Final 8/15)**

## OSHA – Regulatory Agenda

### Long-Term

- **Combustible Dust**
- **Injury & Illness Prevention Program**
- **MSD Recordkeeping**
- **GHS Update**

## OSHA – In the Wings

- Safe Patient Handling
- Safety Incentives
- Abatement During Citations
- State Plans
- Voluntary Protection Program



## The New Leader in OS&H

### *The States!*

- Half with State Plans
- Issues –
  - VPP
  - Safe Patient handling
  - Mold Remediation
  - Confined Spaces
  - Abatement Issues
  - Heat Stress
  - Exposure Limits
  - *Caution* – Budgets!



## Here's The Problem

### Industry

- Cost is too High!

### Labor

- Regulations Not Tough Enough!

### Both Are Wrong

- ✓ Will Cost Really Make a Difference?
- ✓ Something is Better Than Nothing!

## Washington

- Washington's Inability to Lead
- November Election Impact
  - Senate – House
  - Guidelines
  - Budget Riders
  - CRA
- 2016 Election
- OSHA & Others
  - Funding



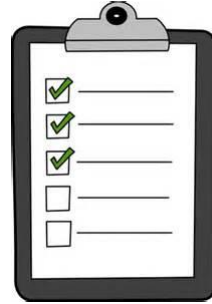
## AIHA – Top Public Policy Issues

### General issues –

- 1) PELs Update
- 2) Risk Assessment
- 3) Confined Spaces

### Specific Individual Hazards

- 1) Combustible Dust
- 2) Silica
- 3) Noise/Hearing Protection



## AIHA – Top Public Policy Issues

### Legislative issues –

- 1) PELs Update
- 2) Appropriations (OSHA, NIOSH. etc)
- 3) Combustible Dust

### General Association Issues

- 1) Professional Ethics
- 2) National Standards
- 3) Laboratory Accreditation



## There Are Positives

**Congress** – Founding Fathers were Right!  
*It's Supposed To Take Time*

**OSHA** – Ergo, IAQ,  
*Regulations and Standards Not Always Needed*

**H&S Professionals** – You are Doing the Job!!  
*Workers Are Protected*

**Lemonade from Lemons**  
*Budget Cuts Present Opportunities*  
*Shortage of Needed Professionals*

## Reality



***“To Those Who Think of Politics Simply as a Game –  
They Don’t Understand That It’s The Most Important  
Game Our Country Is Involved With, Every Day.”***

# Thanks!

**And Remember –**

***“You Can’t Escape Politics –  
You Either Play or Be Played.”***



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