

# AMERICAN SOCIETY OF SAFETY ENGINEERS



# ASSE



## AUGUSTA CHAPTER NEWSLETTER

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## October 11<sup>th</sup> Meeting Workers' Compensation and Cost Containment

Our group is immersed in safety compliance and loss control. But what are you doing for cost containment? Effective claims cost containment practices begin before the accident occurs and includes establishing a claims handling procedure, accident investigation, medical management, communications during disability, return to work, and post claim reviews. Come learn some more that help during claim defense.

Our speaker this month is Jason lockhart. Mr. Lockhart's practice focuses on workers' compensation defense. He is a graduate of the University of South Carolina Honors College with a Bachelor of Arts degree in English. Mr. Lockhart earned a Juris Doctor from the University of South Carolina School of Law where he was an Associate Justice of the University of South Carolina Moot Court Bar, as well as a member of the American Bar Association National Appellate Advocacy Team, the Order of the Barristers, and the John Belton O'Neall Inn of Court. He is a member of the South Carolina Bar Association, the South Carolina Defense Trial Attorneys' Association, and the South Carolina Workers' Compensation Educational Association.

**DINNER MEETING - 5:30 pm**

**Tuesday, October 11th, 2011**

**Industrial Rubber and Supply Classroom  
3326 Mike Padgett Hwy Augusta, Georgia**

**\$7.50 Members**

**\$10.00 NonMembers**

**MANDATORY RSVP** at the website [www.asseaugusta.org](http://www.asseaugusta.org)  
or call the ASSE Voicemail at 706-790-6551 x2773 (ASSE)

Take Bobby Jones Expressway (I-520) to exit 9 (Mike Padgett Highway). Turn towards downtown. Industrial Rubber and Supply is the first building on your right.

# ASSE AUGUSTA CHAPTER NEWSLETTER

## IH Corner

### Hex Chrome PEL vs TLV

The PEL for Hexavalent Chromium is 5 micrograms per cubic meter, or 0.005 milligrams per cubic meter. It's a very low PEL and a hard standard to comply with. It primarily affects stainless steel welders and aluminum (aerospace) painting, but it also affects companies that use chromic acid in plating and other chemical reactions.

The TLV for Hexavalent chromium is a little tricky. The TLV is listed as *Chromium (VI) inorganic compounds - Insoluble (as Cr)* and is set as 0.01 mg/m<sup>3</sup>. The soluble form is set at 0.05 mg/m<sup>3</sup>. This appears to be 2x and 10x the PEL, respectively. But it really isn't because the TLV for these compounds is defined as TOTAL chrome. .

The reason for this is twofold. First, the analysis of Hexavalent Chromium is difficult as it spontaneously oxidizes to the trivalent and metal forms of the element. If you collect a certain amount of Hexavalent Chromium on your sample filter, by the time it gets to the lab some of it will have changed to the other forms. The lab result will be less than the actual concentration sampled.

The other reason is that hexavalent chromium is only a portion of the total chrome present. Setting the TLV for Total chrome with different values for soluble and insoluble forms allows a better application of the toxicology data and avoids setting the bar at a level that is too low by grouping all forms into the same standard. A problem that is inherent in the OSHA PEL.

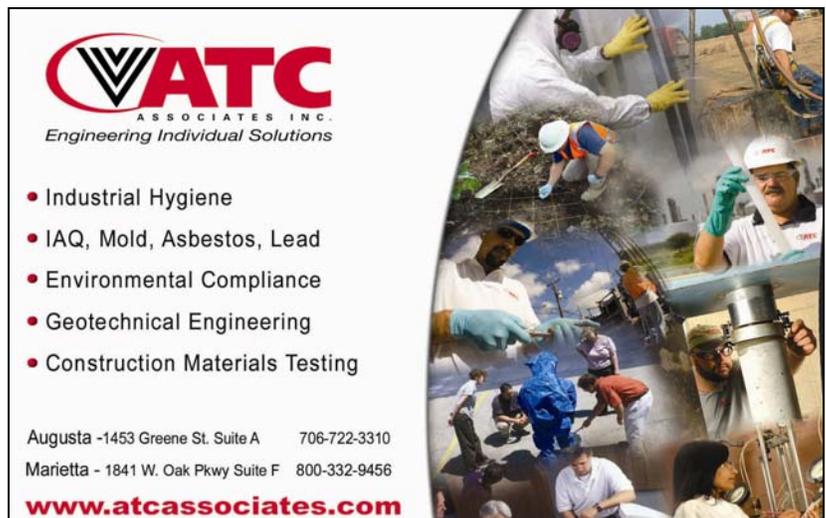
Need a good industrial hygienist? Give me a call, I know a few.

Matthew Parker,  
MS, CIH, CSP, ARM  
706-722-3310

## OSHA Extends Comment Period on Injury and Illness Tracking and Reporting Requirements

OSHA reopened the rulemaking record to extend the comment period on revising the recordkeeping and reporting requirements for work-related injuries and illnesses. OSHA is extending the comment period in response to a stakeholder request. Individuals interested in submitting comments must do so by Oct. 28.

Under the revised proposal, employers would be required to report to OSHA any work-related fatalities and all in-patient hospitalizations within eight hours, and work-related amputations within 24 hours. OSHA currently requires employers to report to OSHA, within eight hours, all work-related fatalities and in-patient hospitalizations of three or more employees. OSHA is also proposing to update the list of partially exempt industries from the requirements to maintain work-related injury or illness logs. These industries received partial exemption because of their relatively low injury and illness rates. See the [Federal Register at http://www.osha.gov/pls/oshaweb/owadisp.show\\_document?p\\_table=FEERAL\\_REGISTER&p\\_id=22163](http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=FEERAL_REGISTER&p_id=22163) for details on how to submit comments.



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## NACOSH

OSHA is seeking nominations for membership to the National Advisory Committee on Occupational Safety and Health (NACOSH). NACOSH was established under the Occupational Safety and Health Act of 1970 to advise the Secretaries of Labor and Health and Human Services on matters relating to the administration of the Act. Nominations will be accepted for representatives in the following categories: public, management, labor, occupational safety and occupational health. Members will serve a two-year term. Nominations can be submitted online by Nov. 28.

<http://www.regulations.gov/#!submitComment;D=OSHA-2011-0065-0020>

# ASSE AUGUSTA CHAPTER NEWSLETTER

## Company ordered to pay \$500,000 for violating worker's whistleblower protection rights

OSHA found Bond Laboratories Inc. and former CEO Scott Landow in violation of the whistleblower protection provisions of the Sarbanes-Oxley Act for improperly firing an employee. The company and Landow were ordered to re-hire the employee and pay approximately \$500,000 in back wages, interest and compensatory damages. The findings follow an OSHA investigation begun in response to a complaint from the employee. Landow and Bond Laboratories, formerly based in Solana Beach, Calif., allegedly terminated the complainant, an officer, for objecting to the manipulation of sales figures that misrepresented the company's value to potential investors. OSHA determined that the complainant's call to OSHA contributed to the decision to terminate the complainant. See the news release for more information.

## New OSHA Web Page on Hearing Loss

OSHA launched a new Safety and Health Topics page on Occupational Noise Exposure to provide resources to prevent noise-related hearing loss, which has been listed as one of the most prevalent occupational health concerns in the United States for more than 25 years. Approximately 30 million people in the United States are occupationally exposed to hazardous noise and thousands of workers every year suffer from preventable hearing loss due to high workplace noise levels. The new Web page provides information on the health effects of hazardous noise exposure and comprehensive information on controls to prevent hearing loss

<http://www.osha.gov/SLTC/noisehearingconservation/index.html>

## What is the single most shocking (or surprising) thing you have ever stumbled upon during an inspection?

The following replies were posted in a LinkedIn forum

Granite countertop shop. They had been cited by OSHA for silica overexposures, and decided to work wet to cut the dust. When I arrived, I saw a homemade hose setup that was spraying directly onto the electrical panel adjacent to the employee.

Two maintenance/servicemen use an extension ladder to climb to the upper roof of a commercial building, using the same ladder from the ground up. Lifting each time to the next floor and once in place at their final height, having high winds blow it over to the lower roof. The thought of securing the ladder to the building with rope or something other never happen and they were stranded up there for awhile til the local Fire Dept. responded.

About 2 years ago I stopped by a site to do some work at a private oil company. I pulled up to the tank where the work was being done but could not find anyone around. I went to the office to ask for the contact and was told he was down by the storage tank. I stated that I hadn't seen anyone. Their reply was he's probably in the tank. I stated there was no attendant (this was a 100,000 gal fuel oil tank). Their response, that doesn't mean anything. I went back to the tank and sure enough the company owner was climbing out wearing cotton coveralls. That was his only ppe! No monitoring, no attendant. I was stunned.

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## Quote of the Month

“One of the penalties for refusing to participate in politics is that you end up being governed by your inferior”... Plato

# ASSE AUGUSTA CHAPTER NEWSLETTER

## PICTURE OF THE MONTH



“When your circuits overheat”

## NFPA Releases 2010 Fire Stats

**Lowest total fires since 1977.**

There were 1,331,500 fires reported in the United States in 2010, according to the latest statistics from the National Fire Protection Association (NFPA).

“*Fire Loss in the U.S. During 2010*” details last year's figures on civilian fire deaths, property loss, injuries and arson. Key findings include:

3,120 civilian fire deaths

17,720 civilian fire injuries

\$11.6 billion in property damage

482,000 structure fires, including 384,000 residential fires

215,500 vehicle fires

The total number of fires for 2010 is the lowest since 1977, when the NFPA started its current survey methodology. Fire Loss in the U.S. during 2010 is based on data collected from fire departments all over the country, which had responded to the agency's Annual National Fire Experience Survey. The report also classifies data according to region and average fire experience. Download the entire report at <http://www.nfpa.org/assets/files/pdf/os.fireloss.pdf>.

## Newsletter Stuff:

If you are not receiving this newsletter directly from [matthew.parker@atcassociates.com](mailto:matthew.parker@atcassociates.com), Send me an email and I will add you to the distribution list



## Membership Stuff

Ready to join? Don't know how? You can apply online, list Matthew Parker as your sponsor:

<http://www.asse.org/membership/becomeamember.php>

## ASSE Says Latest BLS Workplace Fatalities Report Should Be a Call to Action

In response to BLS data showing little change in workplace fatalities between 2009 and 2010, ASSE President Terrie Norris issued the call to action below, pointing out the variety of efforts ASSE is undertaking to take a new and different approach to improving worker safety and health. The press release statement can be found at [http://www.asse.org/en/index.php/press\\_releases/asse-says-just-released-bls-workplace-fatalities-report-should-be-a-call-to-action/](http://www.asse.org/en/index.php/press_releases/asse-says-just-released-bls-workplace-fatalities-report-should-be-a-call-to-action/)

“ASSE urges everyone concerned with worker safety not to accept as reasonable the preliminary results of this report that show little change in the number of workplace fatalities between 2009 and 2010. The fact that this nation's fatalities are not significantly decreasing should be a call for action, not complacency, especially at an economically challenging time when some of the most dangerous industries are not at full employment. A statistical plateau of worker fatalities is not an achievement but evidence that this nation's effort to protect workers is stalled. These statistics call for nothing less than a new paradigm in the way this nation protects workers.



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## Chapter Education Assistance

The Augusta Chapter Educational Assistance Program provides money to individual members for educational assistance in the fields of environmental, safety or health. The money must be used for training, education or certification in these fields. The Chapter will issue annual awards to approved recipients in the amount of \$250 or \$500. The amount and approval will be determined by the Chapter Board of Directors. Any request must be accompanied by a complete and separate application questionnaire. Recipients must be an active member in good standing. Monies will be paid to the institution/organization providing the training or certification. The Application form is provided below

### Request for Financial Award Questionnaire

By completing this questionnaire, I am applying for financial assistance, which may be awarded from the American society of Safety Engineers Augusta Chapter. I understand this award is to be in the amount of monies to be determined by the American society of Safety Engineers Augusta Chapter and will be donated once per year. Future awards will be considered by the American Society of Safety Engineers Augusta Chapter by separate applications.

Signature \_\_\_\_\_ Date \_\_\_\_\_

1. Are you an active member of the local ASSE & National ASSE? (*Attend a minimum of five (5) monthly meetings per year*)
2. Are you working in an Environmental, Safety & Health job at this time?
3. Are you pursuing certification or a degree in the Environmental, Safety & Health field?
4. What training/certification or degree are you pursuing?
5. Does your employer pay for any of your educational expenses? How much?
6. What is your current mailing address?

Home: _____	Business: _____
_____	_____
_____	_____

7. Please give a brief summary of your immediate and long term goals as related to the profession and professional development.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

8. What institution/organization are you enrolled in for pursuing this certification or degree?  
\_\_\_\_\_