



### Change to Win recommendation on OSHA rulemaking for Combustible Dusts

Fire and explosion hazards in industries where combustible dusts are handled or created have existed for many years. In December 1987, OSHA published its final standard on Grain Handling facilities which addresses the fire and explosion hazards associated with combustible grain dust, and noted that:

“Potential dust explosion hazards exist where combustible dusts are made, handled, processed or accumulated, and dust explosions have occurred persistently in a wide variety of industries including the agricultural, mining, plastics, chemicals and metals.”

In November 2006, the U.S. Chemical Safety Board (CSB) issued its investigative report, “Investigation Report, Combustible Dust Hazard Study,” Report No. 2006-H-1, covering 281 combustible dust incidents between 1980 and 2005 that killed 119 workers, injured 718 others, and extensively damaged industrial facilities. The CSB report concluded that combustible dust explosions are a serious hazard in American industry, and that existing efforts inadequately address this hazard, and provides compelling evidence that OSHA needs to promulgate a mandatory standard to mitigate the problem of dust explosions in a wide variety of industries:

[As] yet no comprehensive federal OSHA standard exists to control the risk of dust explosions in general industry. Although OSHA has cited employers for failing to address combustible dust hazards, almost all those citations have followed an explosion, and so did not have a preventative focus.... In contrast, OSHA’s Grain Handling Facilities Standard, issued almost 20 years ago, effectively reduced the number and severity of combustible grain dust explosions in the grain handling industry, and sets an example of OSHA addressing a similar problem through regulation.”

Since the issuance of this report, there have been additional explosions, including the sugar dust explosion in February 2008 at the Imperial Sugar Plant near Savannah, Georgia, resulting in the death of 13 workers and severe burns and injuries to dozens more.

The House of Representatives held a hearing on this issue earlier this year and passed HR 5522 which requires OSHA to promulgate both an interim and a final occupational safety and health standard regarding worker exposure to combustible dust. The House states bill that “an emergency exists concerning worker exposure to combustible dust explosions and fires.”

The Administration should immediately undertake rulemaking to promulgate a Standard regulating combustible dusts under Sect. 6. which:

- follows the recommendations in the Chemical Safety Board’s final investigation report
- relies on voluntary National Fire Protection Association standards which exist and which already embody the technical principles necessary to effectively reduce the likelihood and impact of combustible dust explosions.
- applies to manufacturing, processing, blending, conveying, repackaging, and handling of combustible particulate solids and their dusts.
- addresses the issues listed in HR 5522.

The Administration should make all reasonable efforts to complete this rulemaking within 18 months.